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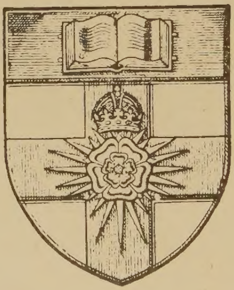

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HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

31° & 32° VICTORIÆ, 1867-8.

VOL. CXCII.

COMPRISING THE PERIOD FROM

THE ELEVENTH DAY OF MAY 1868,

TO

THE TWENTY-FIFTH DAY OF JUNE 1868.

Third Volume of the Session.

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Amendment proposed,

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(6.) £210,070, to complete the sum for County Prisons and Reformatories, &c.

(7.) £433,674, to complete the sum for County Courts.—After short debate, Vote *agreed to* 502

(8.) £28,950, to complete the sum for Police Courts (London and Sheerness).—After short debate, Vote *agreed to* 502

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Sir Colman O'Loghlen :*)—Question put, and *negatived.*

(9.) Motion made, and Question proposed, "That a sum, not exceeding £165,524, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for the Metropolitan Police" 503

After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Watkin :*)—After further short debate, Motion, by leave, *withdrawn :*—Original Question put, and *agreed to.*

(10.) £130,891, to complete the sum for Convict Establishments (Colonies).—After short debate, Vote *agreed to* 504

Resolutions to be reported *To-morrow ;* Committee to sit again upon *Wednesday.*

Railways (Ireland) Acts Amendment Bill—*Ordered* (*Mr. Serjeant Barry, Mr. Sullivan*); *presented,* and read the first time [Bill 123] 505

Local Government Supplemental (No. 2) Bill — *Ordered* (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*); *presented,* and read the first time [Bill 120] .. 505

Local Government Supplemental (No. 3) Bill—*Ordered* (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*); *presented,* and read the first time [Bill 121] .. 505

LORDS, TUESDAY, MAY 19.

Friendly Societies Bill (No. 43)—

Order of the Day for the House to be put in Committee on the Friendly Societies Bill, read 506

After short debate, Bill (by Leave of the House) *withdrawn.*

Consecration of Churchyards Act (1867) Amendment Bill (No. 16)—

Moved, "That the Bill be now read 2^a,"—(*The Lord Bishop of Oxford*) .. 507

After short debate, Motion *agreed to :*—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

Alkali Act Continuance Bill (No. 114)—

Moved, "That the Bill be now read 2^{a},"—(*The Duke of Richmond*) .. 509

After short debate, Motion *agreed to* :—Bill read 2^{a}, and *committed* to a Committee of the Whole House on *Friday* next.

CONSTRUCTION OF THE HOUSE—SELECT COMMITTEE APPOINTED AND NOMINATED—

Moved, That the Select Committee appointed on 28th June 1867, to consider whether any and what Arrangements can be made to remedy the present defective Construction of the House in reference to Hearing, be re-appointed—(*The Earl of Carnarvon*) .. 510

Motion *agreed to* :—List of the Committee.

CONTAGIOUS DISEASES ACT, 1866—

Moved, That a Select Committee be appointed to consider the Contagious Diseases Act, 1866 :—Motion *agreed to* :—List of the Committee 511

Sale of Poisons and Pharmacy Act Amendment Bill [H.L.]—*Presented* (*The Earl Granville*); read 1^{a} (No. 103) 511

COMMONS, TUESDAY, MAY 19.

ESTABLISHED CHURCH (IRELAND) BILL—Question, Mr. Gladstone; Answer, Mr. Disraeli 511

ILLEGAL PUBLICATIONS—Question, Mr. Percy Wyndham; Answer, Mr. Gathorne Hardy 512

ARMY RESERVE AND MILITIA RESERVE—Question, Major Walker; Answer, Sir John Pakington 512

MONUMENT TO THE DUKE OF WELLINGTON—Question, Mr. Goldsmid; Answer, Lord John Manners 512

OFFICERS OF CUSTOMS—Question, Mr. Locke; Answer, Mr. Sclater-Booth .. 513

MERCHANT SHIPPING ACTS—Question, Mr. O'Beirne; Answer, Mr. S. Cave 513

REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL—Question, Mr. Dalglish; Answer, Mr. Disraeli 513

ARMY—(SALE AND PURCHASE OF COMMISSIONS)—RESOLUTIONS—

Moved, "That the Purchase and Sale of Military Commissions be discontinued after a date fixed for that purpose,"—(*Mr. Trevelyan*) 514

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the ground of complaint against the operation of the Purchase System in the Army would be greatly diminished, and the efficiency of the Service improved, by the abolition of Purchase above the rank of Captain in the Cavalry and the Infantry of the Line,"—(*Captain Vivian*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Amendment and Motion, by leave, *withdrawn*.

AGRICULTURE—MOTION FOR A SELECT COMMITTEE—

Moved, "That a Select Committee be appointed to inquire into and report upon the functions of various Government Offices so far as they affect questions relating to agriculture, with a view to provide for the due consideration of such questions by one department responsible to Parliament,"—(*Mr. Acland*) 579

After short debate, Motion, by leave, *withdrawn*.

Fairs Bill—*Ordered* (*Mr. Dillwyn, Mr. Hussey Vivian, Mr. Denman*); *presented*, and read the first time [Bill 126] 591

West Indies Bill—*Ordered* (*Mr. Adderley, Mr. Sclater-Booth*); *presented*, and read the first time [Bill 124] 591

QUEEN ANNE'S BOUNTY BOARD—

Select Committee appointed "to inquire into the management and constitution of Queen Anne's Bounty Board,"—(*Mr. Bouverie*) 591

And, on May 28, Committee *nominated* :—List of the Committee.

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COMMONS, WEDNESDAY, MAY 20.

Libel Bill [Bill 3]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Sir Colman O'Loghlen*) 592

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Newdegate,*)—instead thereof.

After short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 108, Noes 38; Majority 70.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*:—Bill *considered* in Committee 604

After short time spent therein, Committee report Progress; to sit again upon *Friday.*

Voters in Disfranchised Boroughs Bill—*Ordered* (*Mr. Kekewich, Mr. Jardine, Mr. Alfred Seymour*); *presented,* and read the first time [Bill 128] 618

Probate of Wills, &c. (Ireland) Bill—*Ordered* (*Mr. Henry B. Sheridan, Mr. Serjeant Barry*); *presented,* and read the first time [Bill 129] 618

COMMONS, THURSDAY, MAY 21.

Representation of the People (Scotland) Bill—

Ministerial Statement (*Mr. Disraeli*) 619

Moved, "That this House do now adjourn,"—(*Mr. Percy Wyndham*)

After long debate, Motion, by leave, *withdrawn.*

Ireland—Arbour Hill Garrison Chapel—Question, Mr. Pollard-Urquhart; Answer, Sir John Pakington 651

Navy—The "Glatton" and "Hotspur"—Question, Captain Mackinnon; Answer, Mr. Corry 651

Commercial Treaty with Austria—Question, Mr. W. E. Forster; Answer, Lord Stanley 652

Designs for the New Courts of Justice—Question, Mr. Pease; Answer, Mr. Sclater-Booth 653

Electric Telegraphs Bill—Question, Mr. Graves; Answer, The Chancellor of the Exchequer 654

Army—Defective Ammunition—Question, Mr. Herbert; Answer, Sir John Pakington 654

United States Iron-Clads—Question, Lord John Hay; Answer, Lord Stanley 655

Ireland—Bible Depot at Queenstown—Question, Mr. Long; Answer, The Earl of Mayo 655

The Assistant Judge of Sierra Leone—Question, Mr. H. B. Sheridan; Answer, Mr. Adderley 656

Ireland — The Irish Church — Question, Mr. MacEvoy; Answer, Mr. Gladstone 657

Election Petitions and Corrupt Practices at Elections (*re-committed*) **Bill** [Bill 63]—

Bill *considered* in Committee 657

After long time spent therein, Committee report Progress; to sit again upon *Thursday* next.

Water Supply Bill—*Ordered* (*Mr. Clive, Mr. Goldney, Mr. Neate, Mr. Wyld*); *presented,* and read the first time [Bill 131] 692

Metropolitan Police Funds Bill—*Ordered* (*Mr. Secretary Gathorne Hardy, Sir James Fergusson*); *presented,* and read the first time [Bill 132] 693

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Thames Embankment and Metropolis Improvement (Loans) Act Amendment Bill—*Ordered* (*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer*) ; *presented,* and read the first time [Bill 133] 693

Curragh of Kildare Bill—*Ordered* (*The Earl of Mayo, Mr. Attorney General for Ireland*); *presented,* and read the first time [Bill 134] 693

LORDS, FRIDAY, MAY 22.

The Abyssinian Expedition—The Despatches—Question, The Earl of Ellenborough ; Answer, The Earl of Malmesbury 693

New Forest—Deer Removal, &c., Act, 1851—Motion for a Select Committee—

Moved, "That a Select Committee be appointed to inquire into the Operation of the 14th and 15th Vict. Cap., 76., intituled " An Act to extinguish the right of the Crown to Deer in the New Forest, and to give Compensation in lieu thereof; and for other Purposes relating to the said Forest,"—(*The Viscount Eversley*) 694

After short debate, Motion *agreed to* :—And, on May 26, Committee *nominated* :—List of the Committee 696

Newfoundland—Grants of Land on "The French Coast"—
Petition *presented* (*Lord Houghton*) 696
After short debate, Petition ordered to lie on the Table.

Regulation of Railways Bill (No. 101)—
Bill read 3ª (according to Order) 707
After short debate, Bill *passed,* and sent to the Commons.

Cotton Statistics Bill (No. 102)—
Moved, "That the Bill be now read 2ª,"—(*The Marquess of Salisbury*) .. 709
After short debate, Amendment *moved* to leave out ("now") and insert ("this Day Six Months.")
On Question, That ("now") stand Part of the Motion? their Lordships *divided;* Contents 13, Not-Contents 6; Majority 7.
List of Contents and Not-Contents 710
Resolved in the *Affirmative* ; Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

COMMONS, FRIDAY, MAY 22.

Her Majesty the Queen—Notice, Mr. Rearden ; Reply, Mr. Speaker .. 711

Army—Military Uniform—Question, Mr. O'Reilly ; Answer, Sir J. Pakington 712

Ireland—Railways—Question, Mr. Monsell ; Answer, Mr. Disraeli .. 712

Customs' Extra Clerks—Question, Mr. H. B. Sheridan ; Answer, Mr. Sclater-Booth 713

Condition of the Mauritius—Question, Mr. J. A. Smith ; Answer, Mr. Adderley 713

India — Cholera at Fort William — Question, Mr. Neate ; Answer, Sir Stafford Northcote 714

Ireland — The Roman Catholic University — Question, Sir George Grey ; Answer, The Earl of Mayo 714

Sir Robert Napier and Ex-Governor Eyre—Question, Captain Archdall 715

The Abyssinian Expedition—Questions, Mr. Stansfeld, Captain Vivian, Mr. Layard ; Answers, Sir Stafford Northcote 716

The Prosecution of Ex-Governor Eyre—Questions, Colonel Stuart Knox, Major Jervis ; Reply, Mr. Speaker 717

Telegraphic Communication with Abyssinia—Question, Mr. Otway ; Answer, Sir Stafford Northcote 718

SUPPLY — Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

AFRICAN SLAVE TRADE—"THE ABERDEEN ACT"—Observations, Mr. Layard; Reply, Lord Stanley 718

NAVY—GREENWICH HOSPITAL—Observations, Mr. Baillie Cochrane .. 719

PARLIAMENT—FORMS OF THE HOUSE—Observations, Mr. Darby Griffith .. 719

Motion, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn*:— Committee *deferred* till *Monday* next.

Established Church (Ireland) Bill [Bill 177]—

Moved, "That the Bill be now read a second time,"—(*Mr. Gladstone*) .. 720

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Secretary Gathorne Hardy.*)

Question proposed, "That the word 'now' stand part of the Question:" —After long debate, Question put:—The House *divided*; Ayes 312, Noes 258; Majority 54.

Division List, Ayes and Noes 809

Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Friday*, 5th June.

LORDS, MONDAY, MAY 25.

Army Chaplains Bill [H.L.]—*Presented* (*The Earl of Longford*); read 1ª (No. 116) .. 813

COMMONS, MONDAY, MAY 25.

IRELAND—PARTY PROCESSIONS ACT—Question, Sir Frederick Heygate; Answer, The Earl of Mayo 814

POST OFFICE—WEST INDIA MAILS—Question, Mr. Gilpin; Answer, Mr. Sclater-Booth 815

DURHAM COUNTY COURTS — Question, Mr. Henderson; Answer, Mr. Sclater-Booth 816

QUEENSLAND — POLYNESIAN LABOURERS—Question, Mr. Taylor; Answer, Mr. Adderley 816

POSTAL SERVICE—Question, Mr. Crawford; Answer, Mr. Sclater-Booth .. 817

ARMY—PAYMENT OF MUSKETRY INSTRUCTORS — Questions, Major Anson, Lord Elcho; Answers, Sir John Pakington 817

RIOTS AT ASHTON, STALEY BRIDGE, BIRMINGHAM, &c.—Question, Mr. Maguire; Answer, Mr. Gathorne Hardy 817

Moved, "That this House do now adjourn," — (*Mr. Maguire*:)—Debate thereon

THE CONVICT BARRETT—Question, Mr. Bright; Answer, Mr. Gathorne Hardy 832

Motion, by leave, *withdrawn*.

EX-GOVERNOR EYRE—Question, Colonel Jervis

Moved, "That this House do now adjourn,"—(*Colonel Jervis.*)

Answer, Mr. Disraeli:—Short debate thereon 836

Motion, by leave, *withdrawn*.

Parliamentary Reform—Representation of the People (Scotland) Bill [Bill 29]—

Bill *considered* in Committee [*Progress, May* 18] 840

After long time spent therein, Committee report Progress; to sit again upon *Thursday*.

Local Officers' Superannuation (Ireland) Bill—*Ordered* (*Sir Colman O'Loghlen, Sir John Gray, Mr. Pim*); *presented*, and read the first time [Bill 137] .. 897

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LORDS, TUESDAY, MAY 26.

Abyssinia—Thanks to the Army—Observations, The Earl of Malmesbury .. 897

Consecration of Churchyards Act (1867) Amendment Bill (No. 16)—
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After short time spent therein, Bill *reported ;* to be read 3^a on *Thursday* next, and to be *printed.* (No. 124.)

Artizans' and Labourers' Dwellings Bill (No. 93)—
Moved, "That the Bill be now read 2^a,"—(*The Lord Chelmsford*) .. 899
After short debate, Motion *agreed to* :—Bill read 2^a accordingly.
Moved, "That the Bill be referred to a Select Committee,"—(*Lord Portman.*)
Motion *agreed to* :—Bill *referred* to a Select Committee.
And, on Friday, May 29, Committee *nominated* :—List of the Committee 916

Sea Fisheries (Ireland) Bill (No. 96)—
House in Committee (*on Re-commitment*) 916
Amendments made ; The Report thereof to be received on *Friday* next ; and Bill to be *printed* as amended. (No. 125.)

Cotton Statistics Bill (No. 102)—
House in Committee (according to Order) 918
After short time spent therein, Amendments made ; The Report thereof to be received on *Thursday* next ; and Bill to be *printed* as amended. (No. 126.)

Poor Rate (Scotland)—Motion for a Paper—
Moved, That there be laid before this House, Copy of any Letter or Instructions addressed by the Crown Agent to the Inspectors of Poor in reference to a Return made to an Order of this House, dated 27th March, showing the Deductions allowed to Occupiers before assessing for Poor Rate in various Scotch Parishes, and the Amount of gross Rental required to give a rateable Value of £12 in those Parishes respectively,—(*The Earl of Airlie*) 919
Motion *agreed to.*

COMMONS, TUESDAY, MAY 26.

Frauds upon Burial Societies—Question, Mr. P. A. Taylor ; Answer, Mr. Gathorne Hardy 920

Representation of the People (Ireland) Bill — Question, Sir Colman O'Loghlen ; Answer, The Earl of Mayo 922

Outrages in Japan—Question, Colonel Sykes ; Answer, Lord Stanley .. 922

Post Office—The Cape Mail—Question, Mr. Candlish ; Answer, Mr. Sclater-Booth 923

Egypt—Claims on the Viceroy—Question, Mr. Freville-Surtees ; Answer, Lord Stanley 924

Parliament—The General Election—Question, Mr. Sandford ; Answer, Mr. Disraeli 924

Despatches from Victoria— Question, Sir Roundell Palmer ; Answer, Mr. Adderley 925

The Derby Day—Adjournment—*Moved,* "That the House, at its rising, do adjourn till Thursday,"—(*Mr. Disraeli*) 925

Vote of Thanks to the Army in Abyssinia—Observations, Mr. Disraeli, Mr. Gladstone 925

Metropolitan Police—Question, Mr. Ayrton ; Answer, Mr. G. Hardy .. 925

Whitsuntide Recess—Question, Mr. Bouverie ; Answer, Mr. Disraeli .. 927

Riots at Ashton, Staley Bridge, Birmingham, &c.—Personal Explanation, Mr. Newdegate 927

Motion *agreed to* :—House, at rising, to adjourn till *Thursday* next.

DIPLOMATIC SERVICE—RESOLUTION—*Moved*,
"That, in the opinion of this House, all sums required to defray the expenses of the Diplomatic Service ought to be annually voted by Parliament, and that Estimates of all such sums ought to be submitted in a form that will admit of their effectual supervision and control by this House,"—(*Mr. Labouchere*) 927
After short debate, the House *divided;* Ayes 76, Noes 72; Majority 4.

COLLIERY ACCIDENTS—MOTION FOR A COMMISSION—*Moved*,
"That an humble Address be presented to Her Majesty, that She will be graciously pleased to issue a Royal Commission to inquire into Colliery Accidents,"—(*Mr. Greene*) 939
After short debate, House counted out.

LORDS, THURSDAY, MAY 28.

ARTIZANS' AND LABOURERS' DWELLINGS BILL—Personal Explanation (*Lord Portman*) 946

Poor Relief Bill (No. 111)—
House in Committee (according to Order) 946
After short time spent therein, House *resumed;* to be again in Committee on *Monday* the 15*th of June* next; Bill to be *printed* as amended. (No. 132.)

COMMONS, THURSDAY, MAY 28.

ARMY—SUBORDINATE OFFICERS IN THE WAR DEPARTMENT—Question, Lord Elcho; Answer, Sir John Pakington 950
ARMY—RIFLED ORDNANCE—STUDDED SHOT—Question, Mr. Esmonde; Answer, Sir John Pakington 951
LATYMER'S CHARITY, EDMONTON—Question, Viscount Enfield; Answer, Lord Robert Montagu 952
EDUCATION—THE REVISED CODE—Questions, Mr. Bruce, Mr. Baines; Answers, Lord Robert Montagu 952
JUDICIAL BUSINESS IN THE HOUSE OF LORDS—Question, Mr. Labouchere; Answer, Mr. Gathorne Hardy 953
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METROPOLIS—THE MAIN DRAINAGE—PETITION OF INHABITANTS OF BARKING—Question, Lord Eustace Cecil; Answer, Mr. Gathorne Hardy .. 954
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IRELAND—PROPOSED CATHOLIC UNIVERSITY—Question, Mr. Murphy; Answer, The Earl of Mayo 955
TURNPIKE CONTINUANCE BILL—Question, Mr. Knatchbull-Hugessen; Answer, Mr. Gathorne Hardy 956

Parliamentary Reform—Representation of the People (Scotland) Bill [Bill 29]—
Bill *considered* in Committee [*Progress, May* 25] 956
After long time spent therein, Committee report Progress; to sit again upon *Monday* 8th June.

SUPPLY—VOTE ON ACCOUNT OF CIVIL SERVICE ESTIMATES — Observations, Mr. Sclater-Booth 1010

SUPPLY—*considered* in Committee.
Resolved, That a further sum, not exceeding £1,412,000, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services, to the 31st day of March 1869.
[Then the several Services are set forth.]

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BOUNDARIES OF BOROUGHS—INSTRUCTION TO SELECT COMMITTEE—
Moved, "That it be an Instruction to the Select Committee on Boundaries of Boroughs that they have power to consider the Petitions presented to this House on the subject of the places of nomination for County Elections; that the Petitions from South Molton, Barnstaple, Torrington, and Ilfracombe, relative to the place of nomination for the Northern Division of the county of Devon, be referred to the Committee,"—(*Sir S. Northcote*) .. 1011
After short debate, Motion, by leave, *withdrawn*.

Bankruptcy Act Amendment Bill—*Ordered* (*Mr. Moffatt, Mr. Crawford, Mr. Ayrton, Mr. Charles Forster*); *presented*, and read the first time [Bill 145] 1011

Courts of Chancery and Exchequer (Ireland) Fee Funds Bill—*Ordered* (*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer*); *presented*, and read the first time [Bill 146] 1011

Assignees of Marine Policies Bill—*Ordered* (*Mr. Candlish, Sir Colman O'Loghlen, Mr. Norwood*); *presented*, and read the first time [Bill 147] 1011

LORDS, FRIDAY, MAY 29.

UNIVERSITY TESTS—Petitions *presented* (*The Earl of Kimberley*) .. 1012
After debate, Petitions *ordered* to lie on the Table.

WHITSUNTIDE RECESS—VOTE OF THANKS TO THE ARMY IN ABYSSINIA — STATE OF PUBLIC AFFAIRS—
Moved, "That this House do adjourn to *Monday*, the 8th of June next,"—(*The Lord Privy Seal*) 1025
After debate, Motion *agreed to*.

COMMONS, FRIDAY, MAY 29.

CORRUPT PRACTICES AT ELECTIONS BILL — Question, Mr. Schreiber; Answer, Mr. Disraeli 1040

TURKEY — BRIGANDAGE NEAR SMYRNA — Question, Mr. Wyld; Answer, Lord Stanley 1040

CEYLON—UNAUTHORIZED PUBLICATION OF A DESPATCH—Question, Mr. Watkin; Answer, Mr. Adderley 1041

IRELAND — UNIVERSITY EDUCATION — Question, Mr. Fawcett; Answer, Mr. Disraeli 1041

LOSS OF THE "GARONNE"—Question, Admiral Erskine; Answer, Mr. S. Cave 1042

RIOTS AT ASHTON, STALEY BRIDGE, BIRMINGHAM, &c.—Question, Mr. Whalley; Answer, Mr. Gathorne Hardy 1042

METROPOLIS—OBSTRUCTION OF THOROUGHFARES—Question, Mr. Otway; Answer, Lord John Manners 1042

ESTABLISHED CHURCH (IRELAND) BILL—Question, Mr. Gladstone; Answer, Mr. Disraeli 1043

IRELAND — UNIVERSITY OF DUBLIN — Question, Sir Henry Winston-Barron; Answer, Mr. Disraeli 1044

BOUNDARIES OF BOROUGHS—REPORT OF THE SELECT COMMITTEE — Observations, Mr. Walpole 1044
Report read; and ordered to lie on the Table, and to be *printed*. (No. 311.)
Minute of the Proceedings of the Committee to be *printed*. (No. 311.)

WHITSUNTIDE RECESS—
Moved, "That the House, at rising, do adjourn till *Thursday* next" .. 1045
NEW COURTS OF JUSTICE—Observations, Mr. Baillie Cochrane; Reply, Mr. Cowper:—Short debate thereon 1045
DISSOLUTION OF PARLIAMENT—Question, Mr. W. E. Forster; Answer, Mr. Disraeli:—Debate thereon 1053
Motion *agreed to*:—House, at rising, to adjourn till *Thursday* next.

[*May* 29.]

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SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

PARLIAMENT—RULES OF THE HOUSE—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the rule of this House, 'that no Member may allude to any Debate in the other House of Parliament,' be rescinded,"—(*Mr. Darby Griffith,*)—instead thereof .. 1077

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

COAL MINES—Question, Mr. Greene; Answer, Mr. Ayrton:—Short debate thereon 1081

RIOTS AT ASHTON, STALEY BRIDGE, BIRMINGHAM, &c.—Question, Mr. Whalley; Answer, Mr. Gathorne Hardy:—Debate thereon 1085

DECLARATION AGAINST TRANSUBSTANTIATION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, a Copy of the Declaration against Transubstantiation, &c. taken by the Sovereign of this Realm at his first Parliament or at his Coronation, whichever shall first happen after his Accession,"—(*Sir Colman O'Loghlen,*)—instead thereof 1098

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES—*considered* in Committee .. 1103

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(1.) £66,314, to complete the sum for Law Charges and Criminal Prosecutions, Ireland.

(2.) £11,421, to complete the sum for Common Law Courts, Ireland.—After short debate, Vote *agreed to* 1104

(3.) £6,020, to complete the sum for Miscellaneous Legal Charges, Ireland.

(4.) £6,000, to complete the sum for County Prisons, Ireland.—After short debate, Vote *agreed to* .. 1104

(5.) £47,484, to complete the sum for Criminal Proceedings, Scotland.

(6.) £33,378, to complete the sum for Courts of Law and Justice, Scotland.

(7.) £11,909, to complete the sum for Register House Departments, Edinburgh.

(8.) £8,705, to complete the sum for Admiralty Court Registry.

(9.) £49,979, to complete the sum for Probate Court.

(10.) £3,470, to complete the sum for Land Registry Office.—After short debate, Vote *agreed to* .. 1105

(11.) Motion made, and Question proposed, "That a sum, not exceeding £160,332, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, of the Superintendence of Government Prisons in England and the Expenses of Transportation."

After short debate, Motion made, and Question proposed, "That a sum, not exceeding £159,932, &c.,"—(*Mr. Candlish*) 1107

After further short debate, Motion, by leave, *withdrawn*:—Original Question put, and *agreed to* .. 1108

(12.) £22,929, to complete the sum for Broadmoor Criminal Lunatic Asylum.

(13.) £16,267, to complete the sum for Prisons, Scotland.

(14.) £23,171, to complete the sum for Court of Chancery, Ireland.

(15.) £1,171, to complete the sum for Registry of Judgments, Ireland.

(16.) £9,200, to complete the sum for Registration of Deeds, Ireland.

(17.) £5,400, to complete the sum for Court of Bankruptcy and Insolvency, Ireland.

(18.) £6,272, to complete the sum for Court of Probate, Ireland.

(19.) £3,906, to complete the sum for Landed Estates Court, Ireland.

(20.) £50,488, to complete the sum for Metropolitan Police, Dublin.

(21.) £573,751, to complete the sum for Constabulary Force, Ireland.

(22.) £1,530, to complete the sum for Four Courts, Dublin.

(23.) £32,399, to complete the sum for Government Prisons and Reformatories, Ireland.

(24.) £2,376, to complete the sum for Dundrum Criminal Lunatic Asylum.

(25.) £1,300, to complete the sum for Admiralty Court Registry, Ireland.

Resolutions to be reported upon *Thursday* next; Committee to sit again upon *Thursday* next.

Courts of Law (Scotland) [Fees, &c.] Bill—Resolution *reported*, and *agreed to:* —Bill *ordered (Mr. Dodson, The Lord Advocate, Sir Graham Montgomery)* .. 1108

Pier and Harbour Orders Confirmation (No. 2) Bill—Resolution *considered* in Committee :—Resolution *reported :*—Bill *ordered* (*Mr. Dodson, Mr. Stephen Cave, Mr. Sclater-Booth*); *presented*, and read the first time [Bill 148] 1109

Turnpike Acts Continuance, &c. Bill—*Ordered* (*Sir James Fergusson, Mr Secretary Gathorne Hardy*); *presented*, and read the first time [Bill 149] 1109

COMMONS, THURSDAY, JUNE 4.

INDIA—POSTAL COMMUNICATION WITH PENANG—Question, Mr. T. Baring; Answer, Mr. Sclater-Booth 1109

MR. GLADSTONE AND THE EAST WORCESTERSHIRE ELECTION—Question, Sir Thomas Bateson; Answer, Mr. Gladstone 1110

ARMY—TRANSPORT OF TROOPS TO INDIA—Question, Sir George Stucley; Answer, Sir John Pakington 1111

ARMY—CAVALRY UNIFORMS—Question, Sir George Stucley; Answer, Sir John Pakington 1111

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE EAST WORCESTERSHIRE ELECTION—Observations, Mr. Gladstone; Reply, Mr. Disraeli:—Debate thereon 1112

ARMY—CLERKS IN THE ENGINEER DEPARTMENT—Question, General Dunne; Answer, Sir John Pakington:—Short debate thereon 1124

SUPPLY—THE DISSOLUTION—Questions, Mr. Childers, Mr. Lowe; Answers, The Chancellor of the Exchequer 1126

PARLIAMENT—PUBLIC BUSINESS—Question, Mr. Torrens; Answer, Mr. Disraeli 1130

SLAVE BOUNTIES—Observations, Question, Colonel Sykes; Answer, Mr. Sclater-Booth 1130

Motion, "That Mr. Speaker do now leave the Chair," *agreed to*.

SUPPLY—CIVIL SERVICE ESTIMATES—*considered* in Committee .. 1132

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(1.) £7,800, to complete the sum for Grants to Learned Societies, Great Britain.—After short debate, Vote *agreed to* 1132

(2.) £1,580, Dr. Petrie's Antiquarian Collection.—After short debate, Vote *agreed to* 1133

(3.) £2,265, to complete the sum for the Queen's Colleges, Ireland.

(4.) £1,784, Royal Irish Academy.

(5.) £1,050, to complete the sum for Theological Professors and General Assembly's College, Belfast.

(6.) £11,949, to complete the sum for Grants to Scottish Universities.—After short debate, Vote *agreed to* 1134

(7.) £2,200, to complete the sum for Board of Manufactures, Scotland, &c.

(8.) £511,324, to complete the sum for Public Education, Great Britain.—After debate, Vote *agreed to* .. 1134

(9.) Motion made, and Question proposed, "That a sum, not exceeding £141,690, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, of the Salaries and Expenses of the Department of Science and Art, and of the Establishments connected therewith .. 1161

After short debate, Motion made, and Question put, "That the Item of £2,500, for Preparation, Illustration, and Printing of Catalogues and Inventories of the Museum, and Universal Art Catalogue and Inventories, be reduced by the sum of £1,000,"—(*Mr. Gregory*:)—The Committee *divided;* Ayes 34, Noes 54; Majority 20.

Original Question put, and *agreed to* .. 1172

SUPPLY—Civil Service Estimates—*continued.*

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(10.) £6,063, to complete the sum for the University of London.

(11.) Motion made, and Question proposed, "That a sum, not exceeding £10,992, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for the Salaries and Expenses of the National Gallery, including the purchase of Pictures" .. 1172

Whereupon Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Bentinck,*)—put, and *negatived.*

Original Question put, and *agreed to:*—Vote *agreed to.*

(12.) £800, to complete the sum for the British Historical Portrait Gallery.

(13.) £235,195, to complete the sum for National Education in Ireland.

(14.) £730, Commissioners of Education in Ireland.

(15.) £2,155, to complete the sum for the Queen's University, Ireland.

(16.) £1,740, to complete the sum for the National Gallery, Ireland.

(17.) £5,083, to complete the sum for Miscellaneous Charitable and other Allowances, Great Britain.

(18.) £34,040, to complete the sum for Merchant Seamen's Fund, Pensions, &c.

(19.) £30,400, to complete the sum for Relief of distressed British Seamen.

(20.) £145,857, to complete the sum for Superannuation and Retired Allowances. — After short debate, Vote *agreed to* 1173

(21.) £13,134, to complete the sum for Hospitals and Infirmaries, Ireland.

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(22.) £4,915, to complete the sum for Miscellaneous Charitable and other Allowances, Ireland.

(23.) £14,000, to complete the sum for Temporary Commissions.

(24.) £780, Malta and Alexandria Cable, and Balmoral Telegraph.

(25.) Motion made, and Question proposed, "That a sum, not exceeding £19,377, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for certain Miscellaneous Expenses" 1174

Motion made, and Question proposed, "That the Item of £11,058 17*s.* 6*d.*, for the Veterinary Department of the Privy Council Office, Salaries and Expenses, be omitted from the proposed Vote,"—(*Sir Jervoise Clarke Jervoise:*)—after short debate, Motion, by leave, *withdrawn:*—After further short debate, Original Question put, and *agreed to.*

(26.) £31,599, to complete the sum for Local Dues on Shipping under Treaties of Reciprocity.

(27.) After short debate, Motion made, and Question put, "That a sum, not exceeding £2,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for encouraging the Cultivation of Flax in the South and West of Ireland:"—The Committee *divided;* Ayes 43, Noes 18; Majority 25 1175

Resolutions to be reported upon *Monday* next; Committee to sit again *To-morrow.*

SUPPLY—REPORT—Resolutions [May 29] *reported.*

Resolution 7 (Register House, Edinburgh):—Short debate thereon .. 1175

Resolution 11 (Government Prisons and Expenses of Transportation):—Short debate thereon 1176

Resolutions *agreed to.*

COMMONS, FRIDAY, JUNE 5.

METROPOLITAN FOREIGN CATTLE MARKET BILL—

Moved, "That it be referred to the Examiners of Petitions for Private Bills to inquire whether the Amendments which have been introduced in the Select Committee on the Metropolitan Foreign Cattle Market Bill involve any infraction of the Standing Orders," —(*Mr. Milner Gibson*) 1177

After short debate, Motion *agreed to.*

Moved, "That Memorials complaining of non-compliance with the Standing Orders be deposited in the Private Bill Office not later than Tuesday the 9th day of this instant June, and that the Examiner do give three clear days' notice of the sitting,"—(*Mr. Milner Gibson*) 1180

Motion, by leave, *withdrawn.*

Post Office — The Cape Mail—Question, Mr. Morrison; Answer, Mr. Sclater-Booth 1180

Army—Officers in Command of Depots—Question, Colonel French; Answer, Sir John Pakington 1180

Boundary Commissioners' Report—Question, Mr. Stopford; Answer, Mr. Disraeli 1181

Ecclesiastical Titles Bill—Question, Mr. Schreiber; Answer, Mr. MacEvoy 1181

Army—War Department—Question, The Marquess of Hartington; Answer, Sir John Pakington 1182

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Metropolis—Burlington House—Observations, Mr. Beresford Hope; Reply, Lord John Manners 1183

Navy—Greenwich Hospital—Observations, Mr. Baillie Cochrane; Reply, Mr. Corry 1184

Established Church (Ireland) Bill—Question, Lord Claud John Hamilton; Answer, Mr. Gladstone 1184

Navy—Greenwich Hospital—Question, Mr. Seely; Answer, Mr. Corry 1185

Established Church (Ireland) Bill [Bill 117]—

Order for Committee read 1185

Moved, "That it be an Instruction to the Committee, that they have power to provide in the said Bill, that the tenure of every office connected with the College of Maynooth be subject to like conditions with those to which official tenures connected with the Established Church in Ireland will be subject after the passing of this Act, and that no money shall be payable under the Act 8 and 9 Vic. c. 25, to the Trustees of the College of Maynooth for or for the use of any senior student or other student to be admitted after the passing of this Act,"—(*Mr. Sinclair Aytoun*) 1188

Amendment proposed,

To leave out from the words "Bill, that" to the end of the Question, in order to add the words "every person who shall be appointed to any office in the College of Maynooth, after the passing of this Act, shall hold the said office subject to the pleasure of Parliament,"—(*Colonel Greville-Nugent,*)—instead thereof.

After short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 109, Noes 185; Majority 76.

Question proposed,

"That the words 'every person who shall be appointed to any office in the College of Maynooth, after the passing of this Act, shall hold the said office subject to the pleasure of Parliament," be added," instead thereof 1192

After further short debate, Amendment proposed to the said proposed Amendment, by inserting after the word "Maynooth" the words—

"And likewise every Presbyterian Minister hereafter to be appointed to receive a share of the Regium Donum,"—(*Sir George Grey*) 1197

Question, "That those words be there inserted," put, and *agreed to.*

Question,

'That the words 'every person who shall be appointed to any office in the College of Maynooth, and likewise every Presbyterian Minister hereafter to be appointed to receive a share of the Regium Donum, after the passing of this Act, shall hold the said office subject to the pleasure of Parliament,' be added to the words 'Bill, that' in the Original Question," put, and *agreed to.*

Main Question, as amended, put, and *agreed to.*

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair" 1197

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Newdegate,*)—instead thereof.

After short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Established Church (*Ireland*) *Bill* [*Bill* 117]—continued.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*:—Bill *considered* in Committee 1211

After short time spent therein, Bill *reported;* as amended, to be considered upon *Wednesday* next.

Thames Embankment and Metropolis Improvement (Loans) Act Amendment Bill [Bill 133]—

Moved, "That the Bill be now read a second time,"—(*Mr. Chancellor of the Exchequer*) 1212

After short debate, House counted out.

LORDS, MONDAY, JUNE 8.

ABYSSINIA—THANKS TO THE ARMY—Observations, The Earl of Malmesbury .. 1221

COMMONS, MONDAY, JUNE 8.

METROPOLITAN POLICE—Question, Mr. Harvey Lewis; Answer, Mr. G. Hardy.. 1222

ARMY—FLOATING OBSTRUCTION COMMITTEE—Question, Major Anson; Answer, Sir John Pakington 1222

NAVY—THE F. G. CAPTAINS' RESERVED LIST—Question, Captain Mackinnon; Answer, Mr. Corry 1222

REGISTRATION OF VOTERS, 1868—Question, Mr. Gorst; Answer, Mr. G. Hardy.. 1223

SUPPLY—THE DISSOLUTION—Question, Mr. Childers; Answer, The Chancellor of the Exchequer 1223

STAMP DUTY ON THE TRANSFER OF DEBENTURE STOCK—Question, Mr. Childers; Answer, The Chancellor of the Exchequer 1227

REGISTRATION—THE SMALL TENEMENTS ACT—MORNING SITTINGS—Questions, Mr. Thomson Hankey; Answer, Mr. Disraeli 1228

PARTY PROCESSIONS ACT (IRELAND)—Question, Lord Edwin Hill-Trevor; Answer, Sir Frederick Heygate 1228

IRELAND—ALLEGED BRIBE TO A FENIAN—Question, Sir Frederick Heygate; Answer, The Earl of Mayo 1229

AMENDED BOUNDARY PLANS—Question, Mr. Waldegrave-Leslie; Answer, Mr. Disraeli 1230

ATTEMPTED ASSASSINATION OF THE DUKE OF EDINBURGH—Question, Mr. Verner; Answer, Mr. Disraeli 1230

ELECTRIC TELEGRAPHS BILL—Questions, Mr. Ayrton, Mr. Bright; Answers, The Chancellor of the Exchequer 1231

Parliamentary Reform—Representation of the People (Scotland) Bill [Bill 29]—

Bill *considered* in Committee [*Progress May* 28] 1231

After long time spent therein, Bill *reported;* as amended, to be considered upon *Thursday*, and to be *printed.* [Bill 154.]

Boundary Bill [Bill 78]—

Bill *considered* in Committee 1257

After long time spent therein, Committee report Progress; to sit again upon *Thursday.*

Regulation of Railways Bill (*Lords*) [Bill 142]—

Moved, "That the Bill be now read a second time,"—(*Mr. Stephen Cave*).. 1294

Bill read a second time, and *committed* for *Monday* 22nd June.

Alkali Act (1863) Perpetuation Bill (*Lords*) [Bill 153]—

Moved, "That the Bill be now read a second time,"—(*Mr. Stephen Cave*) .. 1296

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *To-morrow.*

Prisons (Scotland) Administration Acts Amendment Bill—*Ordered* (*Sir Edward Colebrooke, Mr. Dalglish*); *presented,* and read the first time [Bill 155] .. 1297

Local Government Supplemental (No. 4) Bill—*Ordered* (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*); *presented,* and read the first time [Bill 159] .. 1297

Local Government Supplemental (No. 5) Bill—*Ordered* (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*); *presented,* and read the first time [Bill 160] .. 1297

New Zealand Company Bill—*Ordered* (*Mr. Adderley, Mr. Sclater-Booth*); *presented,* and read the first time [Bill 156] 1297

Larceny and Embezzlement Bill—*Ordered* (*Mr. Russell Gurney, Mr. Coleridge*); *presented,* and read the first time [Bill 157] 1298

LORDS, TUESDAY, JUNE 9.

Army Chaplains Bill (No. 116)—

Moved, "That the Bill be now read 2^a,"—(*The Earl of Longford*) .. 1298

After short debate, Motion *agreed to*:—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

COMMONS, TUESDAY, JUNE 9.

Electric Telegraphs Bill [Bill 82]—

Moved, "That the Bill be now read a second time,"—(*Mr. Chancellor of the Exchequer*) 1301

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the question of the expediency of purchasing the Telegraphs by the State be referred to a Select Committee,"—(*Mr. Leeman,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question." After long debate, Debate *adjourned* till *To-morrow.*

QUARANTINE AT SUEZ—Question, Mr. Darby Griffith; Answer, Lord Stanley 1334

CASE OF MR. EYRE—Questions, Mr. Lamont, Colonel Brownlow Knox; Answers, Mr. Disraeli 1334

METROPOLIS—THE COLONNADE OF BURLINGTON HOUSE—Question, Mr. Bentinck; Answer, Lord John Manners 1335

ASSISTANT BOUNDARY COMMISSIONERS—Question, Mr. Darby Griffith; Answer, Mr. Gathorne Hardy 1335

LAKE SUPERIOR AND THE PACIFIC, &c.—MOTION FOR AN ADDRESS—

Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into and report upon the capability for settlement and the best means of settling Her Majesty's Territory lying between Lake Superior and the Pacific, especially as to the provision for Telegraphic and other Communication through Her Majesty's Dominions from the Atlantic to the Pacific Ocean,"—(*Sir Harry Verney*) 1336

After short debate, Motion, by leave, *withdrawn.*

Adulteration of Food or Drink Act Amendment Bill—

Motion for Leave (*Mr. Dixon*) 1351

Motion *agreed to*:—Bill to amend the "Act for preventing the Adulteration of articles of Food or Drink, 1860," *ordered* (*Mr. Dixon, Sir Joseph M'Kenna, Mr. Goldney.*)

COMMONS, WEDNESDAY, JUNE 10.

Revenue Officers' Disabilities Removal Bill [Bill 76]—

Moved, "That the Bill be now read a second time,"—(*Mr. Monk*) .. 1352

Motion *agreed to*:—Bill read a second time, and *committed* for *Friday.*

Married Women's Property Bill [Bill 89]—

Moved, "That the Bill be now read a second time,"—(*Mr. Shaw-Lefevre*) 1352

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Lopes.*)

After debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 123, Noes 123

And the numbers being equal, Mr. Speaker gave his Vote with the Ayes, and stated his reasons.

Division List, Ayes and Noes 1376

Main Question put, and *agreed to:*—Bill read a second time, and *committed* to a Select Committee.

And, on June 23, Committee *nominated:*—List of the Committee .. 1378

Burials (Ireland) Bill [Bill 5]—

Order for Committee read: —*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Monsell*) 1378

After short debate, Motion, "That Mr. Speaker do now leave the Chair," *agreed to.*

Bill *considered* in Committee.

After short time spent therein, Committee report Progress; to sit again *To-morrow.*

Inclosure (No. 2) Bill—*Ordered* (*Sir James Fergusson, Mr. Sclater-Booth*); *presented,* and read the first time [Bill 162] 1384

Poor Law and Medical Inspectors (Ireland) Bill—*Ordered* (*The Earl of Mayo, Mr. Attorney General for Ireland*) 1385

Investment of Trust Funds Supplemental Bill—*Ordered* (*Mr. Henry B. Sheridan, Mr. Ayrton*); *presented,* and read the first time [Bill 164] 1385

LORDS, THURSDAY, JUNE 11.

Army Chaplains Bill (No. 116)—

Order of the Day for the House to be put into Committee read .. 1385

Moved, "That the House do now resolve itself into a Committee,"—(*The Earl of Longford.*)

After short debate, further Debate adjourned until *To-morrow.*

Salmon Fisheries (Scotland) Bill [H.L.]—*Presented* (*The Duke of Richmond*); read 1ª. (No. 142) 1393

COMMONS, THURSDAY, JUNE 11.

EGYPT—THE VICEROY AND THE SOCIETE D'AGRICOLE—Question, Sir George Bowyer; Answer, Lord Stanley 1394

ARMY—MILITIA QUARTERMASTERS—Question, Colonel Stuart Knox; Answer, Sir John Pakington 1395

THE FOREIGN CATTLE MARKET—Question, Mr. Shaw-Lefevre; Answer, The Chancellor of the Exchequer 1395

EGYPT—QUARANTINE—Question, Sir J. Clarke Jervoise; Answer, Lord Stanley 1395

DUNSTABLE ROAD—Question, Colonel W. Stuart; Answer, Mr. Gathorne Hardy 1396

COURTS OF JUSTICE — NATIONAL GALLERY — Questions, Mr. Goldsmid, Mr. Bouverie; Answer, Mr. Sclater-Booth 1396

AGRICULTURAL LABOUR, &c.—Question, Mr. Fawcett; Answer, Mr. Gathorne Hardy 1397

SIR CHARLES DARLING—Question, Sir Robert Collier; Answer, Mr. Adderley 1397

Registration Bill—

Motion for Leave (*Mr. Gathorne Hardy*) 1398

After short debate, Motion *agreed to*:—Bill to amend the Law of Registration so far as relates to the year one thousand eight hundred and sixty-eight; and for other purposes relating thereto, *ordered* (*Mr. Secretary Gathorne Hardy, Sir James Fergusson*); *presented*, and read the first time [Bill 167.]

Boundary Bill [Bill 78]—

Bill *considered* in Committee [*Progress June* 8] 1404

After long time spent therein, Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 165.]

Parliamentary Reform—Representation of the People (Scotland) Bill [Bill 154]—

Bill, as amended, *considered* 1444

Bill to be read the third time upon *Thursday* next, and to be *printed.* [Bill 166.]

Ecclesiastical Commissioners Bill—*Ordered* (*Mr. Secretary Gathorne Hardy, Mr. Mowbray, Sir James Fergusson*); *presented*, and read the first time [Bill 168] .. 1447

Drainage Provisional Order Confirmation Bill—*Ordered* (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*); *presented*, and read the first time [Bill 169] .. 1447

LORDS, FRIDAY, JUNE 12.

South Eastern and London, Brighton, and South Coast Railway Companies Bill—

Moved, "That the Bill be now read 2ª," 1448

Amendment *moved* to leave out ("now") and insert ("this Day Six Months,")—(*The Marquess of Clanricarde.*)

After short debate, Amendment (by Leave of the House) *withdrawn;* then the original Motion was *agreed to;* Bill read 2ª accordingly, and *committed;* the Committee to be proposed by the Committee of Selection.

RELIEF OF THE POOR—ADDRESS FOR A ROYAL COMMISSION—

Moved, That an humble Address be presented to Her Majesty, to request that Her Majesty will be graciously pleased to issue a Royal Commission to inquire into the Operation and Administration of the Laws for the Relief of the Poor in England and Wales,—(*The Marquess Townshend*) 1462

After short debate, Motion (by Leave of the House) *withdrawn.*

Army Chaplains Bill (No. 116)—

Adjourned Debate on Motion, "That the House do now resolve itself into a Committee,"—(*The Earl of Longford*:)—Debate *resumed* 1465

After short debate, Motion *agreed to;* House in Committee accordingly; Amendments made: The Report thereof to be received on *Tuesday* next; and Bill to be *printed* as amended. (No. 146.)

Fine Arts Copyright Consolidation and Amendment Bill [H.L.]—*Presented* (*The Lord Westbury*); read 1ª (No. 145) 1468

COMMONS, FRIDAY, JUNE 12.

METROPOLITAN FOREIGN CATTLE MARKET BILL—RESOLUTION—

Standing Orders Committee,—Resolution *reported;*

"That, in the case of the Metropolitan Foreign Cattle Market Bill, the Standing Orders ought to be dispensed with:—That the Bill be permitted to proceed" .. 1468

Resolution read a second time.

Moved, "That this House doth agree with the Committee in the said Resolution."

Metropolitan Foreign Cattle Market Bill—Resolution—continued.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the further consideration of the said Resolution be postponed till Monday next,"—(*Mr. Milner Gibson.*)

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

IRELAND — AUDITOR OF GRAND JURY ACCOUNTS — Question, Colonel French; Answer, The Earl of Mayo 1469

POOR RELIEF ASSESSMENT RETURNS — Question, Mr. Candlish; Answer, Sir Michael Hicks-Beach 1470

IRELAND—MOUNTJOY CONVICT PRISON—Question, Mr. Pim; Answer, The Earl of Mayo 1470

EX-GOVERNOR EYRE—Question, Colonel Brownlow Knox; Answer, Mr. Disraeli 1470

INDIA—BANK OF BOMBAY — BENGAL AGENCY — Questions, Mr. Smollett, Mr. Dyce Nicol; Answers, Sir Stafford Northcote 1471

AUSTRALIA — POSTAL COMMUNICATION — Question, Mr. Childers; Answer, Mr. Sclater-Booth 1472

IRELAND—THE PROPOSED ROMAN CATHOLIC UNIVERSITY—Question, Sir John Gray; Answer, The Earl of Mayo 1472

INDIA—CHURCH SERVICES — Questions, Mr. Kinnaird, Mr. Beresford Hope; Answers, Sir Stafford Northcote 1474

FAMILIES OF MILITIAMEN — Question, Mr. Dillwyn; Answer, Sir Michael Hicks-Beach 1475

THE POST OFFICE SERVICE—Questions, Mr. Moffatt, Mr. Crawford; Answers, Mr. Sclater-Booth 1476

ARMY—GUNNERY EXPERIMENTS—Question, Major Anson; Answer, Sir John Pakington 1476

REGISTRATION LISTS—Question, Lord Henley; Answer, Mr. Gathorne Hardy 1477

EX-GOVERNOR EYRE AND HIS EXPENSES—Question, Mr. P. A. Taylor; Answer, Mr. Adderley 1477

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

CASE OF POLICE SERGEANT STONE—MOTION FOR A SELECT COMMITTEE—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the causes of the dismissal of Police Sergeant Stone from the Metropolitan Police Force,"—(*Mr. Labouchere,*) instead thereof 1478

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

LOCAL RATING—MOTION FOR A SELECT COMMITTEE—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to consider the present incidence and principle of Local Rating, and report thereon,"—(*Mr. Corrance,*)—instead thereof .. 1483

After short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

ACCIDENTS IN MINES — Observations, Mr. Bruce; Reply, Mr. Gathorne Hardy:—Short debate thereon 1498

REGISTRATION OF PUBLICATIONS — Observations, Mr. Ayrton; Reply, The Attorney General:—Short debate thereon 1509

Main Question, "That Mr. Speaker do now leave the Chair," put, and *negatived*:—Committee *deferred* till *Monday* next.

[*June* 12.] *Page*

Court of Session (Scotland) Bill [Bill 45]—
Moved "That the Bill be now read a second time,"—(*The Lord Advocate*) .. 1516
After short debate, Motion *agreed to* :—Bill read a second time, and *committed* for *Monday* next.

Land Writs Registration (Scotland) (*re-committed*) **Bill** [Bill 56]—
Bill *considered* in Committee 1525
After short time spent therein, Committee report Progress; to sit again upon *Thursday* next.

Established Church (Ireland) Bill [Bill 117]—
Bill, as amended, *considered* 1529
Bill to be read the third time upon *Tuesday* next.

Revenue Officers' Disabilities Removal Bill [Bill 76]—
Order for Committee read :—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Monk*) 1533
After short debate, Motion made, and Question put, "That the Debate be now adjourned,"—(*Mr. Sclater-Booth* :)—The House *divided;* Ayes 36, Noes 52; Majority 16.
Question again proposed, "That Mr. Speaker do now leave the Chair."
Moved, "That this House do now adjourn,"—(*Lord Edwin Hill-Trevor* :)—Question put, and *negatived.*
Question again proposed, "That Mr. Speaker do now leave the Chair."
Moved, "That the Debate be now adjourned,"—(*Mr. Powell* :)—The House *divided;* Ayes 33, Noes 42; Majority 9:—Main Question, "That Mr. Speaker do now leave the Chair," put, and *negatived* :—Committee *deferred* till *Monday* next.

LORDS, MONDAY, JUNE 15.

PUBLIC SCHOOLS—OBSERVATIONS—ADDRESS FOR PAPERS—
Moved, "That an humble Address be presented to Her Majesty for, Copies of any Petitions or Memorials on the Subject of Public Schools which have been received by Her Majesty's Government since the 1st of July, 1866,"—(*The Earl Stanhope*) .. 1538
After short debate, Motion (by Leave of the House) *withdrawn.*

County Courts Admiralty Jurisdiction Bill (No. 108)—
Moved, "That the Bill be now read 2ª,"—(*Earl Granville*) .. 1553
After short debate, Motion *agreed to* :—Bill read 2ª accordingly.

Sale of Poisons and Pharmacy Act Amendment Bill (No. 103)—
Order of the Day for the House to be put into Committee read .. 1554
Moved, "That the House do now resolve itself into Committee,"—(*Earl Granville.*)
After short debate, House in Committee; Amendments made; The Report thereof to be received *To-morrow;* and Bill to be *printed,* as amended. (No. 148.)

ARMY—VOLUNTEER REVIEW AT WINDSOR—Question, Lord Truro; Answer, The Earl of Malmesbury 1557

Metropolitan Regulations Bill [H.L.]—*Presented* (*The Marquess Townshend*); read 1ª (No. 149) 1557

Metropolitan Roads Bill [H.L.]—*Presented* (*The Marquess Townshend*); read 1ª (No. 150) 1557

Industrial Schools Act (1866) Amendment Bill [H.L.]—*Presented* (*The Marquess Townshend*); read 1ª (No. 151) 1557

COMMONS, MONDAY, JUNE 15.

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Colliery Prosecution—Question, Mr. Locke; Answer, Mr. Gathorne Hardy 1558

Immoral Publications and Plays—Question, Mr. Hubbard; Answer, Mr. Gathorne Hardy 1558

Egypt—Law Courts—Question, Mr. Layard; Answer, Lord Stanley 1559

Scientific Instruction in Foreign Countries—Questions, Mr. Samuelson, Mr. W. E. Forster; Answers, Lord Robert Montagu 1560

Small-pox Hospital—Question, Sir J. Clarke Jervoise; Answer, Lord Robert Montagu 1561

Post Office Communication with the East Indies—The Brindisi Route—Question, Mr. Goldsmid; Answer, Mr. Sclater-Booth 1561

Foreign Office Agencies—Question, Mr. Labouchere; Answer, Lord Stanley 1562

Ireland—Post Office—Question, General Dunne; Answer, Mr. Sclater-Booth 1562

Metropolis—New Courts of Justice—Question, Mr. Waldegrave-Leslie; Answer, Mr. Sclater-Booth 1563

Spain—Case of the "Tornado"—Question, Mr. Smollett; Answer, Lord Stanley 1563

Electric Telegraphs—Question, Mr. Ayrton; Answer, Mr. Stephen Cave 1564

The Abyssinian Despatches—Question, Mr. Layard; Answers, Mr. Disraeli, Sir Stafford Northcote 1564

Revenue Officers' Disabilities Removal Bill—Question, Mr. Monk; Answer, Mr. Disraeli 1565

Army—Volunteer Review at Windsor—Question, Lord Elcho; Answer, Mr. Disraeli 1566

Government of India Bills—Question, Sir Edward Colebrooke; Answer, Sir Stafford Northcote 1567

Parliament—Business of the House—Question, Mr. Morrison; Answer, Mr. Disraeli—Short debate thereon 1567

Resolved, That upon Tuesday the 7th day of July next, and every succeeding Tuesday during the present Session, Orders of the Day have precedence of Notices of Motions, the right being reserved to Her Majesty's Ministers of placing Government Orders at the head of the List,—(*Mr. Disraeli*) 1570

Resolved, That this House do meet To-morrow at Two of the clock, subject to the Resolutions of the 27th day of May 1867,—(*Mr. Disraeli.*)

Parliamentary Reform—Representation of the People (Ireland) Bill [Bill 71]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair" 1571

After short debate, Motion *agreed to*:—Bill *considered* in Committee 1581

After some time spent therein, Committee report Progress; to sit again upon *Thursday* next.

Government of India Act Amendment Bill [Bill 91]—

Moved, "That the Bill be now read a second time,"—(*Sir Stafford Northcote*) 1598

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Thursday.*

Governor General of India Bill [Bill 92]—

Moved, "That the Bill be now read a second time,"—(*Sir Stafford Northcote*) 1601

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Thursday.*

Supply—Report—Resolutions [June 4] *reported* :—Short debate thereon .. 1602
Vote 8 (£511,324, Public Education in Great Britain).—After short debate, Resolution *agreed to* 1607
Vote 25 (£19,377, Miscellaneous Expenses) :—Resolution read a second time 1608
Amendment proposed, to leave out "£19,377," and insert "£14,877,"—(*Mr. Lusk,*)—instead thereof.
After short debate, Question, "That '£19,377' stand part of the Resolution," put, and *agreed to* :—Resolution *agreed to*.

Registration Bill [Bill 167]—
Moved, "That the Bill be now read a second time,"—(*Mr. Gathorne Hardy*) 1609
After short debate, Motion *agreed to* :—Bill read a second time, and *committed* to a Select Committee.
And, on June 23, Select Committee *nominated* :—List of the Committee .. 1618

Petroleum Act Amendment (*re-committed*) **Bill** [Bill 141]—
Order for Committee read :—*Moved*, "That Mr. Speaker do now leave the Chair" 1618
Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. M'Lagan,*)—instead thereof.
After short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*.
Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.
Bill *considered* in Committee, and *reported*; as amended, to be considered upon *Monday* next, and to be *printed*. [Bill 171.]

Curragh of Kildare Bill [Bill 134]—
Moved, "That the Bill be now read a second time,"—(*The Earl of Mayo*) .. 1620
After short debate, *Moved*, "That the Debate be now adjourned,"—(*Lord Otho FitzGerald:*)—Motion, by leave, *withdrawn*.
Bill read a second time, and *committed* to a Select Committee of Eleven Members, Six to be nominated by the House and Five by the Committee of Selection.
Select Committee *nominated* :—List of the Committee 1620

Local Government Supplemental (No. 6) Bill—*Ordered* (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*); *presented*, and read the first time [Bill 175] .. 1621

LORDS, TUESDAY, JUNE 16.

New Peer Introduced—William O'Neill, Clerk, having been created Baron O'Neill of Shanes Castle in the County of Antrim—Was (in the usual Manner) introduced 1621

Poor Relief Bill (No. 132)—
House again in Committee (according to Order) [*Progress May* 28] .. 1621
Moved, "To leave out Clause 9,"—(*The Lord Portman.*)
After short debate, on Question, That the said Clause stand Part of the Bill? their Lordships *divided*; Contents 26, Not-Contents 61; Majority 35.
Division List, Contents and Not-Contents 1627
Further Amendments made; the Report thereof to be received on *Thursday* next; and Bill to be *printed* as amended. (No. 155.)

Salmon Fisheries (Scotland) Bill (No. 142)—
Moved, "That the Bill be now read 2ª,"—(*The Duke of Richmond*) .. 1628
After short debate, Motion *agreed to* :—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

Sale of Poisons and Pharmacy Act Amendment Bill (No. 148)—

Amendments *reported* (according to Order) 1629
Moved, "To insert a new Clause to follow Clause 17:"—After short debate, Motion (by Leave of the House) *withdrawn.*

COMMONS, TUESDAY, JUNE 16.

Scotland—Poor Law—Question, Sir Andrew Agnew; Answer, The Lord Advocate 1631

Electric Telegraphs Bill—Question, Mr. Leeman; Answer, Mr. Sclater-Booth 1631

Public Schools (*re-committed*) **Bill** [Bill 135]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair" 1631
Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Bill be referred back to the Select Committee, in order that Clauses may be inserted in it giving power to the new governing bodies and the Commissioners to be appointed by the Bill to deal with the constitution and revenues of Eton and Winchester Colleges,"—(*Mr. Neate,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*
Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*
Bill *considered* in Committee.
After short time spent therein, Committee report Progress; to sit again upon *Thursday.*

Nova Scotia—British North American Confederation—Motion for an Address—*Moved,*

"That this House is informed, by a Petition presented on the 15th day of May last, signed by 36 out of 38 Members of the House of Assembly of Nova Scotia, and by 16 out of 19 Members elected by that Colony to the House of Commons at Ottawa, that great dissatisfaction prevails in Nova Scotia with the Act passed in the last Session of Parliament, intituled 'An Act for the Union of Canada, Nova Scotia, and New Brunswick:' And that an humble Address be presented to Her Majesty, praying that She will be graciously pleased to appoint a Commission or Commissioners to proceed to Nova Scotia for the purpose of examining into the causes of the alleged discontent, with a view to their consideration and removal,"—(*Mr. Bright*) 1658

After debate, Question put:—The House *divided;* Ayes 87, Noes 183; Majority 96.

Ecclesiastical Titles Bill [Bill 37]—

Moved, "That the Bill be now read a second time,"—(*Mr. MacEvoy*) .. 1696
After short debate, *Moved,* "That the debate be now adjourned,"—(*Colonel William Stuart*:)—The House *divided;* Ayes 142, Noes 85; Majority 57:—Debate *adjourned* till *To-morrow.*

Established Church (Ireland) Bill [Bill 117]—

Moved, "That the Bill be now read the third time,"—(*Mr. Gladstone*) .. 1697
After short debate, Bill read the third time, and *passed.*

Municipal Elections (Scotland) Bill—*Ordered* (*The Lord Advocate, Mr. Secretary Gathorne Hardy*) 1697

COMMONS, WEDNESDAY, JUNE 17.

Canada—Alleged Flogging in a Prison—Question, Mr. Rearden; Answer, Mr. Adderley 1698

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Turnpike Trusts Bill [Bill 9]—
Moved, "That the Bill be now read a second time,"—(*Mr. Knatchbull-Hugessen*) 1699
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Knight:*)—Question proposed, "That the word 'now' stand part of the Question."
After long debate, Amendment and Motion, by leave, *withdrawn:*—Bill *withdrawn.*

Municipal Corporations (Metropolis) Bill [Bill 105]—
Moved, "That the Bill be now read a second time,"—(*Mr. J. Stuart Mill*) 1730
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Bentinck:*)—Question proposed, "That the word 'now' stand part of the Question:"—After short debate, Debate *adjourned* till *To-morrow.*

Bristol Election—Select Committee *nominated:*—List of the Committee .. 1740

Railway Companies (Ireland) Advances Bill—*Ordered* (*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer*); *presented,* and read the first time [Bill 177] .. 1740

Lands Clauses Consolidation Act (1845) Amendment Bill—*Ordered* (*Mr. Sclater-Booth, Mr. Attorney General, Lord John Manners*); *presented,* and read the first time [Bill 176] 1740

Bank of Bombay Bill—*Ordered* (*Sir Stafford Northcote, Sir James Fergusson*); *presented,* and read the first time [Bill 178] 1741

LORDS, THURSDAY, JUNE 18.

Established Church (Ireland) Bill—
Moved, "That the Bill be now read 1^a,"—(*The Earl of Clarendon*) .. 1741
Bill read 1^a; to be read 2^a on *Thursday* next, and to be *printed.* (No. 157.)

Religious, &c. Buildings (Sites) Bill (No. 128)—
House in Committee (on *Re-commitment*) according to Order .. 1741
After short time spent therein, Amendments made; The Report thereof to be received on *Monday* next; and Bill to be *printed,* as amended. (No. 161.)

Poor Relief Bill (No. 155)—
Amendments *reported* (according to Order) 1743
After short debate, Amendments made; Bill to be read 3^a *To-morrow;* and to be *printed,* as amended. (No. 162.)

Sale of Poisons and Pharmacy Act Amendment Bill (No. 148)—
Bill read 3^a (according to Order) 1744
After short debate, Bill *passed,* and sent to the Commons.

Nova Scotia—Petition—
Postponement of Motion (*Lord Campbell:*)—Short debate thereon .. 1749

Established Church (Ireland) Bill—
Notice of Motion (*The Lord Chancellor*) 1749

COMMONS, THURSDAY, JUNE 18.

Parliament—Public Petitions—Breach of Privilege—
Moved, "That the Special Report of the Committee [28*th May*] be read,"—(*Mr. Charles Forster*) 1750
After short debate, Motion *agreed to.*
Order, That, in the case of the Petitions to which the Report refers, they do lie upon the Table, read, and *discharged.*

Ireland—Railways—Question, Mr. Gregory; Answer, The Chancellor of the Exchequer 1752

Turkey—New Embassy House at Therapia—Question, Mr. Monk; Answer, Mr. Sclater-Booth 1753

Turkey—Repairs to the Embassy House at Constantinople—Question, Mr. Otway; Answer, Mr. Sclater-Booth 1753

Grant to the Royal Academy of Music—Question, Mr. Otway; Answer, Mr. Disraeli 1753

Ireland — Ranger of the Curragh—Question, Captain Pack-Beresford; Answer, The Earl of Mayo 1754

New South Wales—Treason Felony Act—Question, Mr. Maguire; Answer, Mr. Adderley 1754

India—Report of the Municipal Commissioners of Bombay—Question, Colonel Sykes; Answer, Sir Stafford Northcote 1754

Crops in Ceylon—Question, Mr. Watkin; Answer, Mr. Adderley .. 1755

Cattle Plague—Question, Sir J. Clarke Jervoise; Answer, Lord Robert Montagu 1755

Army — Batta to Army of Abyssinia — Question, Mr. Baillie Cochrane; Answer, Sir Stafford Northcote 1756

Army—Quartermasters of Militia—Question, Colonel Kingscote; Answer, Sir John Pakington 1756

India—Facilities for Religious Worship in the Army—Question, Mr. O'Reilly; Answer, Sir Stafford Northcote 1757

Marriage Law Commission—Question, Sir Colman O'Loghlen; Answer, Mr. Gathorne Hardy 1757

Admission of Foreign Cattle—Question, Mr. Horsfall; Answer, Lord Robert Montagu 1758

Ireland—Law of Pawnbroking—Question, Mr. Pim; Answer, The Earl of Mayo 1758

Parliament—Business of the House—After short debate,

Resolved, "That, unless the House shall otherwise order, whenever the House shall meet at Two o'clock, the House will proceed with Private Business, Petitions, Motions for unopposed Returns, and leave of absence to Members, giving Notices of Motions, Questions to Ministers, and such Orders of the Day as shall have been appointed for the Morning Sitting.

Resolved, That on such days, if the business be not sooner disposed of, the House will suspend its sitting at Seven o'clock; and at Ten minutes before Seven o'clock, unless the House shall otherwise order, Mr. Speaker shall adjourn the Debate on any business then under discussion, or the Chairman shall report Progress, as the case may be, and no opposed business shall then be proceeded with.

Resolved, That when such business has not been disposed of at Seven o'clock, unless the House shall otherwise order, Mr. Speaker (or the Chairman, in case the House shall be in Committee) do leave the Chair, and the House will resume its sitting at Nine o'clock, when the Orders of the Day not disposed of at the Morning Sitting, and any Motion which was under discussion at Ten minutes to Seven o'clock, shall be set down in the Order Book after the other Orders of the Day.

Resolved, That whenever the House shall be in Committee at Seven o'clock, the Chairman do report Progress when the House resumes its sitting,—(*Mr. Disraeli*) .. 1758

Parliamentary Reform—Representation of the People (Ireland) Bill [Bill 71]—

Bill *considered* in Committee [*Progress June* 15] 1762

After long time spent therein, Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 179.]

Electric Telegraphs Bill [Bill 82]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [9th June], "That the Bill be now read a second time;" and which Amendment was—

To leave out from the words "That the" to the end of the Question, in order to add the words "question of the expediency of purchasing the Telegraphs by the State be referred to a Select Committee,"—(*Mr. Leeman,*)—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question:"—Debate *resumed* 1805

After short debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Maguire,*)—put, and *negatived* :—Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to* :—Bill read a second time, and *committed* to a Select Committee.

And, on June 23, Committee *nominated* : — List of the Committee .. 1809

LORDS, FRIDAY, JUNE 19.

Abyssinia—Return of the Army—Observations, The Earl of Ellenborough; Reply, The Earl of Malmesbury :—Short debate thereon .. 1810

Foreshore and Bed of the Sea—The Board of Trade—Observations, The Duke of Argyll; Reply, The Duke of Richmond: — Short debate thereon 1814

New Courts of Justice—Question, The Marquess of Salisbury; Answer, The Lord Chancellor :—Short debate thereon 1834

COMMONS, FRIDAY, JUNE 19.

House counted, and 40 Members not being present, House adjourned.

LORDS, MONDAY, JUNE 22.

Metropolis Local Management Acts Amendment Bill [H.L.]—*Presented* (*The Marquess Townshend*); read 1ª (No. 169) 1849

COMMONS, MONDAY, JUNE 22.

Coinage — Half-Crowns — Question, Sir Frederick Heygate; Answer, The Chancellor of the Exchequer 1849

Tenure of Land (Ireland)—Question, Sir Colman O'Loghlen; Answer, The Earl of Mayo 1850

Ex-Governor Eyre—Petition—Question, Mr. Grenfell; Answer, Mr. Lamont: —Short debate thereon 1850

The Cattle Plague—Question, Sir J. Clarke Jervoise; Answer, Lord Stanley 1852

Merchant Shipping Acts—Question, Mr. Candlish; Answer, Mr. S. Cave .. 1852

Metropolis—The River Thames at Barking—Question, Lord Eustace Cecil; Answer, Mr. Gathorne Hardy 1853

Post Office—London Letter Carriers — Question, Mr. Bathurst; Answer, Mr. Sclater-Booth 1853

The Neutrality Commission — Question, Mr. Shaw-Lefevre; Answer, Lord Stanley 1854

Metropolitan Police—Question, Mr. Grove; Answer, Mr. Gathorne Hardy 1854

Army — Non-Purchase Corps — Question, Mr. Childers; Answer, Sir John Pakington 1855

Army—Case of Captain Brooke—Questions, Mr. Stacpoole, Captain Vivian; Answers, Sir John Pakington 1855

Ecclesiastical Titles Bill—Question, Mr. MacEvoy; Answer, Mr. Disraeli 1856

Fever in the Mauritius—Question, Mr. J. A. Smith; Answer, Mr. Adderley 1856

Sea Fisheries Bill [Bill 170]—
Lords' Amendments *considered* 1857
Amendments made; subsequent Amendments to be taken into Consideration upon *Thursday.*

Government of India Act Amendment Bill [Bill 91]—
Order for Committee read: — *Moved,* "That Mr. Speaker do now leave the Chair" 1870
After short debate, Motion *agreed to*:—Bill *considered* in Committee.
After short time spent therein, Committee report Progress; to sit again upon *Thursday.*

Parliamentary Reform—Representation of the People (Ireland) Bill [Bill 179]—
Bill, as amended, *considered* 1892
Amendments made; Bill to be read the third time upon *Thursday.*

Bankruptcy Act (1861) Amendment Bill [Bill 145]—
Moved, "That the Bill be now read a second time,"—(*Mr. Moffatt*) .. 1908
Motion *agreed to*:—Bill read a second time, and *committed* for *Friday.*

Lunatic Asylums (Ireland) Bill—*Ordered* (*The Earl of Mayo, Mr. Attorney General for Ireland*); *presented,* and read the first time [Bill 184] 1908

LORDS, TUESDAY, JUNE 23.

ESTABLISHED CHURCH (IRELAND) BILL—Question, Lord Penrhyn; Answer, The Earl of Malmesbury 1909

Poor Relief Bill (No. 162)—
Bill read 3ª (according to Order) 1910
Amendments made; Bill *passed,* and sent to the Commons.

Parliamentary Reform—Representation of the People (Scotland) Bill (No. 164)—
Moved, "That the Bill be now read 2ª,"—(*The Lord Privy Seal*) .. 1913
After short debate, on Question? *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

Salmon Fisheries (Scotland) Bill (No. 142)—
House in Committee (according to Order) 1915
Amendments made; The Report thereof to be received on *Thursday* the *2nd of July* next; and Bill to be *printed,* as amended. (No. 172.)

Thames Embankment and Metropolis Improvement (Loans) Act Amendment Bill (No. 156)—
Moved, "That the Bill be now read 2ª,"—(*The Lord Clinton*) .. 1917
Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

ESTABLISHED CHURCH (IRELAND)—Petition *presented* (*Lord Lyttelton*) .. 1917
After short debate, Petition to lie on the Table.

Uniformity of Public Worship Bill [H.L.]—*Presented* (*The Earl of Shaftesbury*); read 1ª (No. 173) 1921

COMMONS, TUESDAY, JUNE 23.

ECCLESIASTICAL ESTABLISHMENT OF JAMAICA—Question, Mr. W. E Forster; Answer, Mr. Adderley 1922

METROPOLIS—CLERKENWELL EXPLOSION—Question, Mr. Neate; Answer, The Chancellor of the Exchequer 1923

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Public Schools (*re-committed*) **Bill** [Bill 135]—

Bill *considered* in Committee 1924

After long time spent therein, Committee report Progress; to sit again *To-morrow.*

ARMY RESERVE—MOTION FOR A COMMISSION—*Moved,*

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to appoint a Royal Commission to inquire into and report upon our Military Organization, in so far as it relates to the establishment of a sufficient and economical Army of Reserve, and the means it offers of speedy and efficient expansion to meet the requirements of war, more especially for home defence,"—(*Lord Elcho*) .. 1942

After long debate, Motion, by leave, *withdrawn.*

KNIGHTS OF WINDSOR—MOTION FOR AN ADDRESS—*Moved,*

"That an humble Address be presented to Her Majesty, humbly representing that, in the opinion of this House, it should not be obligatory on any Naval or Military Knight of Windsor, not being a member of the United Church of England and Ireland, to attend Divine Service in Saint George's Chapel, Windsor, daily or at all, and praying that Her Majesty may be graciously pleased to direct such alterations to be made in the Statutes regulating the Naval and Military Knights of Windsor as shall exempt from attending Divine Service in Saint George's Chapel, Windsor, all Naval and Military Knights of Windsor who shall not be members of the United Church of England and Ireland,"—(*Sir Colman O'Loghlen*) 1973

Amendment proposed, to leave out the words "not being a member of the United Church of England and Ireland,"—(*Mr. Labouchere.*)

After short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Another Amendment proposed, to leave out the words "who shall not be members of the United Church of England and Ireland,"—(*Mr. Labouchere.*)

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Main Question, as amended, put:—The House *divided;* Ayes 39, Noes 83; Majority 44.

Electric Telegraphs Bill [Bill 82]—

Moved, "To nominate the Select Committee on the Electric Telegraphs Bill," —(*Mr. Chancellor of the Exchequer*) 1978

Motion *agreed to.*

Select Committee nominated; List of the Committee 1978

Motion made, and Question proposed,

"That it be an Instruction to the Select Committee on the Electric Telegraphs Bill to inquire,—

"1. Whether it is desirable that the transmission of messages for the public should become a legal monopoly in the Post Office:

"2. Whether it should be left to the discretion of the Postmaster General to make special agreements for the transmission of messages or news at reduced rates:

"3. What securities should be taken for insuring the secrecy of messages transmitted through the Post Office:

"4. What arrangements should be made for the working of submarine cables to foreign countries; and,

"5. To hear such Telegraph and Railway Companies and Proprietors as shall by petition, on or before the 26th instant, have prayed to be heard by themselves, their counsel or agents, against such of the matters referred to the Committee as affect their particular interests?"—(*Mr. Chancellor of the Exchequer.*)

Amendment proposed, in last paragraph,

To leave out the words "such of the matters referred to the Committee as affect their particular interests," in order to insert the words "the Preamble and Clauses of the Bill,"—(*Mr. Bouverie,*)—instead thereof.

After short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Military at Elections (Ireland) Bill [Bill 95]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [12th May], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*The Earl of Mayo*:)—Question again proposed, "That the word 'now' stand part of the Question:"—Debate *resumed* 1980
After short debate, Debate *further adjourned* till *Tuesday* next.

Ecclesiastical Titles Bill [Bill 37]—

Order for resuming Adjourned Debate on Second Reading [16th June] read 1982
Order *discharged*:—Bill *withdrawn.*

New Zealand (Legislative Council) Bill—*Ordered* (*Mr. Adderley, Mr. Sclater-Booth*); *presented*, and read the first time [Bill 185] 1982

Petit Juries (Ireland) Bill—
Select Committee *nominated*:—List of the Committee 1982

COMMONS, WEDNESDAY, JUNE 24.

Elementary Education Bill [Bill 64]—

Moved, "That the Order for the Second Reading be discharged,"—(*Mr. Bruce*) 1983
After long debate, Order *discharged*:—Bill *withdrawn.*

Sea Fisheries (Ireland) Bill [Bill 101]—

Moved, "That the Bill be now read a second time,"—(*Mr. Blake*) .. 2012
After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

University Elections (Voting Papers) Bill—*Ordered* (*Sir James Fergusson, Mr. Attorney General for Ireland*); *presented*, and read the first time [Bill 187] .. 2022

Consular Marriages Bill—*Ordered* (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*); *presented*, and read the first time [Bill 188] 2022

LORDS, THURSDAY, JUNE 25.

Established Church (Ireland) Bill (No. 157)—

Moved, "That the Bill be now read 2ª,"—(*Earl Granville*) .. 2023
Amendment *moved* to leave out ("now") and insert ("this Day Six Months,") (*The Earl Grey.*)
After long debate, further Debate adjourned till *To-morrow.*

COMMONS, THURSDAY, JUNE 25.

Bristol Election—Report of the Committee—
Report brought up; to lie upon the Table 2130
Minutes of Evidence taken before the Committee to be laid before this House,—(*Mr. Howes.*)

Metropolis—New Courts of Justice—Questions, Mr. Bentinck, Mr. Layard, Mr. M. Chambers; Answers, Mr. Sclater-Booth, Lord John Manners .. 2130

General Carriers' Act—Question, Mr. Carter; Answer, Mr. Stephen Cave 2131

United States—Postal Convention—Question, Mr. Baxter; Answer, Mr. Sclater-Booth 2132

Coolie Emigration—Question, Mr. W. E. Forster; Answer, Lord Stanley .. 2132

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Scotland — Judicial System—Question, Mr. Baxter; Answer, The Lord Advocate 2137

Metropolis—Park Lane—Questions, Mr. Goddard, Sir William Gallwey; Answers, Lord John Manners 2137

Supply— Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

The Peel Statue—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the Peel Statue ought to be removed from its present site in New Palace Yard,"—(*Lord Elcho*,)—instead thereof .. 2138

After short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 71, Noes 182; Majority 111:—Words *added:*—Main Question, as amended, put, and *agreed to.*

Resolved, That, in the opinion of this House, the Peel Statue ought to be removed from its present site in New Palace Yard.

Metropolis—St. Mary Somerset, Upper Thames Street—Question, Mr. Bentinck; Answer, Lord John Manners 2149

Mr. Disraeli's Speech at Merchant Taylors' Hall—Question, Mr. Grant Duff; Answer, Mr. Disraeli:—Debate thereon 2150

Sunday Labour in the Post Office—Observations, Mr. M'Laren; Reply, Mr. Sclater-Booth 2165

Resolved, That this House will immediately resolve itself into a Committee of Supply.

SUPPLY—Civil Service Estimates—*considered* in Committee.

(1.) Motion made, and Question proposed, "That a sum, not exceeding £21,386, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for Nonconforming, Seceding, and Protestant Dissenting Ministers in Ireland" .. 2166

Whereupon Motion made, and Question proposed, "That a sum, not exceeding £366, &c."—(*Mr. Hadfield*)

After short debate, Motion, by leave, *withdrawn:*—Original Question put, and *agreed to.*

(2.) £3,701, to complete the sum for the Treasury Chest.

(3.) £19,656, to complete the sum for Bounties on Slaves and Tonnage Bounties, &c.—After short debate, Vote *agreed to* 2170

(4.) £200, to complete the sum for Coolie Emigration to French Colonies.

(5.) £4,360, to complete the sum for Mixed Commissions (Slave Trade).

(6.) £126,178, to complete the sum for Consular Establishments Abroad.—After short debate, Vote *agreed to.* 2171

(7.) £300,000, Post Office Packet Service (on account.)

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

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Election Petitions and Corrupt Practices at Elections (*re-committed*) **Bill** [Bill 63]—

Bill *considered* in Committee 2172

Clause 5 (To whom and by whom Election Petition may be presented.)

Amendment proposed, in page 2, line 30, to leave out the words "Court of Common Pleas," in order to insert the words "House of Commons,"—(*Mr. Craufurd.*)

After debate, Motion, by leave, *withdrawn.*

Question put, "That the words 'Court of Common Pleas' stand part of the Clause:"—The Committee *divided;* Ayes 178, Noes 158; Majority 20.

Division List, Ayes and Noes 2189

After further short debate, Committee report Progress; to sit again upon *Monday* next.

Drainage and Improvement of Lands (Ireland) Supplemental (No. 2) Bill—*Ordered* (*Mr. Sclater-Booth, The Earl of Mayo*); *presented,* and read the first time [Bill 195] 2198

Clerks of the Peace, &c. (Ireland) Bill—*Ordered* (*The Earl of Mayo, Mr. Attorney General for Ireland*); *presented,* and read the first time [Bill 194] 2198

LORDS.

SAT FIRST.

Monday, June 8.

The Lord Calthorpe, after the Death of his Father.

Monday, June 22.

The Earl of Craven, after the Death of his Father.

Thursday, June 25.

The Earl of Shrewsbury, after the Death of his Father.

NEW PEERS.

Friday, May 15.

Sir John Benn Walsh, Baronet, having been created Baron Ormathwaite of Ormathwaite in the County of Cumberland—Was (in the usual Manner) introduced.

Tuesday, June 16.

William O'Neill, Clerk, having been created Baron O'Neill of Shanes Castle in the County of Antrim—Was (in the usual Manner) introduced.

COMMONS.

NEW WRITS ISSUED.

Monday, May 18.

For *Worcester County* (Eastern Division), *v.* Hon. Frederick Henry William Gough Calthorpe, now Baron Calthorpe.

Tuesday, May 26.

For *Dublin City*, *v.* Sir Benjamin Lee Guinness, Baronet, deceased.

Thursday, June 18.

For *Stamford*, *v.* Viscount Ingestre, now Earl of Shrewsbury.

NEW MEMBERS SWORN.

Thursday, June 4.

Worcester County (Eastern Division)—Hon. Charles George Lyttelton.

Monday, June 8.

City of Dublin—Sir Arthur Edward Guinness, Baronet.

Thursday, June 25.

Stamford—William Unwin Heygate, Esq.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

Third Session of the *Nineteenth Parliament* of the
United Kingdom of *Great Britain* and *Ireland*
Appointed to meet 1 February, 1866, and thence
continued till 19 November, 1867, in the Thirty-
First Year of the Reign of

HER MAJESTY QUEEN VICTORIA.

THIRD VOLUME OF THE SESSION.

HOUSE OF LORDS,

Monday, May 11, 1868.

MINUTES.]—Select Committee—On County and Burgh Police Systems of Scotland *appointed.*

Public Bills—*First Reading*—Documentary Evidence * (92); Artizans' and Labourers' Dwellings * (93); Duchy of Cornwall Amendment * (94).

Committee—Regulation of Railways (88-95); Sea Fisheries * (46); Broughty Ferry Provisional Order Confirmation * (86).

Report—Sea Fisheries * (46-96); Broughty Ferry Provisional Order Confirmation * (86).

Third Reading—Perth and Brechin Provisional Order Confirmation * (64); Capital Punishment within Prisons (83), and *passed.*

COUNTY AND BURGH POLICE (SCOTLAND).—OBSERVATIONS.

THE EARL OF MINTO, who rose to call the attention of the House to the imperfect working of the County and Burgh Police Systems of Scotland, and to move for the appointment of a Select Committee to investigate the subject, said, there were three or four points on which he thought inquiry should take place. One was, whether it might not be well to establish a system of superannuation for members of the police; another, whether it was expedient to continue the present system of maintaining a burgh police entirely distinct from the county police; another was, whether there were not a greater number of authorities under the Police Act than was necessary; another, and a chief point was, what were the relations of the Procurators Fiscal to the Chief Constables general in a county. Lastly, he did not think any inquiry would be complete unless the Committee investigated the police system in certain southern counties. As to a superannuation fund, the Police Act now in force, when it was originally introduced, contained clauses providing for a superannuation fund. The Bill was referred to a Select Committee, and the superannuation clauses were approved of; but for the purpose of preventing the House of Commons objecting to the Bill, because it contained money clauses, those clauses were struck out. The Scotch Members held a meeting on the subject, and the Lord Advocate stated afterwards in the House of Commons that, in consequence of a representation of the Scotch Members, he had resolved to give up that portion of the Bill. A more unfortunate resolution could not have been arrived at. The Inspector General of Constabulary in Scotland, speaking in his last year's Report on this subject, said—

> "I must urge strongly the establishment of a superannuation, such as exists amongst the London, Manchester, and other large police forces. It is the one thing most urgently called for, and it is necessary to the efficiency of the police in Scotland."

Two English Inspectors speak of a superannuation fund as an all-important and vital subject; as the only means of making the police force efficient. As to the other question, whether there ought to be a separate police in burghs distinct from that in the counties? he was informed, and he believed that this arrangement did not work harmoniously; that it very often happened that there was a conflict between the operations of the county police and those of the burgh police, the result of which was that the detection of offenders was rather hindered than promoted. In England, whatever local power exists is in the hands of the magistrates. But in Scotland, the police received commands from four, or perhaps five, different sets of people—the Commissioners of Supply, the Police Committee, the Justices of Peace in General or Quarter Sessions assembled, and finally, the Sheriff—and this want of concentration of authority produced an unfortunate effect on the constabulary. There was a universal system of Procurators Fiscal in Scotland. The Procurators Fiscal made inquiries into alleged offences, and the Chief Constables made inquiries into the same offences, and through this double inquiry justice often failed. The interference of the Procurator Fiscal in the operations of the Chief Constable did more harm than good. He thought the proposed Committee ought to inquire by which of those two parties the investigation of an alleged offence ought to be conducted. The functions of the Procurator Fiscal were not the product of any recent Police Act, but dated from times when such a force as that of our new police had never been thought of. It was their business to receive and procure the earliest information of any offence having been committed, to take immediate steps for obtaining evidence thereupon, and to perform, in fact, many of the duties which were now supposed to devolve upon a well-constituted police force. When the General Police Act was passed in 1857, the position and functions of the Procurators Fiscal were left untouched and undefined, and the consequence was that great misunderstanding and heart-burning were of constant occurrence between themselves and the Chief Constable, and that it sometimes happened that the Chief Constable and Procurator Fiscal were each engaged in making investigations into the circumstances connected with some offence or crime independently. Of course, the ends of justice were thus liable to be defeated. Moreover, the Procurators Fiscal were entitled, or thought themselves entitled, to give orders to the constables, and thus it had happened that, in large counties, the Chief Constable was for days ignorant of the employment in which his men were engaged. Nothing could be more unsatisfactory than the indefiniteness of the relation between the Chief Constable and the Procurator Fiscal, and an inquiry into their functions was most necessary, with a view to a proper understanding of the position of each of those officials. An inquiry into the working of the police system of Scotland would not be complete without including in it the case of the Border counties in relation to the enforcement of the Salmon Laws. The noble Earl concluded by moving for the appointment of a Select Committee.

Lord CLINTON said, there was no objection on the part of Her Majesty's Government to the proposition of the noble Earl, that a Select Committee should be appointed to inquire into this subject. There was no doubt that the subject had excited much interest in Scotland, and that, owing to an occasional division and conflict of authority among those who had the management of these matters, a good deal of inconvenience had arisen, and might again arise, unless some alteration were made. It was, therefore, desirable that the whole subject should be referred to a Select Committee, who could investigate the matter, and suggest any improvements which they might deem requisite.

The Earl of DALHOUSIE said, he was glad to hear there were to be no objections offered to the Motion of his noble Friend. The present Acts stood in need of amendment. He did not, however, concur with the noble Earl in his view respecting one clause of the present Act, providing for the appointment of additional policemen; and he should be sorry to see the clause superseded in other respects. He trusted the effect of the labours of a Committee would be to make the police force of Scotland still more efficient.

Motion *agreed to*.

Select Committee *appointed* "to inquire into the County and Burgh Police Systems of Scotland."

And, on May 18, the Lords following were named of the Committee:

E. Doncaster
E. Morton
E. Lauderdale
E. Airlie
E. Strange
E. Minto
E. Morley
E. Camperdown
E. Innes
L. Clinton
L. Elphinstone
L. Panmure
L. Oxenfoord
L. Lyveden
L. Penrhyn
L. Colonsay.

THE BANKRUPTCY BILLS.

Orders of the Day for the House to be put into a Committee (on *Re-commitment*) on the JUDGMENT DEBTORS BILL (No. 76), BANKRUPTCY BILL (No. 75), and BANKRUPTCY ACTS REPEAL BILL (No. 74), read.

THE LORD CHANCELLOR, after presenting two petitions—one from the Chamber of Commerce of Bristol, and the other from the Associated Chambers of Commerce of the United Kingdom, praying that their Lordships would pass these Bills, and disapproving certain Amendments of which Notice had been given in regard to them—said: My Lords, the state of the Session and of Public Business has compelled me to consider, with much anxiety, the course I should recommend your Lordships to adopt in regard to these Bills. The subject to which the Bills relate is one of transcendent importance; it is one also on which legislation, as appears to me, is urgently required. The measures which are on the Paper extend to something like 600 clauses; and if there appeared a reasonable prospect of their being considered by both Houses of Parliament, your Lordships, I am sure, would not grudge either the time or trouble which it would be necessary to bestow on the Bills. But I have been compelled to ask myself, whether I could state to your Lordships that there appears a reasonable prospect of these measures being considered by the other House of Parliament; and I am afraid I should be misleading your Lordships if I said that, having regard to the state of Public Business, it appeared at all probable that this could be the case. Under these circumstances, I think I should be making a demand on your Lordships' time which would be entirely unjustifiable, if I were to ask you to go into Committee on these Bills with a view to consider the great number of clauses they contain. I am therefore compelled with great regret, but still with the conviction that no other course is open to me, to ask your Lordships now to discharge the Order for going into Committee on all these Bills.

Orders *discharged*.

REGULATION OF RAILWAYS BILL.

(*The Duke of Richmond.*)

(NO. 88.) COMMITTEE.

House in Committee (*on Re-commitment*) according to Order.

Clauses 1 to 4 amended and *agreed to*.

Clause 5 (Penalty for Falsifying Accounts, &c.).

THE MARQUESS OF SALISBURY said, this clause proposed, under certain circumstances, to send Railway Chairmen and Secretaries to prison; and he, as Chairman of a Railway Company, naturally took a good deal of interest in it. The object of the clause was to punish the wilful falsifying of railway accounts, which was undoubtedly a very laudable object; but the clause was not satisfied with carrying out the object according to ordinary principles of law. According to the ordinary principles of English law, a man was assumed to be innocent till he was proved guilty; but the principle of this clause was to assume railway officials to be guilty till they were proved to be innocent. If there was anything false in any of the accounts, balance sheets or estimates of expenditure, most voluminously required by the Bill, and which the chairman and secretary were required to sign, unless they could prove that they were ignorant of the falsity they would be sent to prison. That was bad enough; but it was not all. Not only must they prove that they were ignorant of the falsity, but they were not allowed the ordinary privilege of trial by jury, like all other Englishmen. They must prove this to the satisfaction of the Court which tried the case—that was, in a case of indictment, it was the Court not the jury, that was to decide the question of fact. That seemed to be an injustice; and to show, in this particular case, how great must be the hardship it would cause to railway officers it was only necessary to glance at the extraordinary complication of the accounts required to be produced by the Bill. There were statements of accounts, and balance sheet for the preceding half-year, and estimates of expenditure on capital account for the next half-year, for lines in the course of construction, rolling stock, works not commenced, &c., and if there was a single error in any of these, unless the officer of the company who had signed these accounts could prove that he was ignorant of it, he would be liable to all the penalties of the clause. Two practical evils would arise from such legislation. First, if they attached disgraceful penalties to the ordinary performance of any particular duty they would not find respectable people to perform it. But, in the second place, if such a power were placed in the hands of some particular Judges, it might be attended with the greatest oppression. No one had greater respect than he had for the general character and ability of the Judges of the English Bench; but they were fallible, and might have crotchets. It was just possible that a Judge might be appointed who might have a crotchet against railway officials, and might have a notion that all railway directors were rogues and ought to be sent to prison on the slightest grounds. He put the question to-day to one who was perfectly conversant with the subject—"What should be done if this clause were carried?" and the answer was—"We must appoint officers who know nothing of the accounts, and they can always prove that they are ignorant, and always sign." It would be much better to proceed on the ordinary rules of law, and unless a man was shown to be guilty of wilful falsification he should not be punished. He should move the insertion of some such words as "if he be cognizant thereof."

THE LORD CHANCELLOR said, the noble Marquess had drawn such a picture of the consequences which, in his own case, might result from the enactment of the clause as it stood that he feared it would be impossible to persevere with it without some alteration. His noble Friend had also suggested the mode by which a railway company might escape the operation of the clause in a manner reflecting credit upon the ingenuity of those bodies generally, and of his noble Friend in particular. If the noble Marquess would allow him (the Lord Chancellor) to suggest an Amendment in the Clause he thought it would meet the object which they all had in view. He, therefore, proposed to alter the clause thus—

> "That if any statement, balance-sheet, estimate, or report, which is required by this Act, be false in any particular to the knowledge of the auditor or officer of the Company who signs the same for the Company, such auditor or officer shall be liable, upon conviction thereof on indictment to fine or imprisonment."

THE MARQUESS OF SALISBURY said, he was entirely satisfied with that.

LORD ROMILLY hoped that the noble and learned Lord would, during the vacation, adopt the views which had been so clearly stated by the noble Marquess, and would not throw upon persons accused the onus of proving their innocence.

Clause amended and *agreed to.*

Clauses 6 to 13, inclusive, *agreed to.*

Clause 14 (Carriers' Act. Rate of Insurance).

THE DUKE OF DEVONSHIRE opposed the clause, not with a view to its ultimate rejection, but to give time for further consideration, so that an amended clause might be inserted.

THE DUKE OF RICHMOND thought that the suggestion was perfectly reasonable, especially as the clause in its present shape was acceptable to neither party interested. He therefore proposed on the Report to bring up an amended Clause. He thought that the best plan would be that the words which had reference to silk should be withdrawn altogether from the Bill, and that next Session a Select Committee should be appointed to consider the Carriers' Act. Persons who dealt largely in silk complained that the Carriers' Act affected them very injuriously. It was said that Railway Companies refused in some cases to carry silk at all; whilst, on the other hand, it was said that the claims received from silk people were exorbitantly high. He would on the Report bring up an amended clause, and then it could be considered whether it should form part of the Bill.

Clause *negatived.*

Clause 15 (Fares to be posted in Stations).

THE DUKE OF DEVONSHIRE suggested the insertion of the word "ordinary" before the word "fares."

THE DUKE OF RICHMOND thought it would be better, instead of adopting the noble Duke's Amendment, to insert after the words "fares of passengers" the words "by trains included in the time tables of the Company."

THE MARQUESS OF CLANRICARDE did not see why all the rates at which railway companies carried goods should not equally be published in the same way. He suggested that the clause should be amended with the view of effecting that object.

THE DUKE OF RICHMOND pointed out the practical difficulty of publishing a detailed scale of charges for all the various kinds of goods conveyed by railway. The information so published would, moreover, be so complicated and voluminous, that, after all, the person wishing to send goods by railway would find it the simplest course to inquire of the station master what the charge for carrying them would be.

EARL GREY, while admitting that there might be some force in what had fallen from the noble Duke (the Duke of Richmond), thought it might be advisable to require the railway companies to print a table of their rates for various classes of goods and to furnish copies of it at a small charge to persons applying for them.

THE MARQUESS OF CLANRICARDE said, the present state of things was clearly most unsatisfactory, as the argument of the noble Duke admitted that the public did not now know what they had to pay for the conveyance of goods of almost any description.

THE MARQUESS OF SALISBURY condemned the proposal to require railway companies to give the rates for the carriage of each denomination of goods to each particular station, as being calculated to throw heavy expense on the companies.

Clause amended by inserting the words "by trains included in the time-tables of the Company," and *agreed to.*

Clause 16 (Communication between Passengers and Company's Servants).

THE DUKE OF DEVONSHIRE said, that this clause was stated by the noble Duke to be based upon the recommendation of the Report of one of the Inspectors of the Board of Trade. It would be found, however, that the clause went beyond Colonel Yolland's recommendation, and that the Amendment he had now to propose would carry it out much better. Colonel Yolland expressed an opinion that, in all cases where very long journeys were taken without stopping, a communication between the passengers and the guard was desirable and quite possible. He did not, however, express so decided or positive an opinion as to show that his mind was quite made up, and he recommended that the communication should be first applied to express trains and trains going at high speed, and afterwards to others. The clause applied to all trains running more than fifteen miles without stopping; but he was informed that a very large number of trains would thereby be included which could not properly be called express trains. By leaving out the word "fifteen" and inserting "twenty" every train would be included which could properly be called express trains. He trusted the noble Duke would not object to this Amendment, and then if the clause were found to work well it could be extended to other trains.

THE DUKE OF RICHMOND said, he had no objection to the Amendment. Since the clause was framed, he understood it would include some of the short trains running out of London.

Amendment made; word "fifteen" struck out and "twenty" inserted instead thereof.

THE DUKE OF DEVONSHIRE moved an Amendment, to substitute the word "prescribe" for "approve" in the words—

> "Such efficient means of communication between the passengers and servants of the Company in charge of the train, as the Board of Trade may approve."

It was highly desirable that the best system should be adopted and made uniform, as otherwise great confusion and variety would exist.

THE DUKE OF RICHMOND said, he could not agree to this Amendment as he did not think the Board of Trade the most proper tribunal for prescribing the best mode of communication between the passengers and servants of the company. At present they hardly knew what was the best system, and if the Board of Trade prescribed a particular system no alteration or improvement would be made in it.

After a few words from Lord CLANCARTY and Lord STANLEY of ALDERLEY,

THE MARQUESS OF SALISBURY said, he should like to know from the noble Duke or the Lord Chancellor the legal operation of the clause. If nothing were proposed to the Board of Trade they could not approve of anything, and if the railway company did not propose anything, would the clause remain inoperative? The clause declared that "efficient means of communication" should be provided. Suppose it turned out that there were no efficient means of communicating between the passengers and drivers of the train—would all the companies be liable to the penalty unless the means were efficient? He recommended the noble Duke to re-construct the clause in a more detailed form, because at present it might entail very considerable litigation.

The Duke of RICHMOND said, the noble Marquess would find in the second line of the clause the words "shall provide," and this, he thought, would dispose of the first question raised. The noble Marquess would doubtless remember that the subject of the clause had been under consideration for upwards of a year at least, and that last Session a Bill specially dealing with it had passed through the Commons and very nearly through this House. The matter had occupied his serious attention during the Recess, experiments had been made, and he had every reason to believe that, if the clause were inserted as it stood, the company would be obliged to provide means of communication between the passengers and the servants of the company while the train was in motion, and to provide such communication to the satisfaction of the Board of Trade.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Clause 17 (Arbitration of Damages), *agreed to.*

Earl GREY said, that an existing law required railway companies to use engines consuming their smoke; but it had become a dead letter, because there was no one to enforce it. He therefore desired to insert a clause in this Bill to enact that all railway companies required by law to use engines consuming their own smoke should be guilty of an offence every time their engines should be found emitting opaque smoke, and that the police, borough and county, should be required to summon the offender. As long as only a general law stood on the statute book without any provisions for enforcing it, railways would transgress the Act with impunity, because no private person would take the trouble to prosecute. He had framed his Clauses on the precedent of the Act of 1854, by which it was provided that steam engines should consume their own smoke; and efficiency was sought to be given to that law, making it the duty of the police to lay informations against the owners of every steam engine in cases where the law was not observed. He would begin by moving the first of the series of clauses, of which he had given Notice, and if this were adopted, he would then move the others which would be required to give it effect.

Moved, after Clause 17, to insert the following clause:—

"If a Locomotive Engine used by any Railway Company which is required by Law to use Engines consuming their own Smoke shall be seen to emit opaque Smoke, it shall be lawful for any Person to lay a Complaint against such Company before any Justice of the Peace acting for the Division of the County or for the Borough wherein such Cause of Complaint shall arise."—(*Earl Grey.*)

The Duke of RICHMOND said, he must admit that he had not given sufficient attention to the noble Earl's Amendment; for although it had been placed on the table before Easter it had escaped his notice; but if the noble Earl would postpone his Motion until the Report of Amendments was brought up, which it was proposed to fix for this day week, he would see what could be done to meet the noble Earl's wishes. He thought the clause of the noble Earl required amendment.

Earl GREY said, he would be content to leave the matter in his hands entirely.

Clause *negatived.*

Clause 18 *agreed to.*

Clause 19 (Arbitrator appointed by Board of Trade), *agreed to.*

The Marquess of CLANRICARDE moved the addition of a clause to provide that the Board of Trade should have power to enforce the recommendations of its officers regarding the construction and maintenance in repair of railways. His object was to prevent accidents through neglect to repair the bridges of a line or the permanent way generally.

The Duke of RICHMOND thought the effect of the clause proposed by the noble Marquess would be to shift the responsibility in the case of accidents from the shoulders of the railway companies to those of the Board of Trade, a change which would, in his opinion, be very disastrous to the interests of the public. An Inspector was invariably sent down to inquire into the causes of accidents; and though the Board of Trade could not compel the railway companies to pay implicit attention to his directions, the refusal to afford him any facilities he might require in the performance of his duties or inattention to his recommendations would tell very unfavourably for the interests of the company whenever any appeal had to be made to a jury.

Earl GREY suggested that the clause should be so worded as to provide that the occurrence of a second accident after the recommendations of the Inspector of the Board of Trade had been neglected should be taken as conclusive proof that the accident had resulted from such inattention. He thought that the cause of an accident on one railway should be held in law to affect other railways on which similar accidents occurred subsequently.

The LORD CHANCELLOR said, that would be a dangerous precedent in point of law, because the circumstances might be altogether different on different railways.

The Marquess of CLANRICARDE said, he had no desire to make railway companies pay penalties; what he wished was to protect the lives of passengers. If the Board of Trade was powerless in this matter, what was the use of employing and paying for the expenses of Inspectors? In order to save the House the trouble of dividing upon the question, he would withdraw the clause.

Clause *negatived.*

Clauses 20 to 22, inclusive, *agreed to.*

Clause 23 (Special Trains exclusively for Post Office).

The Duke of DEVONSHIRE proposed an Amendment upon this clause, for the purpose of entitling a railway company to remuneration in the event of their having to furnish trains exclusively for the use of the Post Office.

The Duke of RICHMOND believed that payment would be provided for under the clause as it stood; but, as it was advisable that no doubt should exist on the subject, he would not oppose the Amendment.

Clause amended, and *agreed to.*

Remaining clauses *agreed to.*

Schedules *agreed to.*

House *resumed.*

On Motion, "That the Report of the Amendments be received on Monday next,"

Lord REDESDALE wished to call the noble Duke's attention to the necessity of some regulations being made with regard to the number of passengers carried in railway carriages. In the case of all other stage carriages the licences limited the number of passengers to be conveyed, but there were no such restrictions with regard to railway carriages, and the consequence was that they were frequently inconveniently overcrowded, and the passengers were packed like cattle in a pen. Railway companies should also be required by law to provide accommodation suitable to the position of the different classes of passengers they undertook to convey.

Motion *agreed to.*

The Report of the Amendments to be received on *Monday* next; and Bill to be *printed* as amended. (No. 95.)

CAPITAL PUNISHMENT WITHIN PRISONS BILL—(No 83.)

(*The Duke of Richmond*)

THIRD READING.

Bill read 3^a (according to Order).

Lord RAVENSWORTH said, that in order to mark his opinion of the Bill he should move *pro formâ* a new clause, to provide that all prisoners who might be within the walls of the prison at the time when an execution took place should be present when the punishment was inflicted. He did not, however, intend to ask the House to divide upon the clause.

The Duke of RICHMOND said, he could not sanction such a clause. Even if prepared to agree to its principle—which he was not—he thought the wording of the clause rendered it quite inadmissible. It applied to all prisoners at the time of the execution confined within the walls of the particular prison, untried as well as those who had been convicted. Now, the principle of English law was that every man was presumed to be innocent till proved guilty; and why should they compel those to witness a most harrowing scene who might, the very next day, be acquitted of all crime? Besides, among those who were convicted there was every gradation of offence, from mere vagrancy to the gravest crime; but this clause treated all without distinction, and required their presence at the infliction of capital punishments within the prison, thus superadding no inconsiderable punishment to that which the sentence of the law had pronounced upon them. There was no reason, justice, or expediency that warranted the adoption of such a clause. Under these circumstances he should give it a direct negative.

Amendment *negatived*; Bill *passed.*

DUCHY OF CORNWALL AMENDMENT BILL [H.L.]

A Bill to extend the Provision in "The Duchy of Cornwall Management Act, 1863," relating to permanent Improvements—Was *presented* by The Lord PORTMAN; read 1ª. (No. 94.)

House adjourned at half past Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, May 11, 1868.

MINUTES.]—SELECT COMMITTEE—On County Financial Arrangements *nominated;* on Judgments Extension *appointed.*
SUPPLY—*considered in Committee*—NAVY ESTIMATES.
WAYS AND MEANS—*Resolutions* [May 8] *reported.*
PUBLIC BILLS—*First Reading*—Exchequer Bonds (£1,600,000) * [112].
Committee—Land Writs Registration (Scotland) * [56].
Report—Land Writs Registration (Scotland) * [56-111].

PARLIAMENT—POINT OF ORDER.

QUESTION.

COLONEL FRENCH said, he would beg to ask Mr. Speaker, Whether it is competent to a Member to give notice of the names of hon. Members to serve upon a Committee, when the House has not even decided that the Bill which was the subject of his notice should be referred to a Select Committee?

MR. SPEAKER: Such a notice as that would be of no effect.

ARMY—MALT LIQUOR FOR THE TROOPS IN INDIA.—QUESTIONS.

MR. M. T. BASS said, he would beg to ask the Secretary of State for India, Whether his attention has been drawn to a practice, said to have been adopted in India, for restoring unsound Malt Liquor supplied to the Troops; and, whether he will lay upon the Table of the House any Correspondence on the subject?

SIR STAFFORD NORTHCOTE said, in reply, that his attention was drawn to this question last autumn; and, after receiving from the Government in India an explanation of the practice pursued, it was thought advisable to refer the question to high chemical authority in this country. The result of such reference went to show that to treat beer in the manner described, was attended with disadvantage to the troops, and an order was sent out that the practice should be discontinued. He had no objection to lay the Papers on the table.

Afterwards—

MR. GREENE said, he would beg to ask the Secretary of State for India, Whether he considers that the habit of taking the lowest tender for beer for the supply of the Troops in India is calculated to give the Troops a sound, wholesome beverage; and, whether he has thought it desirable to ascertain if at the price accepted for last season's supply it was possible to produce beer calculated to travel eight thousand miles by sea and a thousand or two thousand miles by land and be fit for the Soldiers to drink?

SIR STAFFORD NORTHCOTE, in reply, said, it was not the case that the lowest tender for beer was taken as a matter of course. Specified particulars were sent to the brewers, the brewing was effected under the inspection of officers, and chemical tests were subsequently applied. More than that, the brewers were bound to furnish the Inland Revenue with certificates in respect of the brewing. This system had hitherto worked very satisfactorily, no complaints having been made of the quality of the beer supplied to the troops.

IRELAND—CARDINAL CULLEN.

QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask the First Lord of the Treasury, Whether the Lord Lieutenant of Ireland, on the occasion of the reception of the Prince of Wales, made inquiry of the Government by what style and title he was to invite and receive Cardinal Cullen; whether he was instructed to address him in the invitation by the title of "His Eminence the Cardinal Archbishop of Dublin;" if not, by what title; and, whether, on that occasion, precedence was granted to Cardinal Cullen immediately after the Royal Family, and before the Archbishops of the Established Church in Ireland, the Lord Chancellor of Ireland, and the whole of the English and Irish Nobility?

MR. DISRAELI: Sir, no communication of any kind whatever took place between the Lord Lieutenant of Ireland and Her Majesty's Government on account of the recent visit of Cardinal Cullen to his Excellency, and I suppose no communication took place because it was perfectly unnecessary. I believe that the precedence Cardinal Cullen took on that occasion was according to the rule established by etiquette.

Mr. DARBY GRIFFITH: The right hon. Gentleman, Sir, has not answered the Question I put, which was, whether the Lord Lieutenant of Ireland in inviting Cardinal Cullen, addressed him by the title of "His Eminence the Cardinal Archbishop of Dublin?"

The Earl of MAYO: In answer to the hon. Gentleman, I beg to say that the Lord Lieutenant did not address the Cardinal as "His Eminence the Cardinal Archbishop of Dublin."

MILITIA (SCOTLAND).—QUESTION.

Sir ROBERT ANSTRUTHER said, he would beg to ask the Secretary of State for War, Whether the duty of inspecting the Militia in Scotland is now to be intrusted to the Inspectors of Reserved Forces; and, whether any increase of pay will be awarded to those officers in consideration of the increased responsibilities thus imposed upon them?

Sir JOHN PAKINGTON replied that it was the intention of Major General Lindsay to visit Scotland early in July and inspect as many of the Militia and as many of the Volunteers as he could. He was afraid that the gallant General would not be able to inspect them all himself; but those whom he could not inspect would be inspected by the Assistant Inspector. Until the new system was further tried, he was unable to say whether the number or the pay of the Inspectors would be increased; but when they should have had more experience of the system, both questions — that of additional assistance and that of increased pay — should be fairly considered.

THE HUDSON BAY COMPANY.

QUESTION.

Sir CHARLES LANYON said, he wished to ask the Under Secretary of State for the Colonies, Whether negotiations are now in progress for the transfer of the Hudson Bay Company's territory; and, if so, at what period the transfer was likely to be made?

Mr. ADDERLEY said, in reply, that under the provisions of the Confederation Act of last year, the two Chambers of the Canadian Legislature had addressed Her Majesty, asking for the annexation of the Hudson's Bay territory to the Government of Canada. It was considered by Her Majesty's Government that the question of Proprietary and Government should go together, and negotiations were therefore set on foot, and were now proceeding; but they were not in a condition to justify him in stating either their nature or progress.

IMPORTATION OF FOREIGN CATTLE.

QUESTION.

Mr. RUSSELL GURNEY said, he wished to ask the noble Lord the Vice President of the Committee of Privy Council for Education, Whether the Government have come to any determination as to the relaxation of the rules relating to the importation of Cattle from Spain, Portugal, and France, into the Ports of Liverpool and Southampton?

Lord ROBERT MONTAGU: Sir, the Government have decided that, until the House has had an opportunity of coming to some decision upon the evidence taken before the Metropolitan Foreign Cattle Market Committee, it would be safe to allow cattle from Normandy, Brittany, Spain, and Portugal to Liverpool and Southampton to proceed to inland markets by rail, on condition that the shipper enters into a bond stating that the ships in which he imports cattle have not within a stated period carried cattle from any other countries but those, and have not touched at the ports of any other country on the transit.

REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL.—QUESTION.

Sir ANDREW AGNEW said, he would beg to ask the First Lord of the Treasury, When the Scotch Reform Bill will come on; and whether it will be the first Order of the Day?

Mr. DISRAELI said, this Bill was down as the second Order for Thursday, but as he must ask the House to go into Committee on the Boundary Bill on that day, and as it seemed to be the wish of the Scotch Members that the Scotch Reform Bill should stand as the first Order on the day it was proposed to take it, he must fix some other day for it.

Mr. MONCREIFF said, it would be well if the right hon. Gentleman were to state when he really intended to bring on the Scotch Reform Bill. As it was more than two months since the Bill had been read a second time, he hoped the right hon. Gentleman would see the importance—indeed, the propriety—of fixing without further delay a day for the Committee.

MR. DISRAELI: I beg, Sir, in answer to the right hon. and learned Gentleman, to say that I think he must allow me to judge myself of the propriety of my conduct in endeavouring to bring about, as I wish anxiously to do, the earliest possible dissolution of this House. With a view to that result I am as desirous as he can be that the Scotch Reform Bill should be discussed in Committee without any unnecessary delay; but I must take everything into consideration when arranging the course of Business, and I do not think I am open to the charge of having been guilty of any neglect in respect of this Bill. Propositions which interfered with the Government Business were brought forward by other persons, but I could not prevent that. It is of great importance that the Boundary Bill should be proceeded with on Thursday, and, therefore, the Scotch Reform Bill cannot be placed first on that day. I believe it would not be satisfactory to have it put down as the second Order on the day when it is intended to discuss it, but I will give it the first evening I can after Thursday.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. CORRY said, it was very important to go on with Supply without delay, as only a very small portion of the Estimates had at present been agreed to. Under these circumstances he appealed to the hon. Members for Rye (Captain Mackinnon) and Tavistock (Mr. Samuda) to postpone the Motions of which they had given notice.

THE IRON-CLAD FLEET.

OBSERVATIONS.

CAPTAIN MACKINNON said, that his Motion was of such importance that he must decline to postpone it. He received his early training in the old wooden walls of the navy of England, and retained vivid impressions of the strict, but just, discipline of that magnificent fleet. He

Mr. Moncreiff

had an earnest desire to see the navy of the future holding the same position of efficiency and imperishable renown as that of bygone days. This was his reason for drawing attention to the faulty, inferior, and retrograde construction of a large portion of our iron-clad fleet. His information had been obtained mainly from the records of the public Press, papers read, and pamphlets published at various times by naval officers, as well as from Parliamentary Returns. These sources of information had created an impression in his mind that, during the last five years, large sums of money had been wasted in the Construction Department of the Navy—owing, apparently, to a want of skill and experience in that Department. He had not, however, arrived at this conclusion without giving due consideration to the counter opinions and apologies in those organs of the Press which were supposed to convey the opinions of the Controller of the Navy's Department. He referred to naval articles and naval intelligence in certain daily and weekly papers, and concluded that he should not be contradicted when he assumed that those writings were the inspirations of that Department, and that a system of official communication had been carried on during the last five years on naval matters in the Press to a greater extent than had ever been known before. In illustration of his meaning he might mention that an article in the *Army and Navy Gazette* of the 14th of March forestalled the usual statement of the First Lord of the Admiralty in the introduction of the Navy Estimates, and conveyed intelligence of a peculiarly departmental and confidential character which marked its official origin; and its object appeared to have been to commit the present Board of Admiralty, by the evidence of their present intentions, to an approval of the past, and compromise them so as to secure their defensive co-operation with the present Controller's Department. The most important feature, however, was the indication that article afforded of the purpose for which the monies proposed to be voted in the Estimates for building purposes was to be appropriated—namely, for another *Hercules,* for another *Invincible,* for another *Monarch,* and for a *Monitor,* all on Mr. Reed's designs. A Return of the state of the iron-clad fleet was laid upon the table of the House each year. He held a copy of such Returns for 1866 and 1867 in his hand; but was compelled to complain of its incorrectness and incompleteness. It was calculated to hoodwink the Admiralty, humbug the House of Commons, and throw dust in the eyes of the public. As in the semi-official publications of the Press, all faults and failures were attributed to the Board of Admiralty, while nothing but what was most perfect was attributed to the Controller's Department. He confessed his inability to understand what was meant in the column giving the names of the designers by "Controller's Department and Mr. Reed," and "Controller's Department without Mr. Reed." Then he found that the indicated horse power was not recorded. For instance, the *Bellerophon* appeared to have engines of 1,000-horse power, and the *Achilles* 1,250-horse power; but the former vessel to attain a less speed than the *Achilles* exerted 6,522 horse power, and the *Achilles*, a much larger vessel, only 5,722-horse power. The cost of the engines told a tale: those of the *Bellerophon* cost £88,612, and those of the *Achilles* cost £69,117; so that, in cost of engines, the expense of the smaller and slower vessel was far greater than the larger and faster. The *Bellerophon* carried one-third less weight per indicated horse power than the *Achilles*, and was proportionately a far more expensive steam ship, and, judging from reports of trials at sea, had inferior sailing qualities, was a less steady gun platform, and was inferior as a sea boat. The *Bellerophon* was reported in *The Times* of Thursday last as steaming for six hours over 14 knots, but this was performed with a tide in her favour the whole way. We might fairly take off about three miles per hour, which reduced her speed to about 11 knots. Admiral Warden was of opinion that the *Achilles* is the finest ironclad ever built; but Admiral Robinson said, "I cannot concur in that opinion; the *Bellerophon* is a stronger, handier, and more efficient fighting ship." If the *Bellerophon* turned quicker under steam, this was chiefly owing to her having a rudder of more than twice the proportionate surface as compared with that of the *Achilles*. The real cause of the difference in this case was that the immersed longitudinal area of the *Achilles* which her rudder had to turn was 10,038 square feet—her rudder surface which had to turn it being 166 square feet, or 1 foot of power to every 60 feet of resistance. The immersed area of the *Bellerophon* was 6,540 square feet, and her rudder surface 252 square feet, being 1 foot of power to every 26 feet of resistance. Thus the shorter ship was equipped with 130 per cent more turning power than the longer one. The *Bellerophon's* "balanced" rudder commanded an angle of 38 degrees, while the ordinary rudder of the *Achilles* commanded an angle of 25 degrees only. The shorter ship thus obtained 60 per cent more command over the power of her larger rudder than the longer ship obtained over her smaller one. The disparagement of long ships had been due in this case to keeping out of sight the enormous disparity in the steering equipment of the *Achilles*. But put the two ships under equal conditions of steering power, and their present difference would be reversed in favour of the longer ship. The form and proportions of the *Achilles* were based on the experience of the last thirty years. Those of the *Bellerophon* violated all experience, and she had to push before her an enormous submarine "snout," tens of tons in cubical bulk, which obstructed her speed and manœuvrings, and doubtless her turning too. Although a smaller vessel she had not a proportionate lighter draught. The *Bellerophon* represented Mr. Reed's promised improvement on the *Achilles* class, and was a prototype of one of the vessels for which money was asked in the Estimates. The innovations of armour-plating and heavy guns had in no way altered the special requirements of our fleet, yet the last five years had produced an armour-clad fleet constructed wholly regardless of classification, and at variance with the broad rules of science and practical experience. The present Chief Constructor of the Navy took Office with the advantage of finding that difficulties had been well considered by his predecessors, and practically developed in six larger vessels—namely, the *Warrior*, *Black Prince*, *Achilles*, *Minotaur*, *Agincourt*, and *Northumberland*, which were a valuable class of cruizing frigates. They were capital ships, and the type was well worthy of being perpetuated. The Chief Constructor of the Navy would claim superiority for his vessels on account of thicker armour. This was a deceptive plea, because the total weight of armour carried by the *Bellerophon* was not proportionately greater than in the *Achilles*, as it covered a smaller portion of the ship, the *Bellerophon* having only seven protected broadside ports and the *Achilles* thirteen. The question of armour-plates did not affect naval architecture so as to impose any practical impediment to the production of good sea-going vessels. While the *Warrior* class fulfilled the requirements of their day of progress, the vessels of Mr. Reed had not done so. He ventured to say that not one vessel designed by Mr. Reed had been a type for another which should follow. His first frigate, corvette, and gunboat were now obsolete; his "plough-bow" was discarded as a blunder. His great love—the broadside system —was in its last agonies; and the Estimates for building for the last five years had been wasted to a great extent in endeavouring to drive a smaller class of broadside vessels, with forms at variance with science and experience, at a great speed by dint of enormous horse power. Without entering into particulars, he maintained that, in the designs of Mr. Watts, the broad rules of science and experience in naval architecture were not departed from, and they afforded sufficient evidence of the direction which in the future should have guided wise and teachable men, or unprejudiced minds, in the pathway of improvement. Sir Baldwin Walker and Mr. Watts were of opinion that to carry heavy armour combined with great speed, at the same time insuring good sea-going qualities in broadside vessels, the large proportions, like those of the first six vessels, were a necessity; if iron-clad broadside vessels of a smaller class were desirable a reduction of speed was a necessity. Yet, the present Chief Constructor thought differently, and undertook to prove the contrary, although totally without experience, never having built a ship. The turret principle was urged upon him as a means of assistance, but he discarded it. So we had broadside ships of the *Bellerophon* type, which carried one-third less weight per indicated horse power, at a less speed than the *Achilles*, and in every respect a most inferior sea-going vessel. The Chief Constructor had lately held out at a public meeting of engineers that he was prepared to design a turret-vessel superior to all that the world had yet produced. He (Captain Mackinnon) had no confidence in Mr. Reed's ability to do so; and it was for this reason he had brought this subject before the House, hoping that he should at least obtain from the First Lord of the Admiralty some assurance that the adoption of the turret principle would not be left to be carried out by those who had for years past ignored its advantages and opposed even a fair trial. The total want of system evinced in the character of these iron-clads resulted in the most lamentable fact that no fleet of the line could be formed to cruize and manœuvre together unless constantly under steam; and that as gun platforms they were mostly so unsteady that their artillery power would be almost ineffective even in moderate weather. He believed if they were to take aim at that House 100 yards off in a fresh breeze, they would not hit it. The corvettes intended as cruizers for the protection of our trade were equally unsuitable for the purpose for which they were designed, having proved heavy rollers, with a speed of barely thirteen knots at the measured mile, which, judging by the *Bellerophon*, meant eleven knots as a reliable speed at sea; therefore, they could neither capture privateers nor escape capture themselves from a similar class of vessels building by other countries. The best evidence that these vessels were not adequate for the purpose they were designed was that, after expensive alterations from the original designs, in some cases involving almost an entire re-construction, as with the *Danaë*, we were now building a new type of corvette, the *Inconstant* class, for a greater speed, after more than twelve failures of this class had been added to the fleet at the cost of a large sum of money. With regard to the gunboats, there never was such a blunder made in the world. We had built three armour-plated gunboats, equipped in every respect as sea-going vessels, and costing a large sum of money, which had turned out useless for any purpose whatever, and, therefore, a dead loss to the country. As proof of this he need only name two of these vessels—the *Vixen* and *Waterwitch*. In making an attempt to go from one port to another in this country they proved themselves unseaworthy, rolling 50 degrees each way, though there was not what seamen would call "a gale of wind." Such a fact was unknown in our naval history, and most discreditable to our national character as naval architects. The crews of these two men-of-war went aft in a body and protested against being sent to sea in such unseaworthy vessels. The English naval authorities had made themselves the laughing-stock of the whole world. They had put on the front of each vessel a snout called a plough-bow, up which the water ran, and which, if a sufficiently high rate of speed could be obtained, would cause the vessel to dig into the water and absolutely run down. He understood that the apologists for these vessels now said that they were intended for river purposes; but in every respect the character of these iron-clad gunboats —ironically called "coffins" by a distinguished flag officer—rendered such an apology ridiculous. He would compare two vessels, one built by a private firm and the other in the Admiralty yard—the *Vixen* and the *Medusa.* They had cost about the same money to construct. The *Vixen* was 1,180 tons; her draught was 11 feet 10 inches; her length 160 feet; breadth, 32 feet; nominal horse-power, 160; speed, 9½ knots; and she carried two 6½-ton guns. The *Medusa* was 1,360 tons; her draught 9 feet; length, 190 feet; breadth, 36 feet; nominal horse-power, 200; speed, 10½ knots; and her armament, four 10-ton guns. The *Vixen* was quite unseaworthy—rolled and pitched most dangerously even in moderate weather, and never went to sea in bad weather. The *Medusa,* on the other hand, had been in several heavy gales, and was a very handy and serviceable boat. Another most important feature as regarded the efficiency of our fleet was connected with the supply of coals which each ship was enabled to carry, especially when it had been proved that no safe evolutions could be performed by them under sail alone. In this respect our fleet was most inefficient, and especially the *Bellerophon* and *Hercules,* Mr. Reed's choicest productions, which carried, at full speed, only three days' fuel; this defect was necessarily a consequence of the unscientific principle of obtaining speed by placing enormous engines in small ships. Commencing with the *Enterprize* and *Research,* and going down to the last of Mr. Reed's vessels, he considered that there existed a most glaring evidence of the misappropriation of public money for building purposes. During the last ten years, no less than £10,000,000 had been expended on iron-clads, and he did not believe they were of any real use whatever. Their unseaworthiness and rolling propensities were remarkable evidences of want of skill, and called for great caution in voting more monies for future designs from the same source, seeing that, as yet, not one vessel designed by Mr. Reed had proved the type of another which should follow. Judging from the failures of the past, and considering that two of the vessels now proposed of the *Audacious* class were duplicates of vessels not yet tried, that House, as guardians of the public purse, should interfere so as to require that one vessel of each class should be tried before the duplicates were commenced. There was a plan for utilizing the best of our wooden line-of-battle ships, by converting them into turret-ships at a cost of £100,000 each, and thereby strengthening the iron-clad fleet. On account of its great economy in time and money, this plan had commended itself most highly to the House. It was Mr. Henwood's proposition, which, he understood, had been submitted to the Admiralty. But, as the turret principle was involved, it appeared that the Controller's Department had decided to suppress it. The reports of the construction Department on some of the plans submitted to them by the Admiralty for examination gave rise to grave suspicions that the detail of some of these plans had been distorted, and from being thus altered, condemned on incorrect data. Mr. Reed himself was converting a wooden line-of-battle ship, the *Repulse,* into an iron-clad on his favourite "box" rolling principle, of the *Zealous* class, at a cost of about £250,000, and decried the plan of converting similar vessels on the turret principle for less than half the money. He believed that one of these converted turret-ships would prove more than a match for the *Bellerophon,* and would be only one-fourth her cost. The hon. Gentleman concluded by thanking the House for the attention with which they had listened to him.

Mr. SAMUDA said, that he wished to call attention to the Parliamentary Return, No. 26, entitled "The Navy (Designs for Ships)," ordered to be printed on the 3d December last, relative to the designs for war ships furnished by private shipbuilding firms on an invitation from the Admiralty, and to the course taken by the Admiralty in respect to them. This was a subject which he thought could be better dealt with in the House than in Committee. In June, 1867, the right hon. Gentleman (Mr. Corry) informed the House that, in addition to what was proposed to be done in the Estimates, it was his intention to build another iron-clad, and to avail himself of the experience and ability of private builders for that purpose. Application was accordingly made to seven of the principal shipbuilding firms, calling on them to supply the Government with plans, designs, specifications, and drawings, and it was left entirely open to the firms whether they would propose a turret ship or whether they would suggest a broadside. It was understood that the construction of the vessel would be entrusted to the hands of the firm whose plan was most approved, if satisfactory terms could be arranged. Designs were sent in, and on the 8th of October following the Admiralty came to their decision; but though in every case the competing firms were thanked and praised the whole of the designs were rejected. That at first sight might appear to be a very curious result; but a study of Papers for which he had moved would do away with any such impression. It appeared that on previous occasions similar designs had been applied for, and in every case the same result had followed. And not only were the designs rejected, but somehow they were supplanted by official plans. He would give one or two notable instances. In 1859 or 1860 a similar proposal was made in the well-known case of the *Warrior*. The firms applied to all responded, and the expense to which they went might reasonably be represented by a sum of £300, and in many cases £500. But when the plans were sent in a very early opportunity was taken of discrediting them in that House, and those who had sent in designs were first made acquainted with the fact that they were not accepted by being asked to tender at the Admiralty on the official plans of that very vessel for which they had competed. How the official plans had been formed had never been satisfactorily explained, but somehow they bore an extraordinary resemblance to many of the plans which had been sent in as well in dimensions as in some extraordinary points of construction which were new. There were undoubtedly variations from the private plans sufficient to enable one to say that the designs were not actually copied. There was another curious instance. Soon after the introduction of iron-plated and iron-built ships it was proposed in that House that they should have wooden hulls for carrying armour instead of iron hulls. Such work ought to have been thrown open to private yards; but a Minute was prepared by the Admiralty with the evident object of throwing discredit on them. It represented that work done in private yards was slovenly, imperfect, and more costly than that done in the dockyards. Experience, however, had shown that what had been represented as the cheaper production of the dockyards was at least 50 per cent dearer than that of the private yards. The plea of economy, indeed, was now given up, after it had served its purpose of throwing work out of other hands into the dockyards, and it was argued instead that it was necessary to preserve the dockyards for purposes of war. This was an altogether different question, with which he would not deal on the present occasion. Again, on its being proposed to build some large troopships for the Indian service, it was suggested that the Admiralty would do well not to confine themselves to the designs of their officials; and his hon. Friend the Member for Birkenhead (Mr. Laird) suggested that as the best engines had been obtained by requesting proposals from firms of reputation, the same plan should be tried with ships. The Admiralty assented, and it was accordingly agreed that private firms should be asked to send in designs for these vessels. Their designs, however, were no sooner sent in than they were discredited. Lord Clarence Paget, then Secretary of the Admiralty, informing the House that the only chance of obtaining a satisfactory ship was to cast aside their plans and adopt those of the Admiralty, as the private builders could not rise to the level of the Admiralty's requirements. The result was another failure. The same thing had happened with regard to the turret and broadside ships. He now came to the present state of things. He found that the same result had occurred, but in an aggravated form. Knowing what had occurred on previous occasions, he had deemed it his duty on the part of the private firms to point out to the First Lord of the Admiralty that the only way in which a satisfactory result was likely to be obtained was to make it imperative on the Chief Constructor of the Navy that he should not compete with the private firms, and should not exercise any influence on the decision of the Board; and he understood the right hon. Gentleman to assent to the suggestion. But what did the Papers reveal on the subject? First, that the Chief Constructor had actually put forward plans to compete with the proposals of the private firms, and, not content with one design, he made use of two—one for a turret ship and the other for a broadside. But what was still more strange was, that he acted practically as the arbitrator.

He reported on the whole of the plans, and actually introduced into his Report a tabulated form, including his own two ships as well as the others, and then drew a conclusion favourable to himself; while the Controller, in his report, continually referring to the Constructor's views to support his own conclusions, repeats all his condemnation of the private plans and admiration for the official. The private designs were praised or condemned according as they agreed or differed from their own. For instance, he partially commended the design of the Thames Iron Works on account of its resemblance to the *Invincible*, and he described the advantages of Messrs. Laird's turret ship over the official design as either repetitions of the features of other official ships, or as purchased at the expense of qualities equally essential. With reference to a third he declared that it was in no respect superior to the design sent in to their Lordships on the 27th of July. Particular stress had been laid upon the assumption that the Admiralty would be greatly guided in its decision by the recommendation of persons outside the official circle. But having invited private persons to design what they considered the best modes, the Admiralty destroyed the hopes of all those who favoured the turret principle, by exhibiting determined hostility to anything but the broadside. Four ships out of the seven were summarily set aside by this decision, and of the three remaining it was said that two were not necessary to be considered at all, while the third they regarded as particularly good, because of the resemblance which it exhibited to their own favourite build. The Board came to the conclusion that the Chief Constructor was the only man who could produce what they required, and in the end they determined to build another ship from the official plans of the *Invincible* class. Finally, they came to the absurd conclusion of giving the building of the ship, not to the firm whose design they most approved for a broadside ship, but to another firm altogether, Messrs. Laird, of Birkenhead—who had sent in a design, not for a broadside, but for a turret—making compensation, it was true, to the firm thus passed over by giving them an order for a corvette. He spoke upon this matter with perfect impartiality. When his firm was applied to for designs he told his right hon. Friend the First Lord of the Admiralty that he would gladly give him the benefit of any experience and knowledge which he possessed, but on the clear and distinct understanding that he would not enter into the competition, and would not derive any advantage from it. He therefore had no personal interest in this matter. It was contended that the vessel enjoying the approval of the Government possessed this advantage, that, by means of sponsons placed upon the upper deck, she was able, in addition to her broadside battery, to fire a gun fore and aft in the direction of the keel, and so, possessing an all-round fire, was equal to a turret ship. It required but a very small amount of professional knowledge to detect the fallacy of that argument. The broadside of the *Invincible* showed three guns, each throwing a shot of 300 lbs., or exerting a total force of 900 lbs., which could be increased to 1,200 lbs. by the fire of a gun from the upper deck. But a turret ship engaging her would throw 2,400 lbs. at a discharge. Moreover, this was taking the calculation in the most favourable way for the sponson ship. For the moment the turret ship either forged ahead or dropped astern more than 30 degrees the *Invincible* would be reduced to the necessity of attacking or defending with one gun, while for a large portion of the distance the turret ship would be able to exert her full force. The great advantage possessed by the turret ships submitted over their rivals was that they were fully cased in armour, while the official broadside ship had only patches of armour, and was vulnerable over two-thirds of her length. It was absurd to call a vessel armoured which was left totally unprotected at its stem or stern, except on the water line, and which might be pierced by any shot which struck the ends. Moreover, no such thing existed, or ever had existed in the British navy as a vessel fitted with batteries carried in sponsons on the upper deck, and they were entirely without experience of how such a fighting vessel would answer. Another difficulty with the sponson vessel was as to its rolling. The rolling tendency of the armour-clads had been much dwelt upon in the Admiralty Reports of the Channel Fleet. Now it was evident that a vessel would roll much worse if she had to carry heavy guns and heavy armour upon her upper deck. The Admiralty had declined to entertain the plans of a turret ship on the ground that they were experimental, notwithstanding that they had had one built, and had obtained another by conversion, which was tried under difficult circumstances, and reported to the House as having achieved in every respect a perfect and unequalled success. The Admiralty had also two more building, one in their own dockyard, and one by the Messrs. Laird of Birkenhead. He did not wish to say a word in disparagement of the Constructive or any other Department, whose head was not present to defend himself; but he was bound to say that there appeared to be too much ground for the observations which were made by his right hon. Friend opposite before he became a Member of the Government. His right hon. Friend said that asking a man like Mr. Reed, who was the advocate of a totally opposite system of his own, to build a turret ship, was something like calling on an allopathic doctor to treat a patient on the homœopathic plan. He believed his right hon. Friend sincerely wished to give the turret principle a fair trial, and holding such views it would have been right and reasonable that his right hon. Friend should have investigated the matter a little further, in order to see whether persons who had, by experience and assiduity, attained a prominent position, could be so entirely wrong as to render it necessary that all their plans should be thrown over, in order to introduce those of the Chief Constructor. But he knew the obstacles which a man in his right hon. Friend's position must have to encounter from professional advisers. He thought he was justified in the criticisms he had made on the action of the Admiralty, and in saying that the private firms had not been treated fairly in the attempt which had been made to show that their calculations were deficient. Everybody seemed to be wrong but the Chief Constructor himself. To show what had been done by private firms, he might refer to the *Prince Henry*, built for the Dutch Government, and to the *Crown Prince*, built for the Prussian Government, both of which had given the greatest satisfaction. The *Prince Henry* had the draught of water to an inch that was promised, and the *Crown Prince* had the draught of water to an inch, and considerably more than the speed promised. He considered it a matter of the greatest importance to the country, especially as regarded a reduction in the Navy Estimates, that the Admiralty should take counsel with the private firms. He believed that if the matter were thoroughly looked into the House would find that the frequent re-constructions were due to the fact that the Admiralty placed an absolute reliance on their own Department, instead of availing themselves of the experience to be found outside.

Mr. CORRY said, he was quite ready to acknowledge that he had never found greater difficulty in deciding on any question than on that to which the hon. Member for Tavistock had called attention. There was much to be said on both sides. His hon. Friend (Mr. Samuda) had stated the case in relation to the competitive designs very fairly, except in his remarks about the reference to the Controller of the Navy. His hon. Friend could not suppose that an unscientific Board like that of the Admiralty could decide on the design of a ship until it had been submitted to an examination by their scientific advisers. It always had been the practice to refer to the Controller designs sent in by private builders for ships of war. He would not say that the Admiralty were bound by the opinion of that officer; but undoubtedly they must be very much influenced by it; and he must express his opinion that the Board would undertake a very great responsibility if they decided upon building a ship, the design of which the Controller did not approve. Much fault had been found with all the designs in matters of detail, except, perhaps, that of the Messrs. Laird, which had been highly praised by the Controller and the Chief Constructor; but he would state presently why he and his Colleagues had not thought it inadvisable to adopt it, though from the first he had entertained a secret hope that a design for a turret ship might be accepted. His hon. Friend was not correct in supposing that Mr. Reed had been allowed to compete. He had sent in a plan, and there was nothing to prevent the Controller or the Chief Constructor from submitting a plan for a ship at any time he might think proper; but he had not been asked to compete, nor was his design taken into consideration in competition with that of Messrs. Laird and the other competitors. If Mr. Reed had praised his own ship and found fault with the ships of other people, he (Mr. Corry) had nothing to do with that. His hon. Friend had quoted remarks of his some years ago in favour of building a turret ship; but those remarks were made before the experiment of building a sea-going turret ship had been determined on. The circumstances were different now, because there were two such ships — the *Captain* and the *Monarch* — in course of construction, one of which was under the immediate superintendence of Captain Coles, and the other on a design by the Department of the Controller. Messrs. Laird's competitive design contained nothing new in point of principle; it was, in point of fact, nothing more than an improved *Captain;* and in his opinion there was nothing to be gained by building two experimental vessels on exactly the same principle before one had been tried. But he had another reason for thinking it well to pause before building a third seagoing turret ship before the experiments in progress were tested. Between the time when the designs were called for and sent in, the Lords of the Admiralty went round the various ports, and he had had an opportunity of obtaining the opinions of many experienced naval officers respecting turret ships; and he might here mention that he was on board the *Minotaur* at the time she made the famous pitch to which the hon. Member had adverted, so that he had himself an opportunity of witnessing the performance of the armourclads in a heavy sea. He had also witnessed the performance of the turret ship *Wyvern.* The great majority of the officers with whom he conversed on the subject entertained grave doubts as to the fitness of the turret principle for ships intended as cruizers—to keep the sea in all weathers; and, although there could be no doubt that the turret principle was the best for coast defence, it was felt at the Admiralty that, in the present state of the navy, it was not advisable to build a ship which might be useful for that purpose only, but that the design to be selected should be for a ship which could be sent to sea with safety to herself and comfort to her crew. The hon. Member had blamed the Admiralty for having given the building of the broadside ship determined on to Messrs. Laird, notwithstanding the design sent in by them was for a turret ship; but that was in strict accordance with the intimation made to the various competitors. The parties who sent in the most approved design were to be entrusted with the building of the ship. Both the Controller and the Chief Constructor had given a decided preference to Messrs. Laird's; and notwithstanding the doubts entertained as to the advisability of building a third turret ship before the *Captain* and *Monarch* had been tried, if the Admiralty had been under an obligation to adopt one or another of the designs Messrs. Laird's would have been selected. He would not, on this occasion, follow the hon. Member for Rye into his remarks respecting the performances of certain vessels, but would be content with pointing out, in reference to the hon. Member's criticisms on the *Bellerophon* and the *Achilles*, that those vessels could not be justly compared to each other. No doubt the lines of the *Achilles* were better adapted to speed than those of the *Bellerophon;* but Mr. Reed's object was to obtain a shorter and more handy and cheaper ship, and to obtain compensation by greater power of engines. On the whole, his observations had led him to the conclusion that our iron-clad ships, instead of being inferior, were in reality superior to those of any other country in the world.

Motion, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—NAVY ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

Mr. CORRY, in rising to propose the Navy Estimates, said: Mr. Chairman—Sir, I fear that in the performance of the duty which now devolves upon me I shall have to trespass at some length on the indulgence of the Committee, of which, on more than one ground, I stand in need. I therefore think that I shall best consult the convenience of the Committee if I abstain from further preface, and at once proceed to explain the Estimates I have risen to propose. I will first advert to the increase in the amount required to be voted for the present year over the Estimates for the last year, and explain that it is only apparent. The amount of the excess is £201,037, and it arises from the sum of £203,292, on account of supplies to other Departments having been included in the Estimates for the year 1868-9, under the Votes specified, for which there was no corresponding provision in the preceding year. Under a recent decision of the Treasury, the re-payments for these supplies are to be made direct to the Exchequer, instead of being credited, as heretofore, to the naval Votes. It is therefore necessary to provide for the purchase of these supplies in the Estimates; but as re-payment will be made into the Exchequer, no additional charge falls on the Revenue on that account. In order to institute a proper comparison between the Votes for the two years, the sum of £203,292 must be deducted from the gross amount, and the result is as follows: — The Votes for 1868-9 amount to £11,177,290; deduct the re-payment to the Exchequer of £203,292, and there remains £10,973,998, as compared with £10,976,253, the amount of the Votes for 1867-8. There is, therefore, an actual decrease in the sum to be voted to meet the requirements of the naval service for 1868-9 of £2,255, as compared with the sum required for the naval service last year. On the other hand, some trifling charges which are specified in the first page of the abstract have been removed from the Navy to the Civil Service Estimates, and the general result is an increase on the Estimates for the present year, as regards the naval service, of £9,480. Under these circumstances, the amounts of the two Estimates may be said to be practically the same. It was the opinion of Her Majesty's Ministers in the present financial situation, affected as it was, and still is, by the cost of the Abyssinian War, that it would have been inadmissible to have proposed a larger sum than was voted last year for the navy. The Admiralty, therefore, had to consider in what manner they could appropriate the amount at their disposal, thus limited, to the greatest advantage, and in considering this question it was the unanimous opinion of my Colleagues and myself that as large an amount as could possibly be spared from the other departments of the naval service, without disregard to their proper efficiency, ought to be appropriated to the construction of armour-plated ships. In view of the progress made and still being made by other navies, that was, in our opinion, essential to the maintenance of our naval power; and that has been the principle on which these Estimates have been prepared. The question therefore whether any reduction, and, if so, what reduction could be made, under other heads of expenditure, arose upon the first Vote—the Vote for wages to seamen and marines—the first not only in order, but also in importance, because, whatever importance we may attach to our fleet of ironclads, it is, after all, subordinate to the maintenance of an adequate establishment of well-trained officers and seamen, without which our ships would be of no avail. The possibility of effecting any material reduction in the number of seamen to be voted for the service of the year depended in a great measure upon the strength at which the foreign squadrons ought to be maintained. This is a matter in respect of which the gravest censure has been passed on the Admiralty, not only on the present, but also on preceding Boards, and I may remark that the number of our ships on foreign stations was less last year than it had been during the period when our immediate predecessors were in Office. It is asserted by some persons that we are guilty of supreme folly in maintaining these squadrons, and their maintenance may be said to be the pivot on which our whole naval policy turns. I am quite ready to admit that, if these squadrons are useless, if they are kept up merely for the sake of giving patronage to the Admiralty, as some insinuate, or for any other such unworthy motive, then they ought to be at once suppressed; and, if they were so repressed, millions of public money would be saved. You would save the wages of 10,000 or 15,000 seamen, and a large proportion of the cost of building and repairing ships, and various other charges. The question, however, is, whether it would be wise to reverse our policy in this respect? I am not contending that the stations ought to be maintained on an extravagant scale; but, on the other hand, ought we to deal with them in the wholesale manner which some have suggested? Ought we to withdraw our ships altogether, or to such an extent as would make a serious impression on the Estimates? It has been stated that the vessels constituting the squadrons on our foreign stations are useless for fighting purposes. There would be some truth in that assertion if the squadrons of other nations consisted exclusively of armour-clads; but, so far from that being the case, the foreign squadrons of other navies are even to a greater extent than our own unarmoured. Therefore our unarmoured vessels would, in the event of war, be as able as ever to protect our colonies and commerce against the unarmoured vessels of an enemy. The United States' Government is building a great number of unarmoured cruizers, and with an object that we can very well understand. If ever America were at war with us, she would try to cripple our commerce, and lumbering armour-clads would be comparatively useless for that purpose. Again, take the case of France. No doubt, she has a large sea-going fleet of armour-clads; but by far the greater part of her navy consists of unarmoured ships. Her foreign squadrons are almost exclusively unarmoured, and she has a large reserve of unarmoured line-of-battle ships and frigates in her ports. From the last French Budget for the year 1869—the French Budgets being prepared a year in advance—I find that there are to be 167 vessels in commission, and of these only ten are to be armour-clad ships. The rest are large frigates, corvettes, and other vessels, corresponding to those that form the squadrons on our own stations. Some of them are transports, but the greater number are ordinary men-of-war for ordinary duties. The proposed expenditure of France, provided in the ordinary budget for the building of unarmoured ships during the year 1869 exceeds that on armoured ships in the proportion of more than three to two. Suppose that we were to follow the advice of those who say we ought to break up our unarmoured navy, look at the position we should be in if so great a misfortune were to arise as war between England and France. Why, our colonies would be at her mercy, and our commerce would be swept from the seas; for our armour-clads would have quite enough on their hands in dealing with the armour-clads of France in the Channel and the Mediterranean, and our colonial and our vast commercial interests abroad would be left completely unprotected against the unarmoured men-of-war possessed by France. To incur such a risk would not be a wise policy for us to adopt. My hon. Friend the Member for Pontefract (Mr. Childers) asked last year what chance a gunboat would have against a Russian armour-clad in the China seas. My answer is the same chance as a gun-brig in former times would have had against a line-of-battle ship—that is to say, no chance at all. But a gunboat now has as good a chance against an enemy's gunboat as formerly a gun-brig had against an enemy's gun-brig; and, as it is by means of small, and unarmoured vessels, that our commerce would be assailed, it is absolutely necessary that we should be provided with a similar description of force to protect it. It is said that our unarmoured squadrons are useless in time of peace; but the requisitions we receive from merchants and others resident in foreign countries asking us to send ships to this port and that port, and the outcry which is raised if the squadrons are unduly reduced, show that they render effective and valuable service. The public do not hear much of these cases; they do not excite general interest; but effectual service is rendered, nevertheless, to British commerce by our squadrons abroad. Independently of any opinion which I may have upon this subject, I am quite sure that, if any Government were to withdraw our squadrons or unduly reduce them, remonstrances would be made by the commercial community and by the colonial interest, such as no Government and even no House of Commons could resist. We are told sometimes that they do these things better in France. I have some doubts on that point. But how do they do these things in France? The French Naval Budget is prefaced by a preliminary note drawn up by the Department, and I find in the preliminary note to the Budget for 1869 the following words:—

> "They," that is the squadrons "which France maintains on sixteen stations, in all parts of the world, protect political and maritime interests as considerable as they are varied. They give security to commercial transactions representing five milliards and 321,000,000 francs, of which two milliards 475,000,000 francs are under the French flag. With this efficacious protection the commercial relations of our country are extended and developed more and more every year, and it is certain that the navy must be maintained in some degree in proportion to the commercial interests it has to protect."

The *note préliminaire* goes on to state that it considers the expense of the navy as an insurance on the national commerce, and it may be consolatory to those who object to our foreign squadrons to know that the rate of insurance paid by France in this respect is much greater than that paid by this country. The Budget to which I have referred states the cost of the French navy to be 6·35 per cent on the value of the trade carried on under the French flag. I have had a similar calculation made in respect of England, and I find the cost of the navy is only 2·73 per cent on the value of the trade carried on under the English flag—a striking illustration of what I have always maintained, that our navy is organized on a far more humble scale, in relation to the interests it has to protect, than that of our great ally.

So far as to the policy of maintaining squadrons abroad in order to protect the commercial, political, and colonial interests of the country in time of peace. There is another consideration which has great weight with my mind. It is expressed in very few words in the French "preliminary note," from which I have already quoted—

> "Besides supporting the political and commercial relations of a nation, the foreign squadrons are excellent schools for making sailors."

I entirely concur in that opinion. It is our foreign squadrons which, in a great measure, make our sailors, and if you were to recall or unduly reduce those squadrons, although you might have a large additional amount to expend on armour-clads, you would be left without officers and men capable of handling them and of maintaining the honour of the flag in the presence of an enemy. A pamphlet was recently published, which is attributed to a late First Lord of the Admiralty, and I find in it these words, in which I also concur—

> "Although, if our naval forces were withdrawn from distant stations, a reduction could easily be made in the number of ships in commission, the work in our dockyards would be diminished, the demand for naval stores lessened, and the establishments abroad abolished, such a policy would be seriously detrimental to the future efficiency of the British navy, would disorganize the whole system, and leave this country in a few years without experienced officers and well-trained seamen."

I believe this is the opinion of the Duke of Somerset. At all events, it is the opinion of a sensible man, and I agree with him that, whether as regards the efficiency of the navy or the protection of British and colonial interests, it is absolutely necessary that, within reasonable bounds, our foreign squadrons should be maintained. But, though I am of that opinion, I quite admit that they should be kept up on as economical a scale as circumstances admit; and I undertook last year, in answer to observations made by hon. Gentlemen opposite, to inquire during the Recess, whether it would be possible to make reductions in our foreign squadrons without detriment to the interests of the public service. I will state the result; but I wish first to correct my hon. Friend the Member for Pontefract in a comparison he made last year between the strength of the foreign squadrons in 1846 and 1867. He said that, exclusive of the Mediterranean, the foreign squadrons in 1846 had 12,068 men, but he omitted the squadron on the West Coast of Africa. The actual number in 1846 was 15,588 men, and in 1867 17,893, being a difference of 2,305, and not, as he had stated, of nearly 5,400 men. There had been in the meantime a great development of trade with Japan, China, and elsewhere, and important colonies had grown up in the Pacific. Considering these, and other circumstances, I do not think the increase could be considered unreasonable. But, as I have stated, I promised last year to inquire whether any reduction could be safely effected. In carrying on that investigation I have been singularly fortunate, because the officers in command have returned home during the year from a great number of foreign stations, and I have thus been enabled to communicate with them personally upon the subject. In this way I have had the advantage of consulting with Admiral Denman, from the Pacific station; Sir James Hope, from the West Indies; Commodore Hornby, from the West Coast of Africa; Commodore Caldwell, whose loss the service has since had to deplore, from the Cape of Good Hope; Commodore Hillyar, from the East Indies; and Admiral King, from China. In fact, the Admirals and Commodores on nearly every foreign station were relieved during the year, and I was thus able to have personal communications with the very best authorities. I had the advantage also of the advice of my able Colleague, Sir Alexander Milne, Sir James Hope's predecessor in command on the North American and West India station. I have, therefore, had opportunities of getting the best information upon the subject, and I can assure the Committee that the inquiry we have thus made has not been a formal inquiry, instituted with a desire to burke the question, but that we have been anxious to make any reduction which we thought could properly be effected. Now, when articles are written or speeches made upon this question, Gentlemen often argue as if the Admiralty were omnipotent; but the fact is that we frequently have very little option in the matter. It is the Colonial Office and the Foreign Office which guide us with respect to the strength of the foreign squadrons; we are not always free agents. The question is one of policy, in which the Admiralty plays almost a subordinate part. Well, in inquiring into the possibility of reducing the squadron on the North American and West India station, I found that in the opinion of the Colonial Office it was necessary to maintain a frigate and corvette in the St.

Lawrence so long as there was any apprehension of Fenian raids. I do not know whether the disestablishment of the Irish Church will relieve us from that necessity. Then, the abrogation of the Reciprocity Treaty with America made it necessary to employ an additional force for the protection of the fisheries at Newfoundland, Labrador, and elsewhere, and the occasional presence of ships of war is required at Prince Edward's Island, Halifax, and Bermuda. Then there are the Jamaica division and the Barbadoes division; and it is important also that a force should be maintained in the Gulf of Mexico. We have important relations with those parts of the world; aM considering the unsettled condition ofndexico and other States, bordering on the Gulf, and the frequent requisitions from Consuls and Governors, we arrived at the conclusion that, though some reduction might be effected, it should be carried out with great caution. When Gentlemen say, "Of what use are these squadrons?" I will adduce, in reply, two instances which occurred on this station within a recent period. When the rebellion broke out in Jamaica, I should like to know what would have been the probable fate of the white inhabitants if the handful of European troops in the island had not had the support of the navy? Or what would have been the fate of the unfortunate inhabitants of Tortola, and other islands, if after the recent hurricane in the West Indies naval officers had not been on the spot—to provide them as they did, on their own responsibility, and out of their own pockets, with food and clothing, and the means of re-building their houses? Other instances are constantly occurring to show that our squadrons abroad are of material use. The result of our deliberation has been that, while on the North American and West Indian station, the squadron on the 1st of March last year consisted of twenty-six ships and 5,358 men, it is now to be reduced to twenty ships and 3,776 men, being a reduction of six ships and 1,582 men. These twenty ships include the two stationary ships—the *Aboukir* and *Terror*—at Jamaica and Bermuda; and the ships reduced are one frigate, two corvettes, and three smaller vessels. Coming to the south-east coast of America, we all know that the situation of affairs in that part of the world is not of a very settled or pacific character. A war is raging, revolutions are going on, and we have important commercial interests to protect. Notwithstanding this, we have reduced the squadron from nine ships and 1,115 men to six ships and 969 men, including the *Egmont* stationary ship at Rio. In respect of the Pacific, I had an opportunity of consulting the late Commander-in-Chief on that station, which may be said to extend through the whole length of the habitable globe. It comprises an immensely long line of coast, as well as important groups of islands, and the colonies of Vancouver and British Columbia; and I do not think that the force which we maintain there is extravagant for such a station. We propose no reduction in the number of ships — there being still twelve, including the stationary ship—the *Nereus*—at Valparaiso; and the number of men on the ships' books, which was 2,676 last year, is now 2,755. This small increase is owing to additional marines having been sent out on the requisition of the Foreign Office to complete the establishment at San Juan— these marines are borne on the books of the flag-ship. Last year my hon. Friend the Member for Pontefract (Mr. Childers) said that the squadron on the Australian station ought not to consist of more than 750 men. The squadron we intend to maintain will have 776 men, so that there will not be much difference between our proposal and the suggestion of my hon. Friend. One corvette—the *Charybdis*—has been withdrawn, and there has been a reduction of 336 men; and, instead of five ships and 1,112 men, we shall now have on the Australian station only four ships and 776 men. However, I must add that recently we have had urgent applications for additional ships from the colonial authorities. I now come to the most important of all our distant stations—that of China. My hon. Friend the Member for Pontefract said last year that—

> "We appear to have taken on ourselves the Quixotic duty of being sole protectors of the commerce of every civilized nation,"

and of carrying out the police of the seas for the rest of the world. But my hon. Friend was probably not aware at the time that, while we had thirty-six ships in the China seas, the French had at least twenty-two and the Americans fourteen; and, if our force were reduced as he suggested—from thirty-six ships and 4,082 men, to twenty-one ships and 1,900 men, there would be the greatest danger to the safety of our commerce in those seas—now amounting to the annual value of more than £40,000,000—as well as to the lives of those engaged in it. Considering that we have nineteen treaty ports in China and Japan, our force was not more than enough. This year there has been an addition of four ships at Japan. Of course, we took the opinion of the Foreign Office on this subject, and drew its attention to letters which we had received from Admiral Keppel, whose opinion we asked as to the strength at which the squadron should be kept. In his reply, Sir Henry Keppel says, "We have either too few ships or too many open ports where our Consuls require protection." Admiral King and Sir James Hope also concur with Sir Henry Keppel that the China seas require the protection of a large number of ships. It may serve as an illustration of the importance of having a strong force on that station to state that it so happened that, during last year, a revolution broke out in Japan which ended in a civil war, from which the greatest danger to our commercial interests was apprehended. In consequence of the unsettled state of Japan and the danger to our treaty rights, Sir Harry Parkes wrote to Sir Henry Keppel in November last requesting him "to concentrate at Hiogo as many of Her Majesty's ships as could be spared from other points;" and added that—

> "A similar course had been recommended by the representatives of those other Powers who had naval forces in Japanese waters."

Very possibly it was in consequence of that demonstration that we have been able to protect our commercial interests, and that there has been no violation of treaty engagements. This is another proof of the valuable service which is rendered by our ships on foreign stations. It was only the other day that we received intelligence that all the foreign Ministers had left Osaka, and repaired to Hiogo, in order to seek the protection of the ships of war, and disastrous consequences might have ensued if we had not had a powerful squadron on that station. Last year the squadron consisted of thirty-six ships and 4,082 men; this year it has been reduced to thirty-four ships; but the reduction in the number of men is very small — namely, from 4,082 to 4,008. The reason is that it was thought advisable last year to send out, on a special occasion, a large iron-clad—the *Ocean*—and we have now in the China seas the *Rodney* flag-ship as well as the iron-clad; but that is an arrangement which will not be permanently required. I now come to the East India station, which is the only one on which we have an increase, but that is owing to a cause which will be readily understood—the Abyssinian War. When the expedition was determined on, we had no reserve of ships at home ready for sea, and two ships of war from the Brazils, and two also from the China squadron were placed at the disposal of the East India commodore. Here, again, we had another instance of the advantage of having ships available on foreign stations, and Captain Edye, of the *Satellite*—one of the ships from China—rendered such valuable services in Annesley Bay, in the landing of animals and stores, and, above all, in the distillation of water, that, but for him, it is doubtful whether the war could have been brought to a close in one campaign. In consequence of the demands made on account of the Abyssinian Expedition, the East India squadron was increased from seven ships and 1,275 men to ten ships and 1,815 men, being three ships and 540 men more than last year. Of course, now that the Abyssinian War is over, we shall be able to effect a reduction, and return to the former state of things. The Cape of Good Hope is a small station with a squadron of only three vessels—the same as last year—of which one is stationary, the *Seringapatam*. There is, however, a small increase in the number of men—from 446 to 506—in consequence of a larger vessel, the *Racoon*, having succeeded the *Valorous*. We now come to the West Coast of Africa. And here I will confess that it has always been a very great source of regret to me that we should be under the necessity of maintaining a large force on that unhealthy station, and one of the first things I did on my appointment to my present Office was to recall the *Bristol*, a frigate of the first-class, and to replace her with the *Rattlesnake*, a corvette of about half her tonnage, and with little more than half her complement. But here again we must act under the direction of the Foreign Office. I had an opportunity of consulting Commodore Hornby, Commodore Edmonstone, now at Woolwich, Captain Wilmot, and also a gallant friend of mine, Colonel Blackall, who had held the office of Governor of Sierra Leone, and it was their opinion that, if the coast blockade was to be maintained, it was impossible that there should be a reduction in the number of vessels on the station, for it would be absolutely necessary that there should be some spare ships to relieve those carrying on the blockade, from time to time, in order that the ships' companies might have the requisite recreation and change of air, and of scene at St. Helena and Ascension. No doubt, in consequence of the vigorous exertions of the vessels on the station, a very heavy blow has been struck at the slave trade, though I will not say it has been entirely put down, for only very recently it was reported that an attempt had been made to run a cargo from the neighbourhood of the Congo, but it was defeated. Moreover, the Spanish authorities in Cuba have acted with such good faith that if the slavers were to escape the squadron it is hard to know where a market for the slaves could be found. Under these circumstances, it is the opinion of the Foreign Office and of the Admiralty that a small reduction of our force on the West Coast will be possible, but if the slave trade should revive we must revert to the former state of things. At present we have decided on reducing the squadron from eighteen ships to fourteen, of which nine are cruizers (including the Commodore's ship), and the remaining five are two small gunboats, one store ship and two stationary ships. These arrangements will reduce the men from 1,829 to 1,475, being 354 less than last year. And here I must advert to a new regulation, from which I expect the most beneficial consequences. It has heretofore been the practice for a ship to go out to the West Coast of Africa and remain there during the whole period of her commission—that is to say from three to four years, or even longer. But it appears from the reports that the constitution of Europeans can resist the influences of the climate for a limited period, and it is not until eighteen months or two years have expired that its fatal effects begin to be the most sensibly felt. We therefore intend that for the future no ship shall be kept on the West Coast of Africa for a longer period than eighteen months. We shall carry out that arrangement by sending the vessels on to the Brazils or other stations after eighteen months' service, and by ordering vessels from other stations to complete their period of service on the Coast. In the Mediterranean we have made a reduction of two ships and 955 men; but this will not interfere with the real strength of the squadron, as the number of armour-clads will remain the same. Last year we had on the station nineteen ships and 5,207 men; this year we have seventeen ships and 4,252 men. Balancing the increase and decrease, the foreign squadrons, which last year consisted of 135 ships and 23,100 men, will be reduced to 120 ships and 20,332 men; that is to say, there will be a reduction of 15 ships and 2,768 men. If it had not been for the increase on account of the Abyssinian war the diminution would have been 18 ships and 3,208 men. Excluding the Mediterranean, there is a reduction of 13 ships and 1,813 men; but the total reduction is, as I have said, 15 ships and 2,768 men. Having made this reduction in our foreign squadrons, it remained to be considered to what extent the Vote for seamen could be reduced; and I think the Committee will be surprised to learn how circumscribed was our field of operation in dealing with this question. The total number voted last year, excluding boys and marines, was 45,494 for all services. Of these, there were for service in the fleet only 36,050, the remaining 9,444 being for Coastguard and troop ships. Of *bonâ fide* seamen, or blue jackets, there were, on the 1st of March, only 18,963; and of these 16,754 were continuous-service men, leaving only 2,209 non-continuous-service men; while of these last 1,209 were long-service pensioners. Now, nothing could be more disastrous than the slightest appearance of breach of faith with the men engaged on the condition of continuous service. Its terms are equally binding on the Admiralty as on the men. Any breach of faith might be fatal to the system which has been built up with so much pains and success—a system which has removed the difficulty of manning the navy in time of peace, and has had such an influence on the character and conduct of the seamen by introducing habits of discipline and an *esprit de corps*, which are of the greatest advantage to the service. It would be both unjust and impolitic to jeopardize that system, and to reduce the number of men to any considerable extent. It would be especially unwise at the present moment, when Europe is bristling with bayonets. If we interfered with the continuous-service men we should have to interfere with the training ships; and I believe the value of the boys entered for continuous service on board those ships can hardly be over-estimated. I do not know, indeed, where we should get able seamen if the system of training boys were interfered with. For these reasons we could not entertain the question of a large diminution in the number of men; but, after due consideration, we have thought it right to reduce them to a certain extent. The number of seamen voted for the fleet for 1867-8 was 37,015; and we propose for 1868-9 35,700, being a reduction of 1,315. There is also a casual reduction of 18 boys, making a total reduction of 1,333. This includes men for Imperial troop ships for general service, but not for Indian troop ships, in which there are 1,270 men. We have not been able, however, to effect this reduction in its integrity; for, *per contra*, there is an increase of 250 men in the Coastguard afloat, and of 200 in the Coastguard ashore—making, together, 450. There is, likewise, an increase of forty-one men in the Indian troop ships on the requisition of the India Office, thus giving a total increase of 491; which, deducted from the decrease of 1,333, leaves a net reduction of 842 men. I may explain that the Coastguard men afloat have been increased by 250 in consequence of the establishment of an additional district ship on the coast of Ireland. The Controller General represented to me soon after my appointment to the Admiralty that that coast was too extensive to be properly superintended by two district captains; but an increase involved additional expenditure, and I was not at first prepared to entertain it. In consequence, however, of the trouble given by the Fenians last year, it became in our opinion a matter of necessity to have a man-of-war stationed on the North coast of Ireland; and therefore, after due consideration, we decided on adopting the Controller General's recommendation, and established a third station at Lough Swilly. I was in hopes this addition to the Coastguard in Ireland might be effected without any additional expense, for it was represented to me that the Coastguard ship in the Clyde might be dispensed with if a training ship for the Royal Naval Reserve were substituted for her; but there was such an outcry from my Scotch friends against this proposal, that I was almost apprehensive of a renewal of the scenes of 1745, and we were obliged to continue the ship in the Clyde, and provide an additional ship, the *Trafalgar*, for the coast of Ireland. With regard to the increase of 200 men in the Coastguard ashore, 100 of them replace civilians, ninety-one were accidentally omitted from the Estimates last year, and nine have, on the urgent representations of the Duke of Buckingham, been stationed at Heligoland. Exclusive, therefore, of marines, the Estimates show a decrease of 842 men. These are not all seamen, but are of all ratings, exclusive of marines. But we propose, also, to reduce the number of marines. Last August, in consequence of a re-organization sanctioned by Order in Council, there was a reduction of 200, the object of the Order being to place the marines on the same footing with regard to promotion as other seniority corps. The staff was augmented by 120, and the commissioned officers by 16; but, as a set-off to this increase of 136, 336 men were reduced, leaving the net reduction of 200. We now propose a further reduction—in the light infantry, not in the artillery—of 1,500, making a total of 1,700. I am aware that I lay myself open to the charge of inconsistency in proposing this, for some years ago I opposed a similar proposition made by Lord Clarence Paget. But while confessing to some reluctance in reducing so valuable a force, I believe there are reasons why, on the whole, it is expedient at the present moment. The reduction of the squadrons reduces the numbers to be employed afloat, and already the turn for service afloat is not sufficient to give the men the necessary experience at sea. The barracks, moreover, are already overcrowded. I think, therefore, that on the whole the numbers may safely be reduced within the limits I propose. The diminution of 842 in the number of seamen, and that of 1,700 in the marines, gives a total reduction of 2,542 men.

I now come to the effect of this reduction on the Vote, and it is a striking illustration of the tendency of the Estimates to increase from causes over which the Admiralty may almost be said to have no control. Every improvement for promoting the health and efficiency of the men, and adding to their comfort, must end in increased expense, and, paradoxical as it may seem, with the diminished number of men, there is this year a positive increase in the sum required for their wages. The net saving on the reduction of 2,542 men is £56,152; but, from the causes to which I have adverted, and which I will presently explain, there is an increase of £61,592, and there is, moreover, the wages to Imperial troopships transferred from Vote 17, and the proportion of wages, payable out of the Imperial Exchequer, to the two Indian troopships on this side of the Isthmus of Suez, amounting together to £80,242, making a total increase of £141,834, less the saving of £56,152, leaving the net increase of £85,682, as shown in the abstract. The charge for wages to Imperial troop ships is, however, only transferred from another Vote, and, deducting the £80,242, the increase for like services is £5,440. Thus, notwithstanding the reduction in the number of men, their wages exceed the amount required last year by £5,440. The increase of £85,682, however, includes £15,582, which will be re-paid by the Indian Government on account of wages to the two Indian troop ships; so that the actual excess in cash out of the Imperial Revenue on the sum voted last year is £70,100. The Committee will naturally ask how it is there has been so large an increase in the wages to seamen as to account for the addition to the Vote which I have indicated. The following are the causes of the increase on wages, which, as I have stated, amounts to £61,592. Great dissatisfaction had prevailed at the status of staff commanders and navigating lieutenants, and other officers in that line of the service, and an increase of their pay became necessary. This amounts to £4,000. In consequence of the difficulty in obtaining competent naval instructors, an increase of pay to that class was sanctioned by Order in Council of the 17th of May, 1867, and that increase amounts to £3,700. Last year the hon. Member for Pontefract (Mr. Childers) adverted to the importance of obtaining a sufficient number of artificers, and, on the 26th of June, 1867, an Order in Council was passed, by which the wages to artificers has been increased by £7,500, and I am happy to say the result has been most satisfactory. There is an increase of pay to engineers, more particularly in the higher classes, of £6,000, and to commissioned officers of £3,000, in consequence of a greater number being employed in proportion to the number of men. There is an increase of pay for warrant officers, more being on sea pay, and fewer on harbour pay, of £1,500. There is likewise an increase of £7,536 for petty officers and stokers, in consequence of a greater number being employed in proportion to the number of seamen. All these augmentations were inevitable. I now come to an increase of £9,500, for which, if any blame be due, I must bear it. It always appeared to me a hard case that naval officers—I am not talking of captains and commanders, but of lieutenants and sub-lieutenants, and officers of those classes which are so constantly employed that they may be said to be on continuous service—were put on half-pay if, on their return from foreign service, perhaps with shattered constitutions, from some sickly station—the West Coast of Africa, for instance — they went to spend a few weeks with their friends, although officers on the home station were allowed one month's leave of absence every year on full pay. I accordingly made a representation to the Treasury on the subject, and the Treasury consented to place them on the same footing as continuous service seamen, who, on their ship being paid off, are allowed full pay for a month or six weeks, according to the length of their absence from England. This arrangement causes the increase of £9,500. The sums I have just specified account for £42,736. There are other causes of increase which I think will not be found fault with. The increase on account of good conduct pay and badges amounts to £1,300, and there is an increase of £1,100 for raising boys by recruiting in the agricultural districts, from whence the best description of boys is obtained. The cost of the re-organization of the Marines, to which I have referred, added to the additional 1*d*. a day to Marines on re-engaging after eight years' service, and the placing the Marines on the same footing as the army in respect to free kit and bounty, in accordance with the recommendation of the Recruiting Commission, cause an increase of £16,456, and these sums raise the total increase, as I have said, to £61,592. The remainder consists of the proportion of East India troop ship wages, paid by the Imperial Government, and the transfer of the Estimate for wages to Imperial troop ships from Army Vote, amounting together, as I have already said, to £80,242. The total increase is thus £141,834 — less £56,152 saved by the reduction in the number of men—leaving the net increase of £85,682.

Vote 2, for Victuals and Clothing for Seamen and Marines, also shows an increase as compared with the Vote for last year. Last year the sum voted was £1,241,614, and this year the Estimate is £1,335,842, showing an increase of £94,228. But £90,500 of this is for supplies to other Departments, for which no provision was necessary last year, and therefore the net increase is £3,728. The causes of increase, notwithstanding the reduction of men, are—rise in the price of wheat, issue of soft bread in lieu of biscuits, chiefly on foreign stations, increased money allowances in lieu of provisions to men on ships' books but absent ashore and afloat, and the gratuitous issue of greatcoats to marines. These causes more than counterbalance the saving which would otherwise have resulted from the reduction of men to the amount of about £24,000.

Having now explained the two first Votes which provide for wages and victuals to seamen and marines, I think it will be more convenient if I confine my remarks at present to questions of great policy, and postpone the explanation of the minor Votes to a future occasion. It would be tedious to the Committee to hear reasons why one Vote is increased and another decreased by a few thousands. I shall be ready to give a full explanation of these details when the Resolutions are put from the Chair. With regard to one Vote of large amount—Vote 11, for New Works in the Dockyards—I will merely say that there is a decrease of £74,351, notwithstanding that ample provision is made for the great works at Portsmouth, Chatham, Malta, and Bermuda. The Malta dock, though it will not be completely finished, will be in readiness to receive ships in the autumn of the present year. In Vote 17, for the Army Department, there is a decrease of £55,376, which would have amounted to £146,586, but for the necessity of making provision for the first time in this, as in other Votes, for the issue of stores to other Departments. I now come to the great Votes 6 and 10, which provide for the building, repair, and outfit of the fleet, and I think it will be more convenient to consider the two together. In Vote 6 there is a decrease of £151,806 ; the Vote last year having been £1,375,368, and that which I now propose, £1,223,562. On the other hand, there is a large increase on Vote 10. Last year the sum taken under Sections 1 and 2 of that Vote was £1,716,070, and this year the sum asked is £1,985,408, showing an increase of £269,338, of which sum £231,941 is for Section 2, for building ships by contract and purchasing machinery. Therefore, the balance of increase and decrease on these two Votes, Nos. 6 and 10, is an excess of £117,532 above the Votes for last year. The decrease on Vote 6, for wages to shipwrights and other artificers, was the inevitable result of the policy on which, as I have explained, these Estimates were framed. But knowing the pressure at present existing in the shipbuilding trade, I reduced the number of men in the dockyards with great reluctance. They were all hired, in contradistinction to established, men, and were engaged on the condition that they should leave when their services might no longer be required; but still I could not help feeling regret at the necessity of depriving so many industrious men of the means of livelihood. We made the reduction in a way to cause the least inconvenience, by directing the men to be discharged gradually, and not in one batch; but to retain them would have been impossible, without an entire subversion of our policy—namely, to devote as large a sum as possible to the building of armourclads. There are only two of the dockyards in which iron ships are built—Pembroke and Chatham. The reduction in the number of workmen in those two dockyards is very trifling—only, 150 ; but the total number discharged in all the yards is no less than 3,049, all of them being hired and not established men. The total number of workmen employed in 1867-8 was 18,321, while the number this year will be 15,272. If, therefore, we had retained the number of workmen at or nearly at the standard of 1867-8, the only mode in which we could give them employment would be in the building of additional wooden ships, for which the provision made in these Estimates is comparatively small. Therefore, however much we may regret the necessity of depriving the men discharged of their employment in the dockyards, we have felt that we should not have been justified in employing them in building ships which we did not require. I will now very briefly advert to the 1st section of Vote 10, which provides for the purchase of stores in the Department of the Storekeeper General. There is an increase of £7,160 for timber, and of £21,931 for hemp, the quantity of that article in the yards being very much below the establishment. There is also an increase of £17,823 for the purchase of coals, in consequence of the necessity of providing for a larger consumption on the home station, and especially for the Channel squadron. The total balance of increase and decrease in the Storekeeper General's Department is an excess of £37,397 over the Vote taken last year. I must here advert for a moment to a statement made byt he Member for Liverpool (Mr. Graves), in a debate which took place before Easter. My hon. Friend seemed to be under the impression that the stores in the dockyards were greatly in excess of what they ought to be in relation to the issues. I knew, on the other hand, that the stock was generally lower than it ought to be; and the explanation is that the Return to which he referred was a Return of the stores issued out of the dockyards, but not of the stores issued for conversion and manufacture to the various Departments in the dockyards, which constitute a large proportion of the total issues. The value of the articles in store was £4,391,000, and my hon. Friend showed that stores to the value of £1,100,000 were issued according to the Return. But the value of the stores actually issued was £3,067,848. I hope this explanation will be satisfactory to my hon. Friend.

I now come to the most important branch of our naval expenditure—namely, the expenditure upon the building of ships of war; and to make our ship-building policy more clear to the Committee it is requisite that I should describe the state of the work in progress before my appointment to the Admiralty in March last year, and our outstanding liabilities when these Estimates were prepared. And, first, I will take the ships ordered under the original programme of last year for works in the dockyards. The Committee may remember that I made some alterations in the scheme of work for last year; but they did not touch the work in the dockyards, but only the work to be done by contract. The original programme of last year, previous to my appointment, provided for the building of four iron-clad ships —namely, the *Monarch*, the *Hercules*, the *Penelope*, and the *Repulse*, a converted ship. It also provided for thirty-seven unarmoured ships, consisting of one frigate, the *Inconstant*; two corvettes, the *Juno* and the *Thalia*; seven sloops (of the *Blanche* and *Danäe* class); twenty-four first and second class gun vessels, those of the first class being of 160-horse power, and about 670 tons, and those of the second of 120-horse power, and about 460 tons; two gunboats of 60-horse power, and one tug. There was thus a total of thirty-seven unarmoured and four armoured ships building in the dockyards, amounting in all to forty-one ships. Of these, seventeen unarmoured ships were ordered by the programme of 1867-8, and the remainder were previously in hand. That, then, was the state of the work, or in other words, the number of the ships building in the dockyards for which provision was made by the programme of last year. The ships which I found building or ordered to be built by contract when I came into Office were three armour-clads — namely, the *Captain*, the *Audacious* and the *Invincible*—and fourteen unarmoured ships, consisting of one frigate, a sister ship to the *Inconstant*, ten second class gun vessels, two tugs, and one tank vessel, making a total of three armoured and fourteen unarmoured ships, or seventeen altogether. My alteration in the scheme of contract work (sanctioned by the House last June) substituted for the unarmoured frigate—the sister ship to the *Inconstant*—and for two of the ten projected gunboats, one additional armour-clad (the *Vanguard*), and one corvette (the *Volage*), of about half the tonnage of the proposed frigate; and subsequently the *Staunch*, a small gunboat for experimental purposes, was added. By the scheme of contract work, thus altered, there were four armour-clads to be built by contract, instead of three, and thirteen unarmoured ships to be built by contract, instead of fourteen. The estimated cost of completing the four armoured and the thirteen unarmoured ships—not the estimated expense for the year, but the total cost of building them—was for the four armoured ships, £915,500; and for the thirteen unarmoured ships, £210,800, making together a total sum of £1,126,300 for the entire seventeen ships. Of that amount it was intended to spend, during the financial year, £269,350 on the armoured ships, and £165,800 on the unarmoured, making together a total of £435,150. But by a Report which I called for in the course of the autumn, I ascertained that, from various reasons only £264,000, in round numbers, could be spent during the financial year upon the armour-clad ships, or £5,000 less than had been intended, and only £103,500 on the unarmoured ships: total, £367,500. That left a surplus of about £67,650 likely to remain unexpended upon contract work in the course of the year. I was very unwilling that this amount should revert to the Treasury, more especially as the state of the reserve of ships in the ports was, in my mind, most unsatisfactory. I mentioned the other night, in answer to some observations made by the right hon. Member for South Lancashire (Mr. Gladstone), that whereas in former years—not under one Government, but under various Governments—we maintained a large reserve of line-of-battle ships in the ports as a matter of normal policy, when I came into Office I found, in fact, no reserve in existence at all; and the same state of things existed when my right hon. Friend the Secretary of State for War became First Lord of the Admiralty the year before. I therefore wrote to the Treasury to obtain their sanction to appropriate the greater portion of this surplus to hiring artificers towards completing the iron-clads which were being brought forward for the reserves, and to appropriate the remainder, which could not be so applied, towards the building of a second fast corvette, the *Active*, on the lines of the *Volage*, a class of ship which I considered was much wanted in the Navy. It is to be observed that these two corvettes were substituted for a frigate of nearly double their size, and two gunboats, and, therefore, added nothing to the unarmoured work provided for by the Estimates as I found them. The Treasury consented to this proposition, and between £40,000 and £50,000 was appropriated towards the completion of the armour-clads fitting for sea, and the remainder towards the second corvette, the *Active*, which is to be built by the same firm whose contract was accepted for the *Volage*. At the period of the year when this arrangement was sanctioned it would have defeated our object if time had been lost in calling for fresh tenders for this ship. The sum spent on the *Active* during the financial year 1867-8 is about £16,000, so that the expenditure on contract work, notwithstanding the alterations I have described, will be below that which was estimated for the financial year, and in consequence there will be a small balance paid into the Exchequer out of the savings on this part of Vote 10. The same observation applies to the total cost of these ships. I have stated the total estimated cost of completing the contract armoured and unarmoured ships at £1,126,300. The contract prices, however, were very much below the Estimate. The estimate for the armour-clads was £915,500; the contract price only £820,300. The estimate for unarmoured ships was £210,800, the contract price £174,400; including, in both cases, the changes resulting from the alteration in the scheme of contract work made by me in the month of June. Thus the total saving on the amount sanctioned by Parliament was £131,600 — that is to say, the ships were contracted to be built for that amount less than the Estimates of the Controller of the Navy. The contract price for building the second corvette, the *Active*, is £79,000, which, being deducted from £131,600, leaves a surplus of £52,600. Thus it will be seen that, notwithstanding an additional corvette and other alterations made in the autumn, the total expenditure on the new armoured and unarmoured ships was still less by £52,600 than the amount specified in the Estimates.

I now come to the performance of the new work last year, and will tell the Committee the number of tons ordered to be built in dockyards by the programme of 1867-8, and the number of tons actually built. Last year my hon. Friend the Member for Pontefract complained that the quantity of work done was much less than Parliament had sanctioned; but this year he will admit the work has been very faithfully performed. The amount of tonnage of the armour-clads ordered to be built in the dockyards was 6,845; the quantity actually built was 6,829, or only sixteen tons less than the programme. The tonnage of the unarmoured ships ordered to be built was 23,544 tons; the quantity actually built was 23,256, or 288 tons less. So that the total amount of tonnage built was only 294 tons less than that ordered to be built. It must be borne in mind that there were several disturbing causes in operation during the year. There was the Portsmouth Review, which took off a great number of hands from intended work, and numerous ships were fitted for their improved armament; so that this must be considered a very satisfactory performance, and very creditable to the Department. So much for the tonnage built during the year. I now come to the ships launched, and I still speak of dockyard work only. The armour-clads ordered to be launched were three—the *Penelope*, the *Hercules*, and the *Repulse*. Strictly speaking, the number launched was only two. But the *Repulse*, which has since been launched, was completed ready for launching, and was kept on the stocks only for some reason of official convenience. The deficiency, therefore, was only apparent. The unarmoured ships ordered to be launched were twenty-five, and the number actually launched was twenty-five. The work of the dockyards could, therefore, hardly be more faithfully performed, and these figures will show that the Board of Admiralty, as well as the Department of the

Controller, have kept a watchful eye on its progress. The hon. Member for Liverpool (Mr. Graves), who complained some time ago of the smallness of the quantity of work turned out of hand by the dockyards, will find very few instances of equal punctuality in private yards, or an equally good performance. I have hitherto been speaking of dockyard-built ships only. I now come to the contract work, over which the Admiralty have not the same control as over that in the Royal yards. I cannot give the actual tonnage built by contract, because we test the progress made by the payments to which the contractors become entitled. The money intended to be spent during the year on armour-clads was £269,350; the money actually spent was £264,000, making a difference of £5,350. The money intended to be spent on unarmoured ships, including the *Active*—the second corvette ordered in the autumn—was £165,800; the money actually spent was £119,500, being a deficiency of £46,300. The total sum intended to be spent on armour-clads and unarmoured ships was £435,150; the sum actually spent was £383,500; the total difference being £51,650. The Committee will see that nearly the whole deficiency is under the head of unarmoured ships. The fact of only about £5,000 less than the Estimate having been spent on armoured ships was owing to the satisfactory progress made by the Messrs. Laird with the *Captain*. A call was made upon them to which they responded, and the work turned out was far in excess of that which could have been demanded of them. Otherwise there would have been a considerable deficiency of expenditure under this head also; but it is fair to say that the total deficiency of £51,650 was very much owing to the lateness of the period at which some of the contracts were entered into. Taking this into account, I think the Committee will be of opinion that the agreement for the contract work has been very well kept. The return of contract ships intended to be launched, and actually launched, is not so satisfactory. The number of second class gun vessels intended to be launched was eight; the number launched was *nil*. The number of gunboats intended to be launched was one; the number launched one; the number of tanks and tugboats intended to be launched was three; the number launched two. Of armour-clads none were launched, and none were expected. The total intended to be launched was twelve, and the number actually launched three. The eight gunboats, however, will be delivered in a very short time; so that the greater part of the deficiency is more apparent than real. The number of ships—exclusive of those provided for the first time in this year's Estimates—already building and ordered to be built by contract, remaining at the end of last financial year to be delivered or advanced during the present financial year is four armour-clads — namely —*Captain*, *Audacious*, *Invincible*, and *Vanguard;* eight second-class gun vessels, one tug, and two corvettes — the *Active* and *Volage*. The number in the dockyards is, as I have already said, two armour-clads, namely — *Repulse* (already launched) and *Monarch*, one frigate the *Inconstant*, two corvettes, five sloops, two gun vessels, and one tug. This makes a total of ships already ordered and provided for in former Estimates, and remaining to complete, of six armour-clads. one unarmoured frigate, four unarmoured corvettes, five sloops of war, ten gun vessels, and two tugs, making a total of twenty-eight. The amounts taken towards completing or advancing these vessels in the Estimates for the present financial year—that is, the charges on these Estimates on account of previous liabilities, are £759,981 for armoured, and £356,913 for unarmoured ships; total, £1,116,894, exclusive of the amount taken for new ships, for which provision is made in these Estimates for the first time. This is for hulls only. In respect of liabilities for unarmoured ships, no addition was made by the changes which I introduced; because these, while adding one armoured ship, only substituted two corvettes and one gunboat for one frigate of double the tonnage of the corvettes, and two gun vessels. By the present programme provision is made for only two additional unarmoured ships, and with this exception the whole of the expenditure provided for in the Estimates upon that account arises from liabilities which I inherit from my predecessor. I do not state this for the purpose of instituting an invidious comparison between my Estimates and those of my right hon. Friend the Secretary of State for War, for if it had not been for the provision which he made last year for the building of unarmoured ships, I should have thought it necessary to make some such provision myself this year for the purpose of keeping up the strength of the squadrons abroad, to which I have already referred.

I now proceed to state the work which it is proposed to accomplish in the course of the present financial year. In the first place there will be the two corvettes to which I have just alluded, the *Druid* and the *Briton*. Both these vessels are to be built in the dockyards. One of them is building at Deptford; but she will be so far advanced as to be ready for launching at the end of the financial year. By that time also we hope that all the other vessels now building at Deptford will be launched, and it is not intended after that to commence any new ships in that yard. The second corvette will be built at Sheerness, and the description of both is as follows:—They will have a tonnage of 1,322, with 350-horse power, and they will carry twelve guns, of which two will be 6½-ton guns, and ten 64-pounders. Their estimated speed will be 13 knots, and they will be single screw ships. These vessels are to be advanced, the *Druid* to 6½ eighths, so as to be launched next March, and the *Briton* to 1½ eighths; the estimated expenditure during the financial year being, in the case of the *Druid*, £35,995, and of the *Briton*, £8,306; making a total of £44,301. That is the only provision for additional unarmoured ships made by these Estimates. Of armour-plated vessels, we propose to build six—three in the dockyards and three by contract. The first of the dockyard ships, to be called the *Iron Duke*, will be built at Pembroke; she is to be of the second class, and will be immediately taken in hand, and advanced 2⅞ eighths during the year. The estimated expenditure on this ship during the year is £70,422. She will have a tonnage of 3,774; and she will be an iron-clad iron ship with a double screw. Her armour plating will be six and eight inches, with ten inches of teak, and an inner skin of one-inch backing. She will be built upon the same principle as the *Audacious*, the *Invincible*, and the *Vanguard*; and her armament will consist of ten 12½-ton guns, six of which will be on the main deck and four upon the upper deck, together with four 64-pounders also upon the upper deck. An addition to the upper deck armament of iron-clad ships was adopted by me with the entire approval of my naval Colleagues, and will, I think, be a great improvement in the armament of these ships, which often, in heavy weather, cannot keep their main deck ports open. The horse-power of the ship will be 800, and her estimated speed is 13½ knots. All the vessels of this class will have an armour-plated battery on the upper deck armed with four 12½-ton guns, so placed as to command the whole horizon. The next vessel I have named the *Sultan*, in honour of the visit paid by His Imperial Majesty to the fleet at Spithead; and His Majesty has been pleased to express the gratification which he derived from the compliment thus paid to him. This is to be a first-class ship, very much resembling the *Hercules*, which she will follow in the Chatham dockyard. She is to be advanced 2¼ eighths during the year, and the estimated expenditure upon her for 1868-9 is £91,113. Her tonnage will be 5,226; she will have a single screw, with a power of 1,200 horses, and an estimated speed of nearly 14 knots. Her armour plating will be 9, 8, and 6 inches thick, with a backing of 10 inches of teak, and 1½-inch of inner iron skin. Her armament will consist of eight 18-ton guns on the main deck, one 12½-ton gun forward, two 12½-ton guns on the upper deck battery, and two 6½-ton guns under the forecastle; total, 13 guns. There will be a central armour-plated battery on the upper deck, enclosed completely, where the steering-wheel will be, and where two 12½-ton guns will fire round a very large area of the compass, including a fore and aft line astern. The third dockyard armour-clad will be built at Chatham; but very little advance will be made with her this year, as she cannot be commenced till the *Monarch* is launched. [Lord HENRY LENNOX made an observation to the right hon. Gentleman.] My noble Friend tells me that the *Monarch* is more advanced than I believed her to be. The estimated expenditure upon this new armour-clad will be £18,815. [An hon. MEMBER: Her name?] She will be called the *Triumph*, the name of the flagship of Admiral Blake. She will be an iron-clad broadside ship, of the second class, similar to the *Audacious*, but with a single screw, lifting, of which the experimental trials have shown the advantage. Her armour plating will be 8 and 6 inches, and her backing 10 inches of teak, with a 1½-inch inner iron skin. Her tonnage will be about 3,800, and her armament will consist of ten 12½-ton guns—six on the main and four on the upper deck—and two 64-pounders on the upper deck, making a total of twelve guns. Her horse-power will be 800, and her estimated speed 13½ knots. Her bottom is to be sheathed with two thicknesses of wood, and to be coppered. This is the first instance in which this has been attempted in the dockyards. If it succeeds, it will obviate the evils resulting from the fouling of iron ships. Then come the three iron-clad ships to be built by contract during the present financial year. The *Swiftsure* will be exactly the same as the *Triumph,* and will be commenced as soon as the contract can be made. The estimated expenditure upon her during the year 1868-9 will be £80,000. Next comes a ship of an entirely novel class in the British navy. I stated, in answer to my hon. Friend, at the commencement of the evening, that we did not wish to embark largely in the experiment of sea-going turret ships till we saw how the *Monarch* and *Captain* succeeded. But nobody can doubt the superiority of the turret principle for purposes of harbour and coast defence. We therefore propose to build a turret ship for coast defence. She will not be what is called a cruizing ship, though I believe it would be quite possible to send her to the Mediterranean, or even to almost any part of the world where her services might be required; but she is to be of the *Monitor* type. Her name will be the *Glatton;* £40,000 is to be expended upon her during the year, and she will be commenced as soon as the contract can be made. Her tonnage will be 2,709; length 245 feet; breadth, 49 feet; and draught of water, 19 feet. I myself considered this too great for coast defence, but the Department could not effect the objects desired with a less draught of water. Her armour-plating will be 12 inches thick, and 14 inches on the turret, with a 10-inch teak backing and a 1-inch inner skin. She will have only one turret, which will be so arranged as to fire in all directions. The Turret Committee, it may be remembered, objected to a turret ship with only one turret; but, as this vessel is intended for coast defence, I do not think it desirable to expend a very large sum of money upon the experiment, and we cannot obtain a vessel with two turrets, having this thickness of plating, without very greatly increasing the cost. My hon. and gallant Friend (Sir John Hay), who is the highest authority upon points of this description, is of opinion that, for this special purpose, a single turret ship would have an advantage over one with double turrets. She will have two guns in this turret, each of twenty-five tons, if they can be made. She will be of 500 horse power, and her estimated speed will be 9 knots. That would be a low rate of speed for a sea-going vessel, but for a harbour defence vessel it was as high as perhaps it was desirable to aim at. [Mr. CHILDERS: What will be the cost?] I cannot give the total cost of a contract ship. If we did so there would be very little chance of our contracting on such advantageous terms as we might otherwise do. We propose to build another ship of a description which in this country will be entirely new, though there are several built and building in the French Navy. She will be a ram, to be called the *Hotspur,* and she will be commenced as soon as the designs are completed and a contract can be entered into. We propose to expend £30,000 upon her this year. Her length will be 235 feet, and her breadth 50 feet. She will have armour-plating of 11 inches, with a backing of 10 inches of teak, and an inner iron skin. She is expected to have a speed of 12 knots, and will carry one 18-ton gun, to be mounted in a fixed tower with four portholes, the gun to work on a turn-table from port to port. It is believed that she will be capable of accompanying a fleet, of defending a port or roadstead, and of attacking a hostile port. After giving the matter much consideration, we thought it desirable to try one of these rams, instead of building another sea-going vessel. The tonnage of the *Hotspur* will be 2,637 tons, and her engines will be of 600-horse power.

I now come to the tonnage to be built in the dockyards during the year 1868-9. We propose to build of iron-clad broadside frigates—namely the *Hercules,* the *Triumph,* the *Sultan,* and the *Iron Duke*—4,476 tons; of the iron-clad turretship, the *Monarch,* 2,072 tons; and of the iron-clad converted frigate—the *Repulse,* 930 tons; giving a total of 7,478 tons of armoured shipping proposed to be built in the dockyards during the year. Of unarmoured ships—iron, 1,680 tons; wood corvettes, 1,607; iron corvette, 120; sloops, 1,623; twin-screw gun vessels, 1,241; of the second class, (dwarf class), 240; tug steamers, 20; mooring lighters, 400—giving a total of 6,931 tons of unarmoured shipping, and of 14,409 tons of armoured and unarmoured. I cannot state the tonnage to be built by contract for the reason I have already mentioned; but the expenditure during the financial year, exclusive of that for engines provided for ships building by contract amounts to £680,000. The total provision for hulls, engines, and equipments for new ships, including both the dockyard and contract built, is £1,996,914. That is in round numbers, £2,000,000, exclusive of £50,000 for the *Cerberus* armour-clad Monitor building for the Colony of Victoria, for which provision is made under Vote 14. Including the latter vessel, the total taken in these Estimates for building new ships is £2,046,914. There are in the dockyards, to be launched this year, two armoured frigates, the *Monarch,* and the *Repulse,* or rather the *Monarch* only, as the *Repulse* has been launched since the beginning of the financial year, and one unarmoured, the *Inconstant;* two sloops, the *Spartan* and the *Sirius*; and two gun-vessels, the *Curlew* and the *Swallow*—giving a total of seven. Of contract vessels there are to be launched one armoured, the *Captain;* two unarmoured corvettes, the *Volage* and the *Active;* and eight gun vessels due last year, which will shortly be delivered, giving a total of eleven contract and of eighteen dockyard and contract vessels to be launched, exclusive of the *Cerberus,* which will also be launched during the year.

I will now state to the Committee the sums spent on the hulls, engines, and first equipment of new ships in the last three years, and compare the expenditure in each of these years with that which is proposed for the year 1868-9. For armoured ships the expenditure stands thus:—In 1865-6, £792,090; in 1866-7, £591,686; in 1867-8, £824,526; while we propose for the year 1868-9 an expenditure of £1,359,169. For unarmoured ships, the expenditure was—in 1865-6, £360,619; in 1866-7, £429,819; in 1867-8, £929,344; for 1868-9, we provide £637,745. The total expenditure for armoured and unarmoured ships stands thus—In 1865-6, £1,152,709; in 1866-7, £1,021,505; in 1867-8, £1,753,870; in 1868-9, we intend to spend £1,996,914. The amount provided for armour-clads in the Estimates for 1868-9, including hulls, engines, and equipment, is £1,359,169, in addition to which £82,000 will be spent on the re-equipment of armoured ships, making a grand total for armour-clads of £1,441,169, and, with the £50,000 for the *Cerberus,* of £1,491,169. Complaints were made in former years that out of the very large sums voted a comparatively small portion of the total amount was spent in building ships; but I do not think that complaint is applicable to these Estimates, which, as I have stated, provide no less a sum than £2,046,914 for the building of ships of war. I will now state to the Committee the rate per cent of expenditure on armoured and unarmoured vessels, including hulls, engines, and equipments, for the years 1865-6, 1866-7, and the estimated expenditure for 1868-9, as contrasted with the sums included in the Estimates for effective services in these several years. In 1865-6, the expenditure on armoured ships was 9·14 per cent, and on armoured and unarmoured 13·31 per cent on the amount voted for Effective Services. In 1866-7, it was 6·89 per cent for armoured, and 11·89 per cent for armoured and unarmoured, whereas this year we propose an expenditure of 14·53 per cent for armoured, and 21·35 per cent on the whole of the effective Votes on armoured and unarmoured ships. So that considerably more than one-fifth of the whole money voted for Effective Services will be spent on building ships of war. I find that the Vote for Effective Services in 1865-6 was £8,658,205, while that proposed for this year is £9,352,579, showing an increase of £694,374. The sum expended on new ships in 1865-6 was £1,152,709, while that provided for new ships in this year is £1,996,914, showing an increase of £844,205. That is to say that while the amount now asked for naval effective services is £694,374 more than in 1865-6, the amount to be expended on shipbuilding is £844,205 more. In like manner, comparing 1866-7 with 1868-9, I find the expenditure on building ships in 1868-9 will be £210,328 more than the difference between the Effective Votes for the two years.

The Committee may now like to know the actual strength of our armour-clad navy. We have, including the ships proposed to be built under these Estimates, 33 armoured ships of the first and second classes. Of that number 16 are in commission, 8 fitting for reserve, building, 5; and 4 ordered. Of smaller armoured ships, and vessels intended for coast defence, there are in commission 5; fitting for reserve, 4; and ordered 2. Thus the grand total of our armour-clad vessels of war, including those building and ordered, is 44, exclusive of the *Cerberus.* In the present Estimates a large provision is made, not only for the building of ships, but also for creating what we so much need—namely, a reserve of sea-going ships in the ports, so that we may be in a state of preparation to meet any emergency which may arise. I have stated that in the course of last autumn I applied from £40,000 to £50,000 of the anticipated surplus on the contract Vote to the equipment of armoured ships. Some progress consequently has been already made, and by October next, under the present year's Estimates, we hope to have, in addition to the 16 armoured ships of the first and second classes in commission, a reserve of 7 complete for sea—namely, the *Black Prince*, the *Agincourt*, the *Valiant*, the *Northumberland*, the *Hector*, the *Resistance*, and the *Hercules*. There are now in reserve in our ports the *Royal Sovereign*, the *Prince Albert*, the *Scorpion*, and the *Vixen*, and two frigates, the *Ariadne* and the *Liverpool*. One of the objections urged against the maintenance of a large reserve of ships is the great expense it occasions. Undoubtedly, the expense is considerable, especially if the vessels are to be maintained in immediate readiness for service ; but we have made an arrangement which, if it does not altogether obviate additional expenditure, will, at all events, very much reduce its amount. We propose to substitute iron-clads for the line-of-battle ships which now do duty as Coastguard ships. Indeed we have already substituted one of the armour-clads in place of the *Irresistible* in Southampton Water. Under this new arrangement a considerable addition will be made to our naval power, without any considerable additional burden being imposed upon the finances of the country. These ships will always be kept ready for sea with their armament and stores on board, and nothing will be required but to complete their complements when required for active service. The effective Coastguard line-of-battle ships, which will thus become available, will replace old sailing ships now doing duty in the ports, and it is proposed that these last shall be broken up or sold out of the service.

I may state that we have been most anxious to promote economy in other matters connected with the dockyards. A Committee was appointed in the autumn —the Yard Craft Committee—of which Vice Admiral Sir Thomas Symonds was Chairman, to inquire whether economy might not be effected in that branch of the service. The result was, a very able Report, which, if carried out *in extenso*, would lead to an annual saving of about £30,000. Many of its recommendations have already been adopted; but, before arriving at a final decision respecting it, it has been necessary to refer it to the principal officers of the Department concerned, whose Reports have not yet been received. Our attention has also been directed to the state of the reserves not only of ships, but of men in the ports. A short time ago Captain Stewart, the Superintendent of Chatham Dockyard, and a very able officer, informed me that in his opinion the reserve at Chatham might be dispensed with altogether. That opinion was endorsed by Sir Baldwin Walker, and the result is that it has been completely done away with. The *Wellesley*, the late reserve guard ship, has been substituted in the Thames for the *Cornwall* Reformatory ship, which has been sent as a school ship to a port in the North of England, while other ships at Chatham have been incorporated with the reserve at Sheerness, or otherwise disposed of. In accordance with the recommendation of Sir Baldwin Walker, instead of having each ship in ordinary moored by herself, we have arranged that three ships should be moored together, so that the ship-keepers on board the centre ship will be able to take care of the other two. This plan has as yet been carried out at Sheerness only, but we are considering whether it may not be extended to the other ports. Of course fewer officers and men are required to take care of the ships, and the result at Sheerness will be an annual saving of about £11,600.

And now, having disposed of the Estimates, I must say a few words on some subjects connected with the general efficiency of the Navy. First of all I must state that the *Bristol*, which returned home from the West Coast of Africa early in the year, has been appropriated with a view to supplementing the instruction of naval cadets after their leaving the *Britannia*. These young gentlemen, instead of being at once draughted to ships, will henceforth be sent for a certain period to cruise on board the *Bristol*, and I have always thought that it would be of advantage to them to give them an opportunity for practical application of the theoretical instruction received by them on board the *Britannia* before undertaking their ordinary duties on board ships of war. The *Bristol* is at present gone to the Azores, and we intend her to be a cruizing ship. We have fifty-four cadets now borne on her books, and excellent results are anticipated under the supervision of Captain Wilson. I am happy to say that the Returns give continued proof of the good conduct of the petty officers and seamen serving in the fleet. I hold in my hand a comparative statement of the good conduct of the petty officers and seamen, and likewise of the number of desertions in various years. In 1860-1, when the average number of men borne on the ships' books was 42,728, the number wearing badges was 9,278, or over one-fifth; in 1866-7, the average borne was 33,000, and the number wearing badges 12,037, or over one-third; in 1865-6 the average borne was 33,650, and the number wearing badges 11,346, or nearly one-third, so that with 650 men less in 1866-7 than in 1865-6, there were 691 more badges worn. The desertions among seamen have decreased. In the last seven years they have numbered, in 1860-1, 3,296; in 1861-2, 2,472; in 1862-3, 1,935; in 1863-4, 1,449; in 1864-5, 1,325; in 1865-6, 1,101; and in 1866-7, 1,059. This Return shows a gradual reduction every year. There has been a steady and progressive increase in the numbers of seamen gunners and trained men. In 1860 there were 1,176 seamen gunners, and 1,462 trained men, making a total of 2,638. In 1867 there were 3,337 seamen gunners, and 5,817 trained men, making a total of 9,154. In 1868 there were 3,346 seamen gunners, and 6,056 trained men, making a total of 9,402. These figures furnish a striking proof of improved efficiency, and they are confirmed by the following extract from a letter of Sir Henry Keppel to Sir Alexander Milne:—

> "Since I was last employed the greatest change I see in the service is the great improvement in the appearance and conduct of the men in the ships."

The sanitary state of the navy is most satisfactory. The Medical Director General reports—

> "During the twelve months terminating June, 1867, the health of the navy may be said to have been in a most satisfactory condition. Although diseases of more or less fatal character were epidemic on many stations, the ratio of cases entered on the sick-list of invaliding and of death were the lowest that had occurred during a period of eleven years."

The number of cases returned on the sick-list was 1,264, being 73 per 1,000 below the ratio of the preceding year. The number of persons invalided from the fleet was 1,447, or 28 per 1,000; and the average rate in eleven years has been 34 per 1,000. The deaths numbered 524—10 per 1,000, or 1 per cent, the lowest proportion for many years. The average total mortality taken for eleven years is over 15 per 1,000, and the death-rate from disease in the year ending June last was 8 per 1,000, so that the mortality is reduced nearly one-half. The Medical Director General reports—

> "The iron-clad vessels continue to hold a favourable position in a sanitary point of view. The entry of cases on their sick lists were among the lowest of sea-going vessels."

This information must be considered most satisfactory in reference to the progressive increase which must go on in the number of armoured ships. The result of the operation of the Contagious Diseases Act is equally satisfactory. The ratio of cases of the most destructive form is reduced from 12 to 7 per cent, and the type is materially modified. When I visited the Naval Hospital at Plymouth last year I was informed that, whereas before the introduction of the Act 70 per cent of the cases were contagious diseases, since it has been in operation the proportion has been reduced to 30 per cent. In short, the proportions have been exactly reversed. The failure of the Act, where it has failed, has been solely attributable to the narrow limits to which its operation has been confined. It is in operation, for instance, at Chatham and Rochester, but not at Gravesend. Consequently Gravesend has become a hotbed for infection, and defeats, to a great extent, the salutary results from its operation in the neighbouring towns. At Sheerness the disease had totally disappeared, but it was introduced by a detachment of troops from a place where the Act was not in operation. These facts seem to furnish strong arguments for the extension of the Act to places not now subject to it. The successful working of the Act in the ports is to be attributable, in a great measure, to to the tact and judgment of officers of the metropolitan police., who have the charge of carrying it into execution. The exercise of coercive powers has been rarely required in consequence of the kind treatment the patients receive in the hospital, where they have the care of a chaplain, and are also visited by charitable ladies. Many instances of reclamation have been the result. Great advantage in this respect is also derived from the Samaritan Fund to which an annual payment is made by the Admiralty. There has been a considerable increase in the accommodation of the lock hospitals and other places provided during the year. There is one other point to which I wish to refer—namely, the Marine Savings Banks, a subject which occasioned considerable interest last year. The establishments of these banks has been followed by satisfactory results. The savings' bank system originally introduced by Lord Clarence Paget on board the *Victoria* flagship, and gradually extended to the Mediterranean squadron, is now in operation on all the stations. I have not, as yet, received Reports from the more distant stations, but on the Mediterranean station the total deposits from 1st January, 1867, amounted to £9,761 11*s.*; the withdrawals, £4,688 7*s.*, leaving a balance of £5,073 4*s.* These withdrawals were generally occasioned by the circumstance of ships having returned from the station and been paid off. The deposits of the marines amounted to £667 9*s.*, making a total of £5,740 13*s.* The number of depositors was 1,207, which being lessened by 488 withdrawals left 719.

In conclusion, I beg to assure the Committee that I entered upon the consideration of the Estimates which I have attempted to explain—I fear at too great length — with a deep sense of the responsibility which attaches to the head of a Department charged with the appropriation of such large sums of public money as those intrusted to the Admiralty. I cannot hope that they will have given universal satisfaction. No doubt many would have preferred that a larger sum should have been devoted to the building of iron-clads, even if it had been obtained by a still greater reduction than we have made in the strength of the foreign squadrons, while others would have preferred a considerable reduction in the amount of the Estimates themselves; but if I had adopted either of these courses I should have done that which, in my opinion, would not have been consistent with the efficiency of the navy, and I will never do that so long as I have the honour to hold my present Office. My opinion is that the Estimates I propose have been framed with a due regard to economy and to the advantage of the service, and with these remarks, and thanking the Committee for the indulgence with which it has heard me, I venture, Sir, to put the first Resolution in your hands.

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £3,036,634, be granted to Her Majesty, to defray the Charge of Wages to Seamen and Marines, which will come in course of payment during the year ending on the 31st day of March 1869."—(*Mr. Corry.*)

Mr. CHILDERS said, he felt sure the apology with which his right hon. Friend had prefaced his statement was quite superfluous; for, however much his hearers must sympathize with him, all must agree that a clearer or more satisfactory statement than his could not have been made. His right hon. Friend had shown he was complete master of a subject in which, either privately or officially, he had interested himself during the last quarter of a century. The announcements of his right hon. Friend were particularly pleasing to Members who sat on that (the Opposition) side, especially those relating to the health and general condition of the seamen, because they justified the legislation on the subject initiated by the late Government, and warmly advocated by Lord Clarence Paget. The comparison drawn by his right hon. Friend between the Estimates of this and last year gave the Opposition cause for satisfaction. Last year he had called attention to the possible reductions of our squadrons; a question which, though perhaps not wholly novel to the House, had never been thoroughly discussed. He stated last year that our foreign squadrons might be considerably reduced, the difference being partly made up by means of a flying squadron. This proposal contemplated an immediate reduction of 2,000 men and an ultimate reduction of 4,000. But the right hon. Gentleman now said he was in a position to make an immediate reduction of 2,768 men and fifteen ships, with a prospective reduction at the close of the Abyssinian War of eighteen ships and 3,208 men, so that a greater reduction of men was now proposed than he (Mr. Childers) had suggested last year. On the general question he had pointed out the principle on which the Government might economize in naval expenditure—namely, by a reduction in the number of men, by a general watchful economy throughout the Estimates, and by ceasing to build wooden ships; but he recommended a greater increase in the expenditure on armoured ships. These views had been carried out by his right hon. Friend. Unfortunately, he was committed by his predecessor to the construction of a number of small wooden ships; but he had now given up that policy, and proposed to go back to the armour-clad expenditure of 1865-6, which was in excess of that of subsequent years, and even to a still larger expenditure. To that part of his proposal he (Mr. Childers) would give his warmest support. Last year the right hon. Gentleman protested against any decrease in the number of men, and especially of marines, but his prudence and judgment had been stronger than his first impressions, and he had been able to make a reduction of 2,700 men, a large number of whom were marines. In these points, with regard to foreign squadrons, armour-clad ships, and marines, he was glad that the right hon. Gentleman admitted the justice of the policy recommended from the Opposition Benches last year. At the time he (Mr. Childers) stated that, though differing from them on questions of general policy, he was a general supporter of the present Board of Admiralty, and he should be still more so when he found his views so far carried out by the Board. Going now to the question of finance, the original Estimates of last year proposed an expenditure of £40,233,000 for the two great services, and the Estimates of this year proposed an expenditure of £41,050,000, or an increase of £817,000; and if the difference in the receipts in connection with those services last year and this were added, amounting to £217,000, the increase would be no less than £1,034,000. In the naval expenditure, he thought the right hon. Gentleman was not quite right, for the purpose of comparison, in including in the Estimates of last year the Supplementary Estimates. That course was hardly a safe one. It was tolerably certain from past experience that we should have Supplementary Estimates this year, and the proper plan was to compare the original Estimates. So corrected, the figures would show an increase, not of £9,000, but of £59,490, and in addition to that there was a very serious difference to be taken into account in comparing the actual naval expenditure of this year with that of last year. Vote 17, for freight, had always been treated as a Vote apart from these Estimates, as relating to the army and not to the navy. There was a decrease of £55,376 in the Transport Vote No. 17, but the extra receipts in connection with it were £91,210 more than last year, making a difference of £146,000 under Vote 17. From that would have to be subtracted £55,000 which was last year charged on Vote 17, but which was this year charged on Vote 1. This left an increase of £91,000, and the result was that the actual Naval Votes this year were £151,000 in excess when strictly compared with the Naval Votes of last year. Then came the question of extra receipts. The Admiralty last year boldly estimated that the Chancellor of the Exchequer would obtain no less a sum than £475,000 from the sales of iron and other old stores; but the right hon. Gentleman did not get as much as he expected from that source, and the sum was this year set down at £240,000, which made a difference of £235,000. That sum which the Exchequer would not receive, added to the £151,000 extra which it would have to pay, made a difference of £386,000 between the Navy Estimates of last year and this. This might not be a large sum when you were dealing with millions; but it was a large sum when the Committee remembered that they had now to face a deficit. It was desirable to reduce this sum of £386,000, and there was one point of dangerous tendency to which he entreated attention—the constant increase of establishments. He did not mean by this the number of men employed, for the number was to be reduced; but, whether you increased or reduced the number of men, the rule appeared to be to increase the number of persons receiving salaries. The right hon. Gentleman proposed altogether a reduction of 5,591 in the number of seamen, marines, and dockyard men, or persons receiving wages. In the Civil establishments there were the following amounts of increase on last year. The Admiralty Office from £176,000 to £182,000; Establishments at the Dockyards from £167,000 to £169,000; in the Victualling Yards there was increase of £200, Medical Vote £1,000, and Marine Divisions £3,000. The total result was that, while between last year and this there was on the different establishments an increase of £13,000, there was a reduction in the number of hands of nearly 5,600. That sort of increase to which he had called attention was one against which the House ought to set its face, and which economists ought to try to put a stop to. He did not think they ought to cut down salaries, but they ought to try to keep down numbers. Unless they did that the pressure put upon Departments would become so great that it would be found impossible to resist it. There was one point which really was so ludicrous that he must call attention to it in order that his right hon Friend might have an early opportunity of giving an explanation. A short time before the late Government went out of Office a question arose between the Treasury and the Admiralty as to the number of Generals of Marines upon the Retired List, and a proposal was under consideration to add to the number by inducing three Generals to retire on an allowance of £900 a year. It was decided, however, that that addition to the Retired List was not necessary. A short time after their successors in Office increased the number of Generals of Marines on the Retired List from ten to thirteen. It must have struck his right hon. Friend that it would not be easy to justify this proceeding, and accordingly a very ingenious plan of doing so was discovered. He (Mr. Childers) had noticed a great increase in the pay of marine officers, which he could not understand, considering the diminution in the number of marines. But he found that these most worthy officers on the Retired List who had no military duty to perform beyond that of putting on their uniform at a leveé, had been bodily taken off that list and transferred to the first Vote for pay and wages to officers and men of the navy and marines. It seemed to have been thought that they would there escape notice. His right hon. Friend might be able to give some reason to justify this course; but still it was an instance of how increase of the Votes arose. There was this year an increase over last year in the sums for pay and provisions for officers and men in the navy to the extent of £70,000; and he did not find any fault so far as the increase of pay and allowances was concerned. There was an increase on several other items of the effective Vote—coals, £18,000; other stores £13,000, &c. There was the £13,000 to which he had before alluded, and altogether with the increase in the Vote for contract works of £222,000, the total increase was £362,000. On the other hand there was a decrease on dockyard establishments of £150,000, and for works £74,000, making altogether £224,000. The difference between the £362,000 and £224,000 was just the net increase on the strictly Naval Votes. Coming now to some details of his right hon. Friend's proposal, he was glad to hear that the Dockyard Craft Committee, which he fancied had been appointed at his suggestion, was likely to do good. He supposed they should have the Report in due time. There was one point which he had urged very strongly, and his suggestion, though it had been in one respect attended to, in another had not. He had urged very strongly that when there was a prospective decrease in the establishments of the dockyards it was very impolitic to carry out a plan of increasing them by substituting establishment men for what were called first-class labourers. Now, the remarkable fact appeared in the present Estimates that, whereas in Chatham, Devonport, and Portsmouth no reduction had been made in first-class labourers, in the three other dockyards, which before long must be abolished as building yards, there had been an increase in the number of the establishment men, so that when the ultimate reduction was made it would press with especial severity on these yards where it was most desirable that some relaxation should be felt. He hoped the right hon. Gentleman would attend to this when the time came for reducing still further the number of labourers. He wished to call the right hon. Gentleman's attention again to what if deliberately done appeared to be an injudicious act on the part of the Admiralty, by which they had been enabled to show apparently a greater saving than the arrangements would justify — he alluded to the schemes for the extension of the dockyards at Chatham and Portsmouth. These schemes were before Parliament in 1864, and they had been extended and amended by Acts passed in subsequent years. It was essential that the provisions of the Acts should not be departed from. Since those schemes were formed the state of crime in this country had become so satisfactory that the Admiralty were not able to obtain a sufficient number of convicts to carry on the works. The consequence was that the total expense must increase, because a greater amount of free labour would have to be employed and paid for. Under these circumstances the expenditure in each year should not fall short of that stated in the Act; but last year, whilst the sum authorized to be spent was £517,000, there was only £378,000 voted; and this year the sum was to be £420,000 instead of £505,000. If the works were allowed to be carried on in this manner they would not only be much more expensive than had been contemplated, and being carried out much more slowly they would take about twice the time that Parliament had intended. This was not true economy, and he trusted that next year there would be no departure from the original programme. He would now refer to one or two of the larger questions which had been touched upon; and first, as to the proposed reduction in the foreign squadrons. His right hon. Friend said, very rightly, that upon this depended a great deal of our expenditure upon dockyards and for other matters. His right hon. Friend had dealt at some length with the proposed reduction, but appeared to be angry because some one had said that many of the vessels employed in the service were useless, inasmuch as they would be compelled to "cut and run" if any large ships belonging to an enemy happened to attack them. He believed, however, that it was the Secretary for the Admiralty who was the culprit, for in his speech last year he used that expression. His right hon. Friend went on to speak very strongly against those who proposed to abolish the foreign squadrons; but he seemed in so doing to be fighting the air, for no one in the House proposed to do so. [Mr. CORRY said, the plan was advocated almost daily in leading articles.] He believed that the Committee was wont to discuss rather what emanated from Members of the House than to what appeared in the newspapers, which could be only cursorily referred to in debate. His noble Friend, when he employed that phrase, distinctly said that the question was whether our expenditure in this direction was not excessive, and that really was the question they had to consider. His right hon. Friend had appealed to the example shown by foreign nations, and had stated that the vessels belonging to France were mainly unarmoured. [Mr. CORRY: I said the ships in commission.] His right hon. Friend had said that out of 167 ships in commission, including transports, France had only ten armoured ships. He found that we had 320 ships in commission, and out of these 300 were non-armoured. These non-armoured ships were sent to all parts of the world, and the comparison employed by his right hon. Friend was rather in favour of a reduction than of an increase of that part of our naval force. But to his surprise his right hon. Friend had stated that the Duke of Somerset, in a pamphlet which he had published, had denounced any reduction in the numbers of the men. What, however, was stated in the pamphlet which his hon. Friend had referred to was that a reduction of 12,000 or 15,000 men would seriously disorganize the navy. What he himself proposed was a reduction not of 15,000 but of 7,000 men, and there was, he believed, ample argument in favour of that proposal. His right hon. Friend said that that was a question for the Foreign and for the Colonial Office more than for the Admiralty. Now that was exactly the view which he (Mr. Childers) entertained on the subject. He believed that expenditure originated in the action of the heads of the Foreign Office and Colonial Office; and until his right hon. Friend impressed upon his Colleagues the necessity of their remembering their responsibility and relieving the Estimates from the serious charges which unnecessarily large foreign squadrons entailed, there was, he feared, but little chance of the policy which had been so well initiated being properly carried out. His right hon. Friend said that the number of men in our foreign squadrons last year was 23,100. The number of men he proposed for this year was 20,300, or a reduction of 2,800 men, and his right hon. Friend proposed to increase that reduction to 3,300, and to lessen the number of ships in the foreign squadrons by eighteen as soon as the Abyssinian War was over. That fact alone showed that they might congratulate themselves on the efforts they had made. Before going further he desired to touch upon a question which bore strongly upon dockyard economy, and upon which he thought the Committee was entitled to a full and clear explanation. It had been stated last year from the Treasury Bench that the sale of pig iron in the dockyards would during the past year realize £100,000, whereas the amount actually realized was, he believed, only £40. [Sir JOHN HAY: £63 only.] After having heard such confident statements last year he had felt disappointed when his right hon. Friend that evening passed the subject over in complete silence. This silence was the more extraordinary, inasmuch as the loss of the money must have been a source of grief to the Chancellor of the Exchequer, who could not afford to lose £100,000, and who must have frequently complained of the non-receipt of this sum. He trusted that the matter would be satisfactorily settled, and that they would receive an assurance that the £100,000, which ought to have been received in the last year, would during the current twelvemonths be increased to £150,000, or perhaps to £200,000. He would now turn to the programme of work, and, as far as he could understand the numerous figures referred to by his right hon. Friend, it appeared that as to unarmoured vessels, exclusive of a tank vessel and other small matters, there were altogether forty-eight vessels during these two years in course of construction. Of these twenty-four were launched last year, seventeen either were or were to be launched this year, and seven would be launched next year. While approving the construction of certain of these vessels he could not help expressing his regret that when we were about to reduce the number of our foreign stations we had expended or were about to expend a sum of between £1,000,000 and £1,200,000 upon unarmoured ships during last year, this year, and next year. Last year we expended £600,000 or £700,000, involving an expenditure this year of £400,000 or £500,000. He believed that by that policy there had been added to the Estimates in each of those years a sum of £250,000. We were, therefore, in the first place, spending £500,000 more than was necessary, and in the second place we were suffering all the inconvenience which a sudden change involved. The Admiralty had paid last year in wages more than the total amount of the Vote, the Treasury having allowed them to take £45,000 more, although they did not build quite as much tonnage as they should have done; and now they proposed to make a considerable reduction even on the number of men then voted. The consequence of that policy must be that a larger number of men would be thrown out of employment than would appear from the Estimates, and great distress was inevitable. That result might have been avoided if they had not built this large number of wooden ships and had spread the reduction over the two years. On going carefully through the figures that morning he had discovered that although there had been a considerable saving on the sums voted under the heads of "wages" and "ships built by contract," at the commencement of the year the money so saved must have been expended rapidly at the end of the year. The result of this policy was that at the commencement of the new year the number of men employed in the dockyards was suddenly and largely diminished, and thereby great distress was brought on between 3,000 and 4,000 men, who were thrown out of work. Another bad effect of the policy that had been pursued—he did not mean to throw the blame entirely on the right hon. Gentleman—was that while the number of men employed in building in the dockyards had been reduced from 2,688 to 1,800, the number of men employed in repairs had been increased from 2,221 to 2,621. As to the proposed armoured ships, he must express his entire approval of the policy which the right hon. Gentleman had so clearly shadowed forth, of applying the saving which he had been able to effect in other branches of the service to the increase of our armour-clad fleet, and he also approved the way in which the right hon. Gentleman proposed to spread the expenditure over the next three years. He also hoped the Committee would entirely approve the course proposed to be taken with respect to the *Glatton* and the *Hotspur*; he thought the experiment a very wise one of building a turret ship which might be fitted for home and harbour service, and a new ram. This was a much better policy than re-duplicating a number of armour-clad ships, which in two or three years would be out of date. He thought, however, considering the heavy expenses that were incurred in building experimental vessels by contract, in consequence of the numerous alterations that would have to be made in them from time to time, it would be better and cheaper that both, or at all events one, of these new ships should be built in the Government dockyards. He regretted the right hon. Gentleman had not referred to any proposal for reducing the enormous expenditure on the "inactive list." Last year that subject was brought prominently before the House, and means were pointed out by which the expenditure might be reduced. The right hon. Gentleman then said that he had himself proposed something of the sort in 1845, and he would take the matter into consideration; but so far from any prospect being held out on the present occasion of a reduction, the topic had been entirely omitted from the right hon. Gentleman's statement. With regard to the reduction in the Marines, the right hon. Gentleman had gone very fully into a justification of the number of men proposed for the year, but he (Mr. Childers) thought it might be possible to carry the reduction a little further. Ever since 1864 it had been the steady policy of the Government to reduce considerably the marine force, especially as regarded the Light Infantry Marines; that policy had been interrupted in 1867, but this year it was to be resumed, and, whereas in 1864-5 the number of men voted was 17,469, in the present Estimates it was

14,700. It seemed, however, to him, that the reduction for the present year had been made without much forethought. He could not understand how it was that while the number of non-commissioned officers and privates had been reduced by 1,688, the number of commissioned officers had been increased by 12.

Mr. CORRY explained, that the re-organization of the force involving this addition, had for its object, the placing of the Marines on the same footing with respect to promotion as other seniority corps. It was not just that the officers of the Marines should be put in a worse position than those in the Artillery and Engineers.

Mr. CHILDERS had no objection to advancing promotion in the Marines by a sound scheme of retirement, but certainly not by increasing the establishment. A smaller number of men, involving a reduction from £362,000 to £344,000, could not require a larger number of officers, involving an increase from £63,000 to £67,000. The Estimates lay on the table three weeks before they were printed; and he could not help thinking that during that interval, a reduction having been insisted on, the Admiralty had made it at the last moment in the number of men in the Marines, the officers being inadvertently left untouched. He saw no reason why the reduction should not be carried to 12,000. Even now it was proposed to employ 8,000 marines afloat and 6,700 on shore. The latter were engaged in doing purely soldiers' duty, and were an unnecessarily large reserve. Whatever the value of Marine artillery, the Light Infantry Marine could not be very highly estimated in these days of steam, and the reduction might properly commence with them. He thought a saving would be effected by remedying the oversight with regard to the officers, and he would move that the Vote of £525,725 for the wages of Marines be reduced by £60,000.

Motion made, and Question proposed,

"That the Item of £525,725, for Wages, &c., to Marines, be reduced by the sum of £60,000." —(*Mr. Childers.*)

Lord HENRY LENNOX said, that before replying to the questions of his hon. Friend, he wished to bear testimony to the great success which had attended nearly all the remedial measures introduced by Lord Clarence Paget. His hon. Friend had expressed gratification at the efforts of those now in Office, whom he had been pleased to call his pupils; but in one or two important particulars it was himself, and not his hon. Friend, who first announced the policy in question. He last year announced the assent of his Colleagues to the appointment of a Committee on the Dockyards, from which he anticipated very beneficial results, and as soon as the Reports of the yard officers had been received and considered by the Admiralty they would be laid before Parliament. He hoped that in another year more tangible benefits would result from that inquiry than the reduction of £3,000 which had been effected this year. Approaching first what might be deemed the most disagreeable portion of his subject, he would refer to the celebrated iron "pigs." His right hon. Friend (Mr. Corry) was in no way responsible for the amount expected to be derived from the sale of them, it having been his opinion all along that they were used for valuable purposes in the dockyard, and that it would take a great deal of money to replace them. How far had his right hon. Friend (Sir John Pakington), his hon. and gallant Friend (Sir John Hay), and himself, been to blame in this matter? Statements were made by the hon. Member for Lincoln (Mr. Seely), and obtained credence in consequence of the avidity with which the public always accepted anything tending to show that the Admiralty authorities were blockheads or worse—that this iron was most valuable, that the dockyards were paved with gold, and that all the benefits conferred by these "pigs" might be obtained at half the cost. Other persons, however, and among them the ablest professional advisers of the Admiralty, believed the hon. Member to be mistaken. In this conflict of opinion, an eminent firm at Birmingham (Messrs. Ryland) asked the Admiralty for permission to test the value of the iron, and the result was that they reported it to be worth a certain sum per ton. The Admiralty thereupon offered to sell it, with the proviso that they would not take less than the sum required to replace the use of it in the dockyards; but up to this time no purchasers had been found. He believed that, owing to the state of trade, the price of iron had been very low; but he had not very sanguine hopes of anything like the sum expected by the Admiralty last year being realized. As to the increase in Vote 3 for the Admiralty, it chiefly arose from the re-organization of the Department of Dockyard Accounts, a proposal which was made two years consecutively, and met with unanimous approval. The next point objected to by his hon. Friend was the transferrence of the Generals of Marines from one Vote to another. Now, that question was discussed by the late Board, and was settled before the present First Lord came into Office. Great difficulties and heart-burnings in regard to promotion were caused by their being no generals in the artillery branch of the Marine service, aud after considerable discussion, on the recommendation of those whose opinion was entitled to weight, the change was made. As to Vote 11, his hon. Friend appeared to think the Admiralty were spending a smaller sum of money than they were bound to do under the Act of Parliament. Technically he was right, but, owing to the stagnation of trade, scarcely anything was done one year, so that this, though nominally the third, was virtually the second year, and the precise sum laid down in the Act was asked for.

Mr. CHILDERS said, the sum which should have been taken last year was £517,000, whereas the Estimate this year was £420,000.

Lord HENRY LENNOX said, he would inquire as to the discrepancy, but he had spoken under the authority of the director of works. The next point to which his hon. Friend referred was the Vote connected with the dockyards. His hon. Friend referred to the question discussed last year of filling up the place of established artificers as they died off by hired labourers. He himself last year had expressed a doubt whether that policy could be carried out, and it had been abandoned. His hon. Friend had been rather severe on the Admiralty. He criticized the increase in the three dockyards, but did not state that that increase consisted of one single man in the three yards. In 1864, when his hon. Friend the Member for Pontefract was in Office, he fixed as the lowest rate the dockyard artificers at 9,575; and under the present Board of Admiralty they were at 9,140, or 400 less than his hon. Friend had laid down as necessary. His hon. Friend next alluded to our foreign squadrons, and he took credit there for having enforced the policy of reduction; but he must take exception to his hon. Friend's remarks on this point also. He should say it was he who was the first that was guilty of what might perhaps be called the official indiscretion of throwing out a hint as to whether there might not be some reduction in their foreign squadrons. When he spoke last year about these foreign squadrons, his hon. Friend drew a very alarming picture of the great increase which had accrued between 1846 and 1867. He said, that in 1846 we had 12,068 men employed in our foreign squadrons, and in 1867 we had 17,400 employed. But his hon. Friend omitted altogether to include in these figures the complements of ships ordered home, and he also made this little mistake, that he took the Cape of Good Hope and the African squadrons as one, and altogether omitted the ships in the West African squadron and on the lakes of Canada; therefore, instead of the numbers employed in the foreign squadrons being 12,058 in 1846, they should have been stated at 15,588; while, in 1867, instead of 17,400, they were 17,893, being only a difference of 2,305 instead of 5,332. He knew that everything which fell from his hon. Friend met with sympathy from the House, and as the Admiralty were more or less on their trial it was his duty in the position he filled to give every reasonable answer he could to his hon. Friend's objections. The next point to which he adverted was the building of gunboats. It was not the first time his hon. Friend had referred to the subject. He might mention generally that he had the authority not only of the present and the late First Lord of the Admiralty, but of the senior Sea Lord, Sir Alexander Milne, that when the present Board came into Office there were not ships enough to keep up the necessary reserves, and when his hon. Friend spoke of the large building of gunboats, which he said was excessive, he must be allowed to say that on the 1st of April, 1867, this was our position — We had thirty-three gunboats in good condition; there were twelve that would last a couple of years with extensive repairs; and there were thirty-two bad, rotten, and indifferent. There were, besides, six or seven in various stages of building at home. Now, last year, on a question of Naval Estimates, his hon. Friend had made a speech and published a pamphlet, in which he was good enough to state what was the amount of force to be kept in our foreign squadrons, and the class of ships he thought most advisable for the service. He sketched out a policy in which he stated that thirty-three gunboats were necessary. Now it might be laid down as a very fair axiom that, whatever number of gunboats was required on foreign stations, as many again were required to be kept up as a reserve; he therefore did not think that, under the circumstances, eighteen was a very large number to be built by the present Board of Admiralty. He did not think there was any other point on which it was necessary for him to reply to his hon. Friend. Of course the Admiralty would feel it their duty to oppose the Motion for further reduction moved by his hon. Friend. If, after mature examination of the whole circumstances, and long and anxious consideration, they could have assented to a larger reduction they certainly would have done so, but they did not feel themselves bound to recommend more than a reduction of 1,700 men. He hoped, after the very general support his hon. Friend had given to these Estimates, and the decided advance he described the present Board of Admiralty as having made in a policy which he approved, the hon. Member would withdraw his Amendment and enable them to take the Vote for the proposed number of men.

The CHAIRMAN called the attention of the Committee to a point of Order. It was understood the other night that the general discussion on the Navy Estimates usually taken on the number of men, should this year be taken in the Vote for wages, it being important that the Vote for men should be obtained without delay. Now, they had on the Vote for the amount of wages a Motion proposed for the reduction of a particular item, and the rule was that when a Motion was proposed from the Chair for the reduction or omission of a particular item the discussion should be confined to it.

Mr. GRAVES said, that he would strictly confine himself to the point indicated by the Chairman, and endeavour to show the Committee why there should be no further reduction in the present Vote; and one reason was that inasmuch as the reduction in the number of men had been attended with no diminution of expenditure; but, on the contrary, with an increase of something like £85,000. If they should diminish the force more than was proposed by the Government, the expense might be still further increased. That, therefore, was not the right way to reduce the Estimates. With respect to our seamen, year by year there had been a gradual dropping down in their numbers, and he thought they ought to arrest that diminution. The Returns presented this year showed that the number of our *bonâ fide* seamen had been reduced from something over 30,000 in 1861 to 19,000 in 1867, and, as appeared from the First Lord's statement, they were to be further reduced to something over 18,000 in the course of this year. Two years ago the noble Lord the then Chief Secretary of the Admiralty, said that after a seven years' experience of a gradual retrenchment, the number of *bonâ fide* seamen, which then stood at 21,000, had reached a point below which it would be dangerous to go. Returns showed that the annual drain on our *bonâ fide* seamen amounted to 14 per cent. To fill up the number of boys rated as seamen it would be necessary to throw into our training ships from boys to seamen, 3,900 a year, whereas the numbers actually entered was only 2,200. The diminution in the number of seamen arose from natural causes, and not in any way from the diminished Votes of the House. He maintained that it was of the highest importance to assimilate the supply to the drain, and if we would keep up the number of *bonâ fide* blue-jackets we must enter a much greater number of boys in the training ships. Considering the small proportion of blue-jackets to the total number of men in the navy, it was only natural that they should look at what the majority was composed of, and see if they could not make a further reduction in numbers without decreasing the efficiency of the service. There were 4,000 supernumeraries in the shape of bandsmen and personal servants, and this number might be reduced with advantage. Of the fifty or sixty old wooden ships lying in Ordinary which the First Lord of the Admiralty alluded to, he (Mr. Graves) would further suggest that some fifteen or sixteen of the best should be selected for more immediate service than the others, and that these should be carefully looked after and kept ready for any sudden emergency. In this respect we should only be following the example of other nations. He thought also that, probably, an equal number might be broken up with advantage, and expense with regard to them saved for the future; and he would further recommend that the residue should be laid up in tiers, their engines taken out, and the ships placed under the charge of a few river police—just as hundreds of vessels are to be seen daily lying up in the docks of London and of Liverpool. This would have the effect of bringing about economy, without resorting to a diminution of marines or seamen.

General PERCY HERBERT said, he thought that the criticisms of the hon. Member for Pontefract (Mr. Childers) with regard to the Royal Marines were not well founded. In the navy there were 3,447 officers to 49,000 sailors, boys, and warrant officers, or about 7 per cent. In the army 4 per cent was the least allowance of officers anyone had ever suggested for a regiment with a full establishment of men. The Royal Marines had 436 officers to 14,700 men, which was only 3 per cent, or less than one-half the proportion in the navy.

MR. MONTAGU CHAMBERS said, he had never heard it stated that the Royal Marines were not sufficiently officered, and therefore he was inclined to agree with the hon. Member for Pontefract (Mr. Childers) that this Vote for the Royal Marines was not well explained. They were told that the number of men was to be reduced, but at the same time the number of officers was to be increased. Looking at this question as a civilian, he would ask why, while they reduced the number of men, they should increase the number of officers. He did not think there could be a finer body of men than the Royal Marines. It ought to be considered whether they ought to be kept up as a land force, and, if that were not done, it might be well to consider whether the force should not be reduced. He should vote for the reduction of the item in order that the Admiralty might make a consistent reduction in the Estimates.

SIR JOHN HAY said, there was no proposition for an increase of officers in the Marines this year. There was a slight increase in the number to be employed it was true; but the Committee would understand that it was impossible to discharge officers of the Marines who had already entered. In the re-organization of the corps, recommended by the Committee last year, it was found that the companies of the Royal Marines were too numerous, and that it was necessary for the convenience of the service to add a second captain to forty-six companies, a proportion juster and more in accordance with all other seniority corps of the army. The percentage of officers in the Marines was even now much lower than that of the officers in any other branch of the service. The hon. Member for Pontefract (Mr. Childers) must remember that, in the Committee over which he presided so ably last year, that point was brought forward, together with the slowness of promotion in the Marines. For the efficiency of the corps, and also to make the rate of promotion in it correspond with that of the other seniority branches of the service, it was deemed requisite to diminish the number of the companies and increase the number of officers in some of the companies at home.

MR. GLADSTONE: Mr. Chairman—Sir, I must confess I am quite at a loss, from the speech of the hon. and gallant Gentleman who has just sat down, to understand how it is that a reduction in the number of men should have lead to an increase in the number of officers. [SIR JOHN HAY: There has been an increase in the number of companies.] But then it is a very doubtful matter whether the number of companies ought to be increased. Why should we not let the number of men decrease without increasing the numbers of the companies. I do not understand the meaning of the hon. and gallant Member (General Percy Herbert), who compares the number of officers in the Marines with the number of officers in other branches of the service. It appears to me better to compare the number of officers in the Marines now with the number of officers in the same force at former periods. What proof is there that the number of officers is insufficient? Has there been any complaint that they were too few? The first business of those who wish to justify an increase in the number of officers is to show that the Marines have suffered in action from want of more officers. [General PERCY HERBERT: The complaint may not have been made in this House.] Why should it not have been made in this House through the hon. and gallant Gentleman with his knowledge, his eagerness, and his zeal in those matters? This is only an illustration of the fact that it is impossible for Members acting independently, without the organization of the Government, to force the adoption of economy in such cases. But something may be done by drawing the attention of the public to the matter. We have distinct indication of the intent on the part of the Government to continue the progressive increase in the reserve force of marines kept on shore. We have the Return of the numbers since the 1st March, 1849, arranged in periods of five years. In the first period the highest number was 6,354, in the second period 6,277, in the third 8,086, and in the fourth 10,032. In point of fact, there is a regular increase in the reserve force on shore, and also an increase in the proportion of officers to men. I do not think any justification has been made out for one or the other. I am glad to find that my right hon. Friend is inclined to reduce the foreign squadrons. That is a reduction which, I believe, ought to be made with a very strong hand; the old notion of arming all over the world being, as I believe, totally unsuited to the present state of things, and nothing more or less than a gross superstition. There is not a shadow of justification for the system in matters as they now stand. The consequence of passing the Vote will be that my right hon. Friend will have a larger number of marines on shore—and whom he will be obliged to keep on shore—than at any period during the past five years, although in that period the force appears to have been about 2,000 greater than it was in any previous five years since 1847. And further than this, I think that if we went back to a period before 1847 we should probably find that the marines on shore were then still less. The question is, will you consent, having raised your reserve force of marines on shore so considerably, to its being raised still higher? That is a very fair question to be put to this Committee, and if my hon. Friend chooses to divide on his Motion—partly on the ground that this increase in the force of marines on shore is totally unnecessary, and partly on the ground that no reason has been shown for increasing the relative number of officers in proportion to the men—I, for one, shall vote with him.

Mr. CORRY said, he did not know upon what ground the right hon. Gentleman stated that the reserve force of Royal Marines on shore was now increasing. The right hon. Gentleman had gone back to 1847; but since then a large augmentation had been made to the force by the recommendation of a Royal Commission on the manning of the Navy, who looked on the Marines as a very effective addition to our naval strength, and one giving us a valuable power for meeting a time of emergency. When, however, the right hon. Gentleman said the force was still going on increasing, he could hardly have read the present Estimates, because they proposed a positive reduction of 1,700 men; and he believed the reserve on shore would this year be at least 1,200, and possibly 1,300 or 1,400 less than it was last year. Therefore, so far from increasing the reserve of marines on shore, these Estimates would affect a considerable reduction. He confessed he was surprised that a Gentleman so well versed in naval affairs, and possessing so sound a judgment as the hon. Member for Pontefract (Mr. Childers) should come down to the House and propose without Notice a reduction of 4,000 marines in one year. That hon. Gentleman, earlier in the evening, had spoken against a sudden reduction in the number of artificers, as causing great public inconvenience as well as hardship to individuals; and yet he himself now proposes a sudden and abrupt reduction of 4,000 marines in one year.

General PERCY HERBERT said, that the right hon. Gentleman (Mr. Gladstone) knew everything, and therefore he despaired of teaching him anything. But if he got two officers of Volunteers as clever as himself, he would find 80 to 100 men in a company quite enough for three officers to look after.

Question put.

The Committee *divided:*—Ayes 73; Noes 127: Majority 54.

Original Question again proposed.

Colonel SYKES then rose to move to reduce the whole Vote by the sum of £20,000. He said his object was less to reduce the annually increasing expenditure of the Navy, than to diminish the annual sacrifice of valuable lives on the West Coast of Africa. The First Lord of the Admiralty spoke of having reduced the number of vessels at the out stations abroad by 18. That surely implied a reduction in the item of wages, victuals, &c. Yet, there was a net increase of £85,000 for wages, and of £91,000 for victuals, in the Navy Estimates for the present year. On the 23rd of March last he (Colonel Sykes) obtained a Return showing the number of vessels on the West Coast of Africa for the years from 1858 to 1868, and within two days of the date of that Return, the hon. Member for Reading (Mr. Shaw-Lefevre) had moved for another Return embracing the distribution of the Naval Forces for each year from 1847 to 1867. Between these Returns there was a very great discrepancy. According to the Return granted on his (Colonel Sykes's) Motion there were, in 1858, 25 vessels with 2,038 officers and men on the West Coast of Africa, while, according to the Return moved for by the hon. Member for Reading there were in the six years 24 vessels with 2,324 men. For the year 1867 the Return of the hon. Member for Reading gave 19 vessels with 1,894 men, while his Return again showed 25 vessels, with 2,134 men. Discrepancies ran through every year, but the most remarkable were for the years 1860 and 1861, in which years, by the hon. Member for Reading's Return, there were only 15 ships on the coast with the respective complements of 1,924 and 1,868 officers and men, while by his (Colonel Sykes's) Return, there were 20 and 18 ships, with their respective crews of 1,850 and 1,680 officers and men for 1860 and 1861. It was for the Admiralty to explain this discrepancy. Last year there were, according to his Return, 325 officers and 2,134 men. 11 officers and 37 men died, and 26 officers and 76 men were invalided, which on that pestiferous coast meant, in nine cases out of ten, that their constitutions were thoroughly broken down, and they were made invalids for life. The total cost of the squadron for the year was £77,183. It appeared that the total loss to the country during the last ten years consisted of 88 officers and 360 men who died, and 170 officers and 695 men who were invalided. Let the House and the country reflect upon the desolation carried into families by those dreadful losses. The pecuniary outlay amounted to £740,875, and the total number of slaves captured was 8,330. If the slave trade had continued in its former intensity, he should be the last to propose a reduction of the British force upon the coast. But, taking the last four years, he found that in 1864 only six slaves were captured, in 1865 none, in 1866 three, and in 1867 none. The slave trade therefore was virtually at an end. America had liberated all her slaves; in Brazil the trade had ceased, and slaves were no longer introduced into Cuba. Spain, as they had been told that evening by the right hon. Gentleman the First Lord of the Admiralty, was acting with good faith in this matter. On what grounds, then, was this waste of life and enormous expenditure justifiable? The average cost of the slaves captured up to 1863 from 1858 was £89 per head; since then exactly nine slaves appeared to have been captured, at a cost of £38,418 per head; the cost of the squadron for those four years being £295,255. The most extraordinary feature, however, was that, though the trade had died away, the system of bounties was still maintained. Thus for the year 1867-8 no less than £20,000 were allocated by way of bounties for slaves caught, and a further sum of £12,000 for support of the negroes. But no slaves whatever were caught in 1867. Who, then, received this money? Why, in short, he must again repeat, were vessels kept in such numbers, and so much desolation caused in families by the mortality among our officers and men upon a pestilential coast? Surely not with any idea of protecting trade. He thought that five or six ships would be quite enough for that purpose, though he did not propose that the squadron should be suddenly reduced to that number. His right hon. Friend had instituted a comparison between the English and French navies, for the purpose of showing a superiority on our side. But, at all events, the French managed their affairs much more economically than we managed ours. Our Naval Estimates amounted to £11,000,000, and our colonies cost us £4,000,000 more, making a total of £15,000,000 for our Navy; while the expenditure of the French Marine, including the colonies, amounted this year to only £6,529,510. He begged to move the reduction of the Vote by a sum of £20,000, in order that the expenditure on our African squadron might be reduced. Enough would still be left for the legitimate purposes of the squadron.

Motion made, and Question proposed,

"That a sum, not exceeding £3,016,634, be granted to Her Majesty, to defray the Charge of Wages to Seamen and Marines, which will come in course of payment during the year ending on the 31st day of March 1869."—(*Colonel Sykes.*)

SIR JOHN HAY said, he was rather afraid that his hon. and gallant Friend had been misled by the extreme accuracy of the Return to which he had referred. By that Return it appeared the number of vessels on the African coast was 25, those vessels carrying 143 guns; but on reference to the page of the Return before the one on which those figures were given, his hon. and gallant Friend would find it so happened that, at the very time he moved for the Return, six of the vessels had been ordered home, and one was about to be paid off. Those six vessels were on the station at the moment, and so were their reliefs. The *Bristol* and *Rattlesnake*, the two flagships of the Commander-in Chief, who were then relieving the one the other were also both there to swell the number of ships and men. So that the total number was made much greater than it would have been if the Return had been made at any other time. In fact, it was a mere accident that the Return should have shown 25 vessels on the station. In pursuance of the pledge given by his noble Friend (Lord Henry Lennox) last year when he moved the Estimates, the number of vessels on the station had been reduced. At this moment there were 14 there, carrying 74 guns. The number of officers and men was only 1,576, showing a very large reduction. Of the 14 ships only nine were cruizing ships, the other five being stationary. He thought his hon. and gallant Friend would admit that it would be impossible to reduce the number of cruizers by six, which would only leave three cruizers—vessels were required on the station for the protection of our own trade. Besides it was only a few months ago that information was received of an intention to run a cargo of slaves down the river Congo. That attempt had been checked, and it was to be hoped that, with the loyal assistance of Spain, the slave trade on the African coast would gradually be suppressed. Under all the circumstances, he thought his hon. and gallant Friend would see the propriety of not pressing his Amendment.

Sir GEORGE BOWYER said, it was a lamentable thing that so many of our officers and men lost their lives or their health in our attempt to suppress the slave trade by cruizing on the African coast. If that trade was to be suppressed, it must be by suppressing the market for slaves. He feared that the measures we took only increased the sufferings of the unfortunate persons who were stowed away in the slavers. If his hon. and gallant Friend moved to put an end to this cruizing altogether, except so far as the interests of our trade required it, he should give him his support.

Sir T. F. BUXTON admitted it to be a melancholy fact that a great number of lives had been sacrificed in the attempts to suppress the slave trade; but he thought it would not be fair to measure the good we did by the number of slavers captured, any more than it would be to estimate the advantage of our Coastguard by the number of smugglers apprehended. He believed that in both cases much good was done in the way of prevention. The Commissary Judge at Havannah stated that the return of the trade between Africa and Cuba for the past year was unaccompanied by any statement of the landing of slaves. That functionary believed, however, it would be unsafe to assume that the slave trade had ceased because it had become almost invisible. The condition of the West Coast slave trade was this, that it was no longer visible; the plant was cut down, but that we could not assume that the roots were dead; they might spring into life again if our fleet were wholly withdrawn at once. If we were anxious to maintain the footing on which we had acted for many years, we must keep a squadron on the coast of Africa; but he was glad the Admiralty had been able to reduce the number of the vessels, and he hoped they would be able to reduce them more and more each year. If the hon. and gallant Member for Aberdeen (Colonel Sykes) went to a division, he should feel bound to vote against him.

Mr. CHILDERS hoped that, as his right hon. Friend had reduced the squadron by 460 men and further reductions were contemplated, the hon. and gallant Member would not press his Amendment to a division. If the number were to be reduced by 500 or 600 men beyond the reduction proposed by the Government the squadron would be considerably crippled.

Colonel SYKES said, as it appeared from the statement of the hon. Baronet (Sir John Hay) that a reduction had been made in the number of vessels, he would withdraw his Amendment.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £1,335,842, be granted to Her Majesty, to defray the Charge of Victuals and Clothing for Seamen and Marines, which will come in course of payment during the year ending on the 31st day of March 1869."

Mr. Alderman LUSK remarked, that the Admiralty had wasted a great deal of money in victualling the men.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Lusk.*)

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

JUDGMENTS EXTENSION BILL.

NOMINATION OF COMMITTEE.

Motion made, and Question proposed, "That Mr. Craufurd be one Member of the Select Committee on the Judgments Extension Bill."

Motion made, and Question, "That this House do now adjourn,"—(*Colonel French,*)—put, and *negatived.*

Original Question put, and *agreed to.*

Motion made, and Question proposed, "That Mr. Huddleston be one other Member of the said Committee."

Debate arising; Motion made, and Question, "That the Debate be now adjourned,"—(*Sir George Bowyer,*)—put, and *negatived.*

Original Question put, and *agreed to.*

Mr. Dunlop, Mr. Moncreiff, The Lord Advocate, Mr. Attorney General for Ireland, Mr. Lawson, Colonel French, Sir Charles Lanyon, Mr. Graves, and Mr. Murphy, nominated other Members of the said Committee;—Five to be the quorum.

COUNTY FINANCIAL ARRANGEMENTS.

Select Committee on County Financial Arrangements *nominated*:—Colonel Wilson Patten, Mr. Scourfield, Mr. Wyld, Mr. Henniker-Major, Lord Henley, Sir William Gallwey, Mr. Kendall, Mr. Neville-Grenville, Mr. Bruce, Admiral Duncombe, Mr. Hibbert, Mr. Hodgkinson, Mr. Kavanagh, Mr. Read, and Mr. Heneage:—Power to send for persons, papers, and records; Five to be the quorum.

EXCHEQUER BONDS (£1,600,000) BILL.

Bill "for raising a Sum by Exchequer Bonds for the Service of the Year ending on the thirty-first day of March, one thousand eight hundred and sixty-nine," *presented,* and read the first time. [Bill 112.]

House adjourned at One o'clock.

HOUSE OF LORDS,

Tuesday, May 12, 1868.

MINUTES.]—Public Bills—*First Reading*—Endowed Schools * (98).
Second Reading—United Parishes (Scotland) * (84).
Committee—Industrial Schools (Ireland) * (69).
Report—Industrial Schools (Ireland) * (69).
Third Reading—Broughty Ferry Provisional Order Confirmation * (86), and *passed.*

NEW NATIONAL GALLERY.—QUESTION.

Viscount HARDINGE asked, What steps the Government propose to take with respect to the Preparation of Designs and Plans for the New National Gallery? It was now more than a year since the Committee of Judges appointed to consider the subject had made their Report. In that Report they stated that, although the plans submitted possessed considerable merit and ability, they could not recommend any one individual design for adoption and execution. At the same time they pointed to the design of Mr. Barry for a new building, and of Mr. Murray for an adaptation of the existing one as possessing the greatest amount of architectural merit. That Report, moreover, was referred by the Government to the Trustees of the National Gallery, and they in their comments upon the same laid down certain principles to be observed in the construction. In another place the First Commissioner of Works stated that, as the land would not be in the possession of the Government for a year, no immediate hurry was required—that time had not elapsed. When it was borne in mind how long the question of a site for the National Gallery had been determined upon, no time ought, in his opinion, to be lost in the preparation of the plans and designs. He wished also to know, what it was proposed to do with regard to the barracks? He did not know, in reference to the question of site, whether the Board of Works and the military authorities were at issue in this matter, but it was, he thought, high time that the Government should make up their minds to retain or remove the barracks, as well as to arrive at a decision about the plans and designs for the Gallery itself.

The Earl of MALMESBURY said, that the matter was very much in the state that the noble Viscount had described. On receiving the Report of the Committee of Judges—of which the noble Viscount was himself the Chairman, if he recollected rightly—the Government communicated with the Trustees of the National Gallery, and from the Trustees, who also furnished a Report, the Government received a succinct set of suggestions, giving a complete account of the space required, and making also some very valuable suggestions. The Government was now waiting in consequence of that Report. His noble Friend the First Commissioner of Works had not yet decided who the architect of the new building should be. The plans were ready to be submitted to the architect as soon as he was selected; but a difficulty had arisen in this respect, which had not yet been surmounted, in consequence of the Report of the Judges that none of the plans suggested were such as ought to be adopted. As his noble Friend had not given him any notice of the latter part of his Question with regard to the barracks, he could not answer him at that moment, but he would make inquiry and give the information required on another evening.

LORD OVERSTONE said, he sincerely regretted that the project for removing the National Gallery to Burlington House had been rejected. The subject was one of very great importance, owing to the value of the national collection and the growing interest and feeling of pride which the people took in it. The present building was most unsatisfactory from its want of sufficient space, and the pictures were seriously injured by the atmosphere on account of the deficiency of proper ventilation. Year by year the Trustees were obliged to put those pictures through the process of cleaning, and that process was by degrees obliterating the delicacy and the tone of their colouring. He regretted that the reply of the noble Earl was so unsatisfactory, inasmuch as it held out very little hope to the great majority of their Lordships of ever seeing the new National Gallery.

THE DUKE OF RUTLAND said, that when the Royal Academy was removed there would be a large amount of additional space available for the exhibition of the national pictures. It would not, he thought, be judicious to select any plans, however excellent, until they had secured a really competent architect to whom they might confide the construction of the building.

VAGRANTS — THE GUILDFORD UNION.

MOTION FOR CORRESPONDENCE.

THE EARL OF CARNARVON moved for Copy of Correspondence which has recently passed between the Poor Law Board and the Guildford Board of Guardians in reference to the Relief of Vagrants. It was not his intention to raise a discussion on the general question of casual relief—he only desired to call attention to a particular case in a particular union, which appeared to him to involve such a principle of injustice that he hoped his reference to it in that House would have the effect of preventing its occurrence elsewhere. He understood that the Poor Law Guardians of the Guildford Union had appointed as their relieving officer for the casual poor a police-constable. To such an act of the Board he did not think there could be any substantial objection; but he had been further informed that this relieving officer in carrying out his duties had proceeded upon the principle of inquiring into each particular case before granting relief, and when he considered that the applicant was what was called a professional tramp, he refused relief. Now although he was supported by the Board of Guardians in the course he had taken, he (the Earl of Carnarvon) wished to point out that the views of this officer in this respect were absolutely and wholly wrong. Vagrancy, as their Lordships knew, was treated by the law as an offence, and was punishable as such. But to inflict punishment upon a vagrant by absolute starvation—by refusing all relief—whether the applicant was a professional tramp or not, was wholly contrary to the law. The duty of the guardians was simply to administer relief to those who were really in want of it, and the relieving officer was bound to afford board and lodging for the night to any casual applicant, provided he had no *bonâ fide* reason for supposing that such person was merely simulating destitution for the purpose of obtaining relief under false pretences. When the circumstances of this case at Guildford were brought to the knowledge of his noble Friend at the head of the Poor Law Board (the Earl of Devon) he immediately sent down instructions to the Poor Law Guardians in respect to the treatment of the casual poor, which instructions the guardians were to communicate to their relieving officer for his guidance; but the guardians by a majority of votes decided against obeying these instructions. Things therefore went on as before. When the Poor Law Board was again applied to it again sent down similar instructions for the guidance of the relieving officer; but with the same result as before, as the guardians a second time decided by a majority against communicating them to their official. A third time was the case brought before his noble Friend, and a third time did he issue instructions to the Board of Guardians; but on this occasion his noble Friend did not communicate his instructions by letter, but by an Inspector, whom he sent down to Guildford, and who pointed out to the guardians that they had been acting illegally in regard to the treatment given by their relieving officer to the casual poor; but once more the guardians refused to communicate the instructions to the relieving officer, on the ground that he must have been already aware through the newspapers of the views of the Poor Law Board on the subject. He (the Earl of Carnarvon) would not comment on these facts, but he would ask his noble Friend the President of the Poor Law Board, how far it was possible for Boards of Guardians to set at defiance the central authority; and, whether he was not possessed of certain powers by which he could reduce a recalcitrant board to obedience? If the noble Earl did not possess such a power he ought to ask Parliament to give it to him, and doubtless it would be cheerfully accorded. In speaking of the Guildford Board of Guardians, he ought to have mentioned that a small minority of them, headed by the rector of one of the neighbouring parishes, had struggled hard, but in vain, against the *vis inertiæ* of the majority; and it was owing to that minority that this matter had not been allowed to go to sleep.

Moved, "That there be laid before this House, Copy of Correspondence which has recently passed between the Poor Law Board and the Guildford Board of Guardians in reference to the Relief of Vagrants."—(*The Earl of Carnarvon.*)

The Earl of DEVON said, he had no objection to produce the Papers which were the subject of his noble Friend's Motion; but he thought it would be convenient to modify the terms of his noble Friend's Motion, so as to include the whole of the Correspondence which had taken place upon the subject. He should imitate the example of the noble Earl, in not, on this occasion, going into the large and vexed question of the treatment of vagrants in this country, which was one of the most difficult subjects with which the Poor Law Board had to deal. The statement of the noble Earl with regard to the facts of the case in question was substantially correct, with the exception that the police constable was appointed to the office, not of relieving officer, but of assistant relieving officer, his duties being strictly confined to administering relief to the casual poor. The course pursued by that officer was clearly contrary to law. The officer exercised the discretion which it was perfectly right he should do, taking care that relief was not given to those who ought not to receive it; but, on the other hand, he had taken on himself to refuse relief where it ought to have been given, and where—as subsequently appeared — there were no visible means of subsistence, and where the parties refused had gone into the town to commit offences in order that they might be sent to gaol. The Poor Law Board had communicated with the Board of Guardians, on two occasions, by letter, and a third time by sending down an Inspector, and had informed them that whatever the character of the persons who might present themselves as claimants for relief, although belonging to the class of vagrants, the law required that the necessary relief should be given to them if destitute, and they requested the Board of Guardians to communicate that opinion to the official acting under them whose conduct was immediately concerned. On the last occasion, when the Inspector attended the meeting of the Guardians, he, in a long interview, impressed on them the real state of the law, and urged them to communicate instructions to that effect to the officer. In the course of the discussion on that occasion, the Chairman stated that the officer was already in possession of those instructions; and in consequence of that statement—in which, from the position of the person making it, they could not but place reliance — the Poor Law Board had not taken any further steps. His noble Friend, asked what power the Poor Law Board had with reference to a recalcitrant Board of Guardians in such a case? They had no power to act upon the Board of Guardians; but they had power to send their instructions direct to the assistant relieving officer, and to dismiss him in case he neglected or refused to obey. He hoped their Lordships would give their attention to the Papers which would be laid before them, where they would see exactly the course pursued by the Poor Law Board; and if the Board found it necessary to interfere further, they would not shrink from doing so.

Lord OVERSTONE said, that no doubt the question of vagrancy would before long force itself on their Lordships' serious attention, when it would be absolutely necessary to enter into a most searching and comprehensive examination of the whole Poor Law system of the country. It was a most formidable principle that every person should be entitled to maintenance at the public expense without reference to character, conduct, or circumstances; and to render it safe they could only deal with the destitute. If relief reached any class above destitution, it necessarily involved injustice to every other class. The system rested on three guarantees — the labour test, the workhouse, and the small area of rating, as involving vigilant caution, knowledge, and attention to business. But the system had gradually departed from every one of these guarantees, and the consequence was that out-door relief had largely increased and the rates were rapidly increasing. Abuses had been gradually creeping into the whole system, and the time was not distant when he believed it would be necessary for the safety of the country to consider the whole question, which was much more formidable now than when the new Poor Law Act was first passed. He had been intimately acquainted with the late Mr. Senior, who was the real author and framer of that measure. He was in constant communication with him while he was pursuing his inquiries as a Poor Law Commissioner, and he well remembered, when congratulating him on the passing of the Bill, and saying that the country was now permanently safe in consequence, that gentleman told him not to be over certain —they had a lease for thirty or forty years, but before that period expired they would have the whole thing to do over again. He hoped their Lordships would give this question their most serious attention.

Lord REDESDALE said, that the question of vagrancy was a very important one, and he thought that the number of professional vagrants, which was gradually increasing, required a serious check. He concurred with the noble Lord who had just spoken (Lord Overstone) in thinking that very great abuses had crept, and were creeping into the administration of the Poor Law, and as to the great evils that were likely to ensue; but he was sorry to say that the disposition of the present day was to prevent a check being put to these evils, and rather to aggravate them. The real truth to be borne in mind was, that the purpose of the Poor Law was not that the funds raised under it, in many instances from very poor persons, should be administered as charitable gifts, but for the relief of destitution. He believed, after all, that the principle adopted by the Guildford Board of Guardians in regard to vagrants was a right one—namely, to discourage the system of professional tramps, who were not travelling about in quest of honest employment, but were mere idle vagrants who shunned work. The only way of dealing properly with that class was through a police officer; but that was not strictly the law. It would require some alteration before that could well be done. Relief should be given even in cases of vagrancy where there was believed to be destitution; but the parties should be brought before the magistrates next morning and committed for vagrancy. He had been Chairman of a Board of Guardians since the institution of the new Poor Law, and therefore he had had a good deal of experience in the matter, and he believed it to be impossible in many instances to grant relief to vagrants in workhouses in all cases, because in some unions there was only one workhouse for several parishes upon different lines of road. The result was that in the towns where there was no workhouse the paupers went to the overseer or to the relieving officer, if he resided in the place. Now, it appeared to him that neither of those persons was competent to deal with cases of vagrancy. They did not like to expose the windows of their residences to be broken by the violence of those persons, in the event of refusal to relieve them. He (Lord Redesdale) thought that the best course to pursue would be not to admit vagrants into the workhouses except in cases of sickness, when they must be maintained until their recovery. There were some persons who had peculiar views in reference to Poor Law relief; and, probably, some of those who raised objections took the view that the amount raised by rates should be administered as charity, and that there should be a general relief of all who came and asked for it. If such a system were introduced into this country it would lead to evils of a most dangerous character; and he certainly hoped that some law would be passed which would be founded upon this principle, that while the honest vagrant should receive relief the inveterate professional vagrant should as such suffer by the law. He thought it would be better to have separate houses for vagrants, administered under the discretion of a police officer appointed by the Board of Guardians. When Boards of Guardians were accused of obstinacy, he must say that, for the most part, the majority of a Board were better judges than the minority as to the manner in which relief was administered.

The Earl of CARNARVON said, that he had no objection to the alteration proposed by the noble Earl the President of the Poor Law Board; but he hoped that the Correspondence which was to be laid before them would bring out the exact facts of the case. He had been informed that the Board of Guardians had three times distinctly negatived the proposal to communicate the instructions of the Poor Law Board to the relieving officer. He should entirely agree with his noble Friend the Chairman of Committees, that public money was given with a view to relief and not with a view to charity, if the proposition were applied to the able-bodied poor only. He also agreed that relief should not be given except in cases of absolute destitution. But if the rule were applied by his noble Friend to the case of the sick and infirm, who were qualified for admission to an infirmary rather than a workhouse, then he must altogether dissent from the doctrine. With this qualification he was prepared to accept a great deal of what had been said by his noble Friend. Great difficulty arose from the area of taxation for Poor Law purposes being too narrow; and if this area took in more than the class of property that the rates now alone pressed on, much of the difficulty would disappear. Every one who attended a Board of Guardians in a poor district must be aware that it very often happened that a large proportion of those who contributed to the poor rates were very little above the position of those who received relief, and he had himself very often felt the injustice of pressing men who could hardly keep themselves to increase the rates.

Earl FORTESCUE protested against the doctrine that it would be prudent to extend the area of taxation; for he could conceive nothing more dangerous than enlarging the area of taxation beyond the area of administration. Nothing could be more enticing than to have the power of relieving the poor by spending other people's money; but he looked with great alarm upon a national poor rate with a local area of administration. Possibly, however, all that his noble Friend meant was to refer to the propriety of bringing under the incidence of rating, property which was now unfairly exempted from rating; but not to interfere with the principle of having the area of taxation and the area of administration conterminous. This principle involved a careful and scrupulous administration of relief out of the rates. The money spent in rates was part of the wages fund of the country, and that amount could not be raised by rating for relief of the poor without tending to diminish wages by diminishing the demand for labour, inasmuch as labour could only be paid for out of the fund at the disposal of the employers for wages. If the owners of land should raise a cry for aid to support the poor from anything like national rating or a national taxation he believed that they would have an almost unlimited amount of confusion and waste. This would give rise to the mischief, not merely of spending money, but that also of deteriorating and degrading the character of the people by the spread of pauperism with all its evils, moral as well as physical.

The Earl of STRADBROKE said, that there could be no doubt that the evil of vagrancy was increasing to a very serious extent, and deserved the serious attention of the Legislature. He agreed with those who thought it was encouraged in some places by well-meaning but inefficient members of Boards of Guardians. He was quite of opinion that the time had come for taking serious steps to diminish the mischief, and that result could only be attained by the adoption of more coercive measures—by inquiring into the character of vagrants, and informing those who were not really destitute that if they applied again they would be punished.

The Earl of CARNARVON explained that, in saying it might be desirable to enlarge the area of taxation in reference to the Poor Law, he did not mean in a geographical and territorial sense, but that there was a particular kind of property on which taxation rested at the present moment with undue severity and injustice. He very much objected to the whole Poor Law relief falling almost entirely on real property—to three-fourths of the population benefiting by an expenditure which had to be borne by the other fourth. That was what he meant in the observations to which objection had been taken.

The Earl of KIMBERLEY said, the noble Earl opposite (the Earl of Carnarvon) stated that he went along with the noble Lord the Chairman of Committees as far as the able-bodied poor were concerned, but that he could not agree with him as regarded the aged and the sick poor. For his own part he (the Earl of Kimberley) thought the noble Earl was wrong in the reservations he had made on that point. As a matter of humanity it was right to make a distinction between the manner of treating the sick and the aged poor, and the manner of treating the able-bodied poor; but, as regarded the principles on which relief should be given under the

Poor Law, he maintained those principles ought to be applied to all classes of the poor, without distinction. The treatment of all should be based on the idea of giving relief, and not of dispensing charity. In giving relief to aged and sick paupers they must have strict rules which would prevent aged and sick persons from having comforts within the workhouse which those of the same class did not enjoy out of it, and from coming upon the rates when they might be supported by their own relations, if they were able to support them, or when they might be in a position to obtain the relief they required for themselves. That was no imaginary difficulty. The question often arose whether medical aid should or should not be given by the parish; it was then the duty of the guardians to scrutinize these cases, and if they thought the relatives of the sick person had the means of supplying relief, then they should refuse the assistance of the parish doctor. Undoubtedly, if the sick poor required parish relief, it ought to be afforded them in the most humane and efficient manner; and he hoped improvements would be made in the administration of the law in that respect, and that due vigilance would be exercised to secure that the attendance on the sick poor should be as good as it ought to be. Then, again, as to the aged poor, it was obvious that, if they gave relief indiscriminately to aged persons, they took away all inducement to lay by money as a provision for old age, and would teach them to look upon the whole wealth of the country as their insurance fund for the time of infirmity and old age. If that were not guarded against, they would fall back into that system of universal pauperism from which they only emerged by means of the new Poor Law. There was a great tendency among the industrial poor to slide into the position of paupers. This argument was used among them—"Why should we work hard to maintain our families, when we see parish assistance given to other men who are as able as we are to support their families?" He contended that one of the duties of Boards of Guardians was to see that the interest of the industrious and deserving poor was properly cared for. He meant that they should not be put in a position in which they could justly complain of the relief that was given. It was a mistake to suppose that the burden of the Poor Law fell only on the rich—it fell very heavily on the poor also. He had frequently met with poor persons who remonstrated against the relief given to persons who, they said, were perfectly able to maintain themselves. The poorer ratepayers were as jealous as any class of the community about relief being granted where it was not really deserved. These were feelings which it was desirable to encourage, and he trusted that, in considering any alteration in the administration of the Poor Law, they would be carefully borne in mind. He wished, however, to be understood as being entirely in favour of such improvements in the administration of the system as would insure that the assistance which must be given should be given in the best and most effective manner possible, and as opposed to any economy which might produce hardship or insufficiency of relief. He believed that in many parts of the country there had been neglect in that matter. He thought there ought to be more supervision exercised on the part of the Poor Law Board, and that not merely on the plea of economy, but to introduce efficiency and to prevent those hardships in the administration of the law which, if not prevented, might be used as arguments hereafter for the subversion of the whole system. Thinking that our Poor Law ought to be maintained on its present principles, he hoped that he might be excused for making these few remarks.

The Duke of CLEVELAND said, that the Poor Law could not be carried out in the present day with the stringency which was originally contemplated; and no one who had attended to the subject could doubt that a very great change had within the last few years occurred in its administration. There could now, in the great majority of cases, be no just complaint that the workhouses were not suited to their purpose or were inadequately provided for the comfort of their inmates. To his own knowledge there were workhouses which had become not hospitals, but what the French called *hospices*, where the inmates obtained a great deal more comfort than people of the same class out of them. Special care should, he thought, be taken that too great an extension was not given to that change. Endeavours should be made to keep down vagrancy by giving what relief was absolutely necessary to vagrants, but nothing beyond that. Houses had been hired in some cases expressly for the purpose of receiving vagrants, and this was a better system than taking them into the workhouse. Union rating had been substituted for parish rating — an alteration which called for the exercise of great vigilance, lest the resources of the union should be wasted by persons who were, perhaps, less interested in their economical application in consequence of the extension of the area of taxation. But the question of area was far too large a subject to be discussed on an incidental Motion like the present; and he thought their Lordships would all agree that a national system of rating would be attended with great danger of abuse and of a national system of pauperism. The noble Earl opposite (the Earl of Kimberley) had advocated the bringing of other species of property beside that now subject to it under assessment to poor rate; but that would involve a change in the whole system of the existing law, and would raise a very large question which ought not to be settled without the very gravest and fullest deliberation.

Motion amended, and *agreed to.*

Ordered, That there be laid before this House, Copy of Correspondence which has recently taken place with the Poor Law Board in reference to the Relief of Vagrants in the Guildford Union.—(*The Earl of Carnarvon.*)

THE NEW COURTS OF JUSTICE.

NOTICE.

LORD DENMAN, in pursuance of a Notice given for August 19, 1867, and repeated for this day, rose—

> "To call Attention to the Uncertainty which prevails as to the Adoption of any plan for the new Courts of Justice which can be in accordance with the intention of the Act 'Courts of Justice Concentration Site,' (28 & 29 *Vict.*, c. 49, s. 19), and with the opinions expressed in this House on the third reading of that Bill on the 8th of May, 1865."

The noble Lord, referring their Lordships to that debate in which a strong opinion was expressed that Parliament should know beforehand what would be the probable cost of clearing the site and of completing the proposed building, reminded the House that large Votes, amounting to £1,500,000, had been dedicated to that purpose. In one year £700,000 had been advanced for it, and £660,000 in another, leaving only £140,000 remaining for the completion of the buildings, and the purchase of the site and approaches; and he reminded the House that by abandoning the old Courts of Westminster Hall and Guildhall, the country would be deprived of two of the best spaces for parties waiting to attend to causes that could possibly exist—that the services of West End jurors for causes arising in Westminster would be lost where they would be most useful, and that consultation-rooms for counsel and waiting-rooms could easily be added to remedy present inconveniences at Westminster; while at Guildhall — so convenient from merchants, stockbrokers, brokers, and seafaring men being near to it — every facility existed for access to documents, to counting-houses, warehouses, and to ships in the river; and a different class of cases could more satisfactorily be tried than they could be near Carey Street. Some additional Courts—such as a Court of Probate, and two or three or more Equity Courts—might easily be built on the Carey Street site, as well as in a plain inexpensive style, all the offices still required for the Courts of Law and Equity. And the Court of Exchequer at Westminster, and the Rolls Court near Chancery Lane were mentioned as models in the instructions to the architects for their plans. In case a return to Westminster Hall and Guildhall were agreed to, it would not be needful to purchase extra space at an enormous cost, as would now be requisite should Parliament agree to the outlay. One bookseller alone had received £10,000 for going across from one side of a street to another; and, if he were required—as seemed probable —to move again, another £10,000 would be demanded by one individual. If, on the other hand, the whole space were sold, and a sufficient space retained for all that was really needed, a large sum would be saved, and model dwelling-houses might be built for those who had been deprived of their residences, and large rents received for them. Instead of a previous Estimate being laid before Parliament, as had at first been carried in this House, a certificate, relied upon to declare the truth, had been given that the expense of the new Law Courts and their site would not probably be more than £1,500,000; but nothing could be more vague, and it was certain that by the time they were finished, on the scale proposed, the expense would not be much less than the cost of the Abyssinian War.

THE LORD CHANCELLOR said, he was not quite sure as to the information which the noble Lord desired to have, but if he understood him correctly he wished to know what was exactly the position of the contemplated buildings of the Courts of Justice. He believed he was right in saying that the difficulty which had for the moment suspended the choice of a plan was this—A competition was invited, which was responded to by a certain number of architects — eight or nine — who sent in plans, which were publicly exhibited. Before they were sent in, a memorandum was drawn up of the terms on which the exhibition was to be held; and it was that referees should be appointed by the Treasury, who were to determine to which of the plans exhibited the award of superior execution ought to be given. The referees who were charged with this duty were unable to agree that any one of the plans exhibited in competition was the best; but they selected two, and made an award that they thought the interior plan of one of the competitors and the exterior plan of another were the best. That award having been made, some of the unsuccessful competitors objected to it as being beyond the power of the referees. They said—"We entered into competition each one against every other, but not into competition with the joint production of two others." In the memorandum of the terms of competition it was stated that any matter in dispute should be referred to the decision of the Attorney General. That had been done, and he believed the reference was still going on. Until it was concluded, it would not be in the power of the Commissioners for the erection of the Palace of Justice to take any steps in regard to the selection of any plan. He hoped that before long the reference would be terminated, and that the Commissioners would then be allowed to proceed with the erection of the building.

MONETARY CONFERENCE (PARIS).

ADDRESS FOR A PAPER.

EARL FORTESCUE, in moving—

> "That an humble Address be presented to Her Majesty to request that Her Majesty will be graciously pleased to order that there be laid before this House, the Proceedings of the International Monetary Conference held in Paris, June 1867; and to call Attention to the Report adopted by the International Conference on Weights, Measures, and Coins, held in Paris, June 1867,"—

said, that the account of the proceedings of the Monetary Congress held at Paris was exceedingly interesting. It clearly showed the loss of time caused by the existing system, and of that labour the loss of which was the loss of wealth to the commerce of the world. The matter was one of importance to every civilized nation, and perhaps to none more than to that which stood at the head of the commercial nations of the world. There were now several foreign nations, including the Danubian Principalities, the source of a great part of our corn importations, the Brazils, and several South American States, among whom the use of the metric system in its entirety was compulsory. When he reminded their Lordships that among a population of 146,000,000 of the most civilized nations of the world the use of the metric system was compulsory, and that our trade in imports and exports with these States amounted to no less than £180,000,000 annually, they would allow that a case had been made out for assimilating to this more perfect system our own most confused, inconvenient, and anomalous system of weights and measures. There were other States, containing a population of 70,000,000, whose systems of weights and measures had been more or less assimilated to the metric system. Over and above these, there were two great commercial nations—the United States of America and this country—in which the use of the metric system was permissive; but in our own case in the least satisfactory method. By the English law no weights or measures could be lawfully used which were unstamped; but there was no authority in any public Department to stamp these weights or measures according to the metric system, so as to enable them to be used without exposing the users to a penalty. The United States had in like manner made the use of metric weights and measures permissive; but they had gone a great deal further. Far from refusing to stamp these weights and measures, the Secretary of the Treasury was authorized and invited to furnish each State of the Union with a series of weights and measures on the metric system, and the Director of the Post Office had provided the Post Office with postal balances for foreign letters, graduated in metric grammes. The metric system was, in fact, viewed with constantly increasing favour in the United States. The metrical system was at present being used by various communities, numbering 150,000,000 persons, and the Report which had been come to by the International Congress had been assented to by representatives of twenty different Governments. Mr. Hoffman had declared that a consequence of the diversity in systems of weights and measures works on chymistry were sealed books to foreigners, although the language in which they were written was understood by the reader. Merchants were unanimously agreed that the metric system would save them a great deal of time, and enable them to get their business conducted by fewer clerks than at present; and all persons engaged in educating the young were convinced that the saving of time which would result from the introducton of the metric system would permit them to enlarge the curriculum in sources of primary education. The noble Earl concluded by moving—

> "That an humble Address be presented to Her Majesty for, Proceedings of the International Monetary Conference held in Paris, June 1867."—(*The Earl Fortescue.*)

LORD OVERSTONE begged to remind their Lordships that the subject of international coinage had been referred to a special Commission composed of men distinguished for scientific and commercial experience; and he would recommend their Lordships to wait until their Report had been made; for if it should prove to have been arrived at with anything like an approach to unanimity it would be impossible for their Lordships to withhold their assent from its decision. At the same time he must observe that any measure would be of a most dangerous character that should tend to alter the standard of value in England. The noble Earl was the avowed representative of an association who were continually thrusting upon the people of this country a universal international system of weights and measures. It was very remarkable, however, that while they did this they did nothing to remedy a much more practical evil—the utter want of uniformity that there was in the weights and measures used in this country. That was a clear, plain, practical grievance, and one that had repeatedly been made the subject of remonstrance with Parliament. Yet while that was left unnoticed by the noble Earl and his friends, they insisted that the want of an international system of weights and measures was a grievance of an intolerable character. This reminded him of the story of an unfortunate person who, having received an injury, brought an action to obtain redress, and retained Mr. Erskine to conduct his case. At the end of the learned counsel's speech the suitor burst into tears. "What is the matter," asked his attorney; "surely you could not have had your case stated better?" "I know that," was the reply; "but, Heaven have mercy upon me! I never knew how injured I was till that man told me." Was the noble Earl prepared to state on the floor of their Lordships' House that even the French Government, with all the powers of coercion at its command, had been able to force the metrical system upon the provincial markets? That was a plain question, to which he should be glad to have a distinct answer. The case of the United States was sometimes referred to; but Professor Kelland said that, while on a holiday tour in America, he noticed that the booksellers' list of New York gave the prices in cents, because the law positively said that must be done, but that the prices were not such sums as 20, 50, or 100 cents, but were indivisible sums, such as 77 or 3 cents. Mr. Kelland was a good deal puzzled at this phenomenon—a decimal currency, but non-decimal prices—till it was explained to him that those prices represented sums arranged on the old shilling system. The very highest authority, Sir John Herschel, had again and again asserted that the basis of our system of weights and measures was less liable to error and more universally adopted than the French system. For all abstract purposes the decimal system was most convenient for obvious reasons; but a great variety of considerations, eminently practical in their nature, entered into the question as to whether the system should be adopted for the purposes of daily life, and these, he submitted, could be best examined by the Commission to which the subject had been referred.

THE EARL OF MALMESBURY expressed his regret that the amusing and instructive speech of the noble Earl opposite (Earl Fortescue) had not been made at an earlier hour in the evening, when a larger number of Peers could have been present to have listened to him. There could be no difficulty in giving the noble Earl the Papers he asked for—in fact, all but one had already been laid before the House. Should the noble Earl enter into this question with the view of initiating legislation with regard to it, he hoped that he would commence by endeavouring to render uniform the weights and measures of this country, leaving the International Law upon the subject to be dealt with at some future period. The lower classes invariably regarded changes of the character advocated by the noble Earl with suspicion, and it was, therefore, almost impossible to induce them to adopt them. The task that the noble Earl had set himself was so involved in difficulty that the Government were not likely to take it off his hands.

Motion *agreed to.*

ENDOWED SCHOOLS BILL [H.L.]

A Bill for annexing Conditions to the Appointment of Persons to Offices in certain Schools—Was *presented* by The LORD PRESIDENT; read 1ª. (No. 98.)

House adjourned at a quarter past Seven o'clock, to Thursday next, half-past Ten o'clock.

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HOUSE OF COMMONS,

Tuesday, May 12, 1868.

MINUTES.]—SELECT COMMITTEE—On County Financial Arrangements, Lord Edward Cavendish and Mr. Dent *added.*

Report—House of Commons (Arrangements). [No. 265.]

SUPPLY—*considered in Committee—Resolutions* [May 11] *reported.*

PUBLIC BILLS — *First Reading* — Promissory Oaths* (113).

Second Reading—Stockbrokers (Ireland) [104]; Military at Elections (Ireland) [95], debate *adjourned;* Customs and Income Tax* [108]; Exchequer Bonds (£1,600,000).*

Committee—County Courts (Admiralty Jurisdiction) (*re-comm.*) [94].

Report—County Courts (Admiralty Jurisdiction) (*re-comm.*) [94].

COLONIAL BISHOPS.—QUESTION.

MR. GLADSTONE said, he wished to ask the Under Secretary of State for the Colonies, with reference to Parliamentary Paper No. 575, of Session 1867, Whether that Paper correctly describes the Bishopric of Columbia as endowed with property derived from a benefaction of Miss Burdett Coutts; whether it is not the fact that the Bishoprics of Adelaide and Capetown have been endowed in like manner by the same donor; and, if so, whether the Return might not with propriety be amended so as to describe the three foundations with the same correctness and precision?

MR. ADDERLEY replied that the Paper in question was compiled, as all other such Papers were, from Returns furnished by the Governors of the different Colonies. The Governor of British Columbia gave more details than were contained in the Returns from Adelaide and Capetown. In these two Returns no statement of Miss Coutts's endowment of £17,500 for each place had been made. The Colonial Office had, however, obtained information on the point from the Society for the Propagation of the Gospel, and an amended Return would be laid on the table.

IRELAND — THE CATHOLIC UNIVERSITY.—QUESTION.

SIR COLMAN O'LOGHLEN said, he wished to ask the Chief Secretary for Ireland, When he will lay upon the Table of the House the draft of the Charter Her Majesty's Government propose to grant to the Roman Catholic University of Ireland?

THE EARL OF MAYO: A correspondence has taken place between Her Majesty's Government and the two prelates appointed at the meeting of the Irish Roman Catholic hierarchy held in Dublin to communicate with the Government on the part of the Archbishops and Bishops. That correspondence is now nearly complete; and it will be my duty, I hope in a few days, to lay it on the table of the House. No steps will be taken as regards a Charter for the Catholic University till the House is in possession of the correspondence.

THE RITUAL COMMISSION.

QUESTION.

MR. WALDEGRAVE-LESLIE said, he would beg to ask the Secretary of State for the Home Department, Why the Second Report of the Ritual Commission, which was laid upon the Table of this House on the 30th April, by command of Her Majesty, has not yet been distributed among Members, and how soon it will be in their hands?

MR. GATHORNE HARDY replied that he was informed by the Secretary of the Commission that the reason of the delay was, that, attached to the Report, there was a large blue book of about 300 pages. He believed, however, that it would be delivered to Members to-morrow.

ARMY—FORTIFICATIONS—DOCKYARDS AND NAVAL ARSENALS.—QUESTION.

MR. O'BEIRNE said, he would beg to ask the Secretary of State for War, Whether he will place upon the Table of the House a Statement of the several Contracts entered into and still unfinished for work connected with or for the purposes of the proposed Fortifications for the defence of the Dockyards and Naval Arsenals, &c., of the United Kingdom and the Colonies, showing the date of each Contract; the nature of the work to be executed or material to be provided; the total amount to be paid; the extent of work executed or of material already provided; the amount already paid on account of each existing Contract; and the date fixed in each Contract for its completion?

Sir JOHN PAKINGTON: Sir, the best way to answer the Question of the hon. Gentleman is by reminding him and the House that originally the total Estimate for these works amounted in round numbers to £7,500,000. Of that amount up to the end of March last year rather more than £4,500,000 had been expended. I have no accurate statement of the exact amount expended up to the present time, but I would say that it is upwards of £5,000,000. I believe the hon. Gentleman himself will be able to calculate, he himself being, I apprehend, connected with one of the contracting firms, the amount which will be expended under contract. He is probably aware that of the whole sum of £7,500,000, all will be expended under contract with two exceptions—one, the amount paid for purchase of land; the other, about £500,000, which had to be expended, partly because of the difficulty in obtaining a supply of labour, and partly from the fact of the failure of one of the contractors. If the hon. Gentleman is desirous of receiving information on all those details, he should move for an unopposed Return, the Government would then give as many particulars as could properly be furnished.

Mr. O'BEIRNE begged to say that he was not in any way connected with any of the contracting firms. He would move for the Return as suggested by the right hon. Baronet.

ESTABLISHED CHURCH (IRELAND).

HER MAJESTY'S REPLY TO THE ADDRESS.

Viscount ROYSTON (Controller of the Household), brought up the following gracious Answer to the Address of the House to Her Majesty on the subject of the Irish Church:—

I have received your Address, praying that, with a view to preventing, by legislation during the present Session, the creation of new personal interests through the exercise of any public patronage, I would place at the disposal of Parliament My interest in the Temporalities of the Archbishoprics, Bishoprics, and other Ecclesiastical Dignities and Benefices in Ireland, and in the custody thereof.

Relying on the wisdom of My Parliament, I desire that My interest in the Temporalities of the United Church of England and Ireland, in Ireland, may not stand in the way of the consideration, by Parliament, of any measure relating thereto, that may be introduced in the present Session.

Mr. GLADSTONE: Having heard the gracious Answer to the Address of this House, I wish to give notice that tomorrow I will move for leave to bring in a Bill to prevent for a limited time any new appointments to the Church in Ireland, and to restrain for the same period, in certain respects, the proceedings of the Ecclesiastical Commissioners. I suppose it will be the wish of the House to have the Bill in print as soon as possible, and I will make a Motion to that effect at any period of the Sitting to-morrow when I may be at liberty to do so.

INDIA—ANCIENT MONUMENTS.

QUESTION.

Mr. LAYARD said, he would beg to ask the Secretary of State for India, Whether any progress has been made in appointing a Commission for the preservation of ancient monuments in India, and whether he is now able to lay the Correspondence on the subject upon the Table of the House?

Sir STAFFORD NORTHCOTE said, in reply, that the Governor General in Council had adopted a system, not only for the preservation of these monuments, but also for taking casts and photographs and forwarding them to this country. During the present year four parties had been sent out under the direction of officers of the Public Works Department who would select the monuments to be copied.

CAPE OF GOOD HOPE — BASUTO-LAND.

QUESTION.

Mr. CARDWELL said, he wished to ask the Under Secretary of State for the Colonies, Whether he will lay upon the Table Despatches from the Governors of the Cape or of Natal with respect to the affairs of Basuto-land?

Mr. ADDERLEY: I have, Sir, already stated to the House that the intention of Her Majesty's Government was not to assume the Protectorate of Basuto-land, but to enable the Natal Government at the request of the people to annex them, the Free State being a party to the transaction by agreeing to the boundary, and the Basutos agreeing to such taxation as should make their annexation entail no additional charge on the Government of Natal. As to what events have precipitated measures, we have not yet received any explanation. The reports from the spot which have reached the newspapers are certainly highly coloured and distorted, but the Boers' invasion and devastation of Basuto-land have probably been the cause of hastening and necessitating measures of precaution. Sir Philip Wodehouse has moved up to the spot with the Cape Mounted Police, and with no other force, but he has delayed forwarding his communications. We hear, however, that he has been well received, even in Dutch quarters. As soon as despatches are received from him the whole Correspondence shall be laid upon the table of the House.

IMPORTATION OF CATTLE.

QUESTION.

Mr. CORRANCE said, he wished to ask the Vice President of the Committee of Council on Education, Whether the exemption contemplated in favour of Spanish or Portuguese Cattle landed at Liverpool or Southampton will extend to their admission into the Islington Market subsequently to the separation of the Markets by the Metropolitan Foreign Cattle Market Bill?

Lord ROBERT MONTAGU replied that the markets had not yet been separated by the Metropolitan Foreign Cattle Market Bill, as the Bill had not become an Act. When the occasion arose, he had no doubt it would be considered by the Privy Council. In the meanwhile, he must decline to answer a hypothetical Question.

ROYAL COMMISSION ON RAILWAYS.

QUESTION.

Mr. HORSFALL said, he wished to ask the Vice President of the Board of Trade, If the Report of the Royal Commission on Railways has received the consideration of Her Majesty's Government; and whether they are prepared to introduce legislative measures founded thereon?

Mr. STEPHEN CAVE said, in reply, that the Board of Trade had given most serious and careful attention to the Report of the Commissioners, and a large portion of the Government Bill brought in by the President, which was in an advanced stage elsewhere, and would be shortly laid before that House, was based on recommendations contained in that Report. There were, however, several suggestions not included in the Bill of this Session. Some very important ones with reference to Private Bill legislation seemed to be rather within the province of the Standing Orders Committee; others to be matter of arrangement for railway companies themselves; while others, such as the recommendation of prosecutions by the Board of Trade, the Government could not adopt without further information and consideration.

PUBLIC ACCOUNTS.—RESOLUTION.

Mr. DILLWYN said, he rose to move the Resolution of which he had given Notice. The subject was one of great importance, and well deserved the attention of the House. Unless there were some means of controlling the public expenditure, it would be very easy for the Government to ask a larger sum for a popular purpose than was required, and to apply the surplus to a less popular branch of the service. Accordingly, at the end of each Session the Appropriation Act was passed, and an examination of the accounts was, of course, necessary to see that the requirements of the House had been complied with. Up to a recent period the audit had been conducted by and on behalf of the Treasury; but in 1856 the Committee of Public Moneys was appointed, and various irregularities were brought to light, which induced the Committee to recommend that the system of audit should be altered, and that it should be transferred from the control of the Treasury to that of the House. In 1866 an Act of Parliament was passed altering the system, and expressly laying down the principle that the audit of public accounts should be made on behalf of the House of Commons. It was perfectly clear that the relative positions of the Audit Department and of the Treasury were thereby altered. The Treasury now stood in the same relation to the House of Commons as the Accounting Department before did to the Treasury, and the Audit Department now stood in the same relation to the House of Commons as it formerly did to the Treasury. The House of Commons found the money, and the Executive Government spent it; but the House of Commons nevertheless allowed the control of the Department which audited the public accounts to remain in the hands of the Treasury. They all knew that a man could not serve two masters; and in case of a collision taking place between the Executive and the Legislature—which he sincerely hoped would never happen—it was natural that the Auditors, who were controlled by the Treasury, would avoid displeasing those to whom alone they could look for promotion. It was stated that there was very little control exercised over the Audit Office by the Treasury, and he admitted and believed that to be true; for he wished to state here, once for all, that he had no imputation to make against the Treasury, either of the present Administration or the past. He was dealing with principles and not with persons. He would shortly show what the control exercised was. First, he must say that the very abolition of the Audit Board, and the substitution for it of one individual, was, he thought, a mistake, as one man was not so well calculated to withstand the pressure of the Treasury or to give the requisite time for the performance of the duties of audit as a Board was. By the Act regulating the new Audit Department, it consisted of an Auditor General and an Assistant Auditor, both of whom held patent offices, and it might be supposed, therefore, at first sight, that their position was really as independent as that of a Judge. After them came an army of inspectors, clerks, and so forth, who were required to carry on the work of the Office. With regard to the Auditor General, the Act provided that he should have a salary of £2,000 a year paid from the Consolidated Fund; but there was a curious proviso at the end of the clause to the effect that, if he desired it, he might come upon the Superannuation Act, by which the Government would have the power of rewarding him according to their sense of his merits, as well as of enabling him to retire from the service upon an allowance before his full time was expired. The Assistant Auditor might do the same thing, but he had officially very little power; because, unwisely as he thought the House had struck out a proviso by which the Assistant Auditor would have been enabled, in case of a difference of opinion arising between himself and the Auditor General, to report separately to the House. If they had allowed that arrangement to stand they would have had two concurrent officers instead of one; and, in the case of a difference of opinion between them, it was important that the House should be informed of it. As it was, however, the Assistant Auditor was little better than a head clerk. From these considerations he thought the Treasury had great power over the heads of the Department; but in the lower offices they had still more, for they not only had the power of appointment, but of reward and advancement, so that unless they rendered themselves acceptable to the Treasury, the inspectors, clerks, and other subordinate officers had no hope of advancement in the Civil Service. They had also power to regulate the duties of the clerks; and they had exercised that power in a way which he thought was detrimental to the public interests, for they had reduced the number of classes from four to three, by which the chances of rising in the service were to a corresponding extent diminished. He thought, therefore, he had made out the terms of his Resolution, that the control and audit of the public Revenue ought to be independent of the Treasury, and directly responsible to that House. He thought he had also made it clear that that independence and direct responsibility did not exist at present; and, therefore, that the system called for a thorough revision. But, by a revision, he had no desire in any way to restrict or impede the operations of the Treasury. They were an Executive Department of the State, and they often had to perform their duties in haste and under much pressure; and he had no doubt that they almost always acted in good faith. If occasionally they were wrong it probably was not from bad intention; but, whether from bad intention or not, that House ought to be the judge. He would not have the Audit Department interfering with the Treasury. It was not an Executive or interfering Department, but merely one intrusted with the examination of accounts, and the duty of reporting to the House in respect of them. It might be said that the Audit Office was under the control of that House, as it was in direct communication with the Committee on Public Accounts; but he could not think that that control was very efficient. The Committee was, no doubt, composed of very able men, but they had not the means of checking the accounts. The two Members who understood the subject best were the only two Members who were not likely to throw light upon them—he meant the Secretary to the

Treasury and the ex-Secretary—and they represented the men who were to be put on their trial. There were also independent Members on the Committee, like the hon. Member for Peterborough (Mr. Hankey); but these Gentlemen could not be expected to devote their whole time to the examination of the public accounts. What he wished to suggest instead of the present system was the appointment of a Standing Committee of the House, who should have the Audit Department under their direct control. The Auditor General would be their officer, and would be in direct communication with them; and they would then have some hope of knowing where deviations from the Appropriation Act had occurred in the administration of the finances of the country. It had been said that this was a moribund Parliament, and that it represented an expiring Constitution. For his part he did not look with any apprehension to the result of the Bill of last Session — although they should look forward to great changes. But it was desirable, he thought, to point out to the new Parliament—who would be new to the work—that, in the opinion of the present House, the present machinery of the Audit Department was defective in the respects pointed out by his Resolution. He hoped to have the support of the Government for the views which he now advocated, and which were, indeed, admirably summarized in a speech made by the present Prime Minister, in April 1856, in which the right hon. Gentleman said—

> "An audit administration should be complete and independent. The whole accounts of the country should be placed under its control, and it ought to be responsible directly to that House."—[3 *Hansard*, cxli. 700.]

SIR GEORGE BOWYER, in seconding the Motion, said, he had always been of opinion that the Act of 1866 was a mistake, and had been founded on wrong principles. One great objection to it was that it united together two functions that ought never to have been combined — namely, the office of Controller General of the Exchequer with that of Auditor General. The Controller General was the chief accountant of the Crown — all the public monies stood in his name; but no accountant ought to be an auditor. Take the case of any public company or great commercial establishment. What would be thought if the person to audit the accounts was the cashier of the company? Would a gentleman allow his accounts to be audited by the steward who received his rents; or a shopkeeper employ to audit his accounts the man who had the control of the till? It was absurd, then, that the accountant of the Crown should be also the chief and, indeed, the only auditor of public accounts. That was a fundamentally vicious system. It appeared also to him that the Audit Department, to be efficient, should be a great and powerful Department — directly responsible to the House, and having complete control over the business it had to do, and not a subordinate Department. The Court or Chamber of Accounts at Paris was not a subordinate Department of the State; it was what was called a Sovereign Court. Besides its mere accounting power it had a judicial power over accountants, might order them to bring in their accounts at particular times, prescribe by what vouchers and other documents those accounts should be supported, and so forth. This seemed to him to be a model accounting system. It had been laid down on high authority that every Department should have a complete control over its own business; but the Board of Audit formerly, and the Accountant General now, had no such power. Accounts were sent in, and, if anything was wrong, it was queried and sent back; but there was no power of compelling the Auditor to answer queries; and, in case of default, there must be a reference to the Treasury, who would instruct the Attorney General to proceed against the accountant. There was another defect. Sometimes the Board of Audit were very much encumbered with business; at other times it had scarcely anything to do. The reason was because the Board of Audit had no power to regulate its own business, to prescribe the times at which the accountants should bring in their accounts, or to compel them, unless by a roundabout process, to produce documents or vouchers, or to answer questions. They might make an order on the accountants; but, if the accountants did not obey, there was no remedy. They might call the spirits; but, if the spirits did not come, they could do nothing. Therefore the Audit Department was practically impotent to perform its duties, as it was in the hands of the accountants and of the Treasury. Now, the Audit Board ought to have the power—if necessary, by taking him into custody—to compel an accountant to appear before them. They ought to have a power similar to that of the Courts of Law of committing for contempt. He was convinced that, until the Board received independent powers over accountants, the audit of the public accounts would always be a matter of mere form. When he was a Member of the Public Moneys Committee, he remembered that the Audit Board was examined as to their functions, and it appeared that they were very much afraid of the Treasury—that they would not presume to ask any questions of that Department, or meddle with it in any way whatever. Now, the Audit Board ought to be supreme, so far as the functions of audit went, over all the Departments of the State; it ought to be able to call them to account and exercise authority over them. Of course, it was much easier to bully an individual than a body of men. Not that he meant that the present or the late Government would do such a thing; but Parliament made laws to restrain, not good men, but bad; and times might come when the Treasury or the Government might choose to put a pressure on the Auditor General, which he, as an individual, might not have the power to resist, or who might be willing to give way; and, if he were willing to become subservient to the Government, he would do so without fear of detection. The Audit Board was little better than a Department of the Treasury. When the Bill on the subject was under discussion, he suggested that the Auditor General ought to have the appointment of his own officers, so that he might have people around him on whom he could rely; but, at present, all his officers were appointed by the Treasury, and might, therefore, have interests adverse to him. In fact, the clerks might, in some instances, be spies upon him — they might take the part of the Treasury against their superior, and be made use of by that Department to hoodwink or deceive. They all knew what "cooking accounts" meant; and the Auditor General might find it extremely difficult to prevent that curious art from being exercised in his Office. In the Public Moneys Committee, the late Mr. Wilson, then Secretary to the Treasury, took a very active part in the proceedings, and his view was, that there should be little or no control over the Treasury; that all monies should be paid into that Department; and that it should do exactly what it liked. But that was not the view of the majority of the Committee. Now, the Treasury was an encroaching Department; it had the greatest power of any Department in the State, because it bore the purse, and therefore it should be looked upon with a certain amount of jealousy, and kept under control. But the whole tendency of their legislation of late years had been to make the Treasury more and more independent—in short, to constitute it the master of all other Departments in the State. That he thought very objectionable policy; and, if there was one Department over which the Treasury should not be allowed to have control, that Department was the Board of Audit.

Motion made, and Question proposed,

> "That those who conduct the audit of Public Accounts on behalf of the House of Commons ought to be independent of the Executive Government and directly responsible to this House; and that, inasmuch as the appointment, salaries, and pensions of the officers entrusted with the conduct of such audit are more or less under the control of the Treasury, the present system is one which imperatively calls for revision."—(*Mr. Dillwyn.*)

MR. THOMSON HANKEY, while admitting that the Audit Department was open to improvement, contended that it was far superior to the arrangements which existed prior to 1856. Any one taking the trouble to examine the accounts presented by that Department could inform himself extremely well of the mode in which the public money voted by the House had been expended. His hon. Friend (Mr. Dillwyn) had urged that the audit should not rest with any Department which was concerned in the expenditure, and the case of a steward appointing his own auditor had been mentioned. This, however, was not the principle on which the Audit Board was established. The Treasury was responsible to the country, and should alone possess the power of controlling the expenditure of the public money. To take away the power of controlling the expenditure from the Treasury, and place it in the Audit Department, would be to uproot every principle which obtained in this country with regard to the expenditure of public money. The Treasury was necessarily the spending Department, and all that Parliament could do was to ascertain that the money voted had been expended in the manner directed by the Appropriation Act. His hon. Friend had argued that the Auditor General ought to be independent; but this was already the case; for, though appointed by the Government of the day, he became, when once appointed, independent both of the Government and of Parliament. As to the proposal that he should nominate his own clerks, it must be remembered that he had no communication with the House. He would necessarily, therefore, have to apply to some Department for their salaries, and to what Department could he apply but to the Treasury? Under the present system the clerks were appointed by the Government, who were responsible to Parliament, and their salaries were voted by the House. Thus Parliament had really more control over these officers than if they were appointed by the Auditor General, independent of Parliament. Several years used formerly to elapse before the application of the sums voted by Parliament could be entirely tested; but he believed that during one Session the expenditure of the previous Session was now thoroughly audited and laid before the House. He believed this point had been nearly reached, and it ought, at all events, to be aimed at. With regard to the Controller of the Exchequer, Controllers had very different functions in different Departments, and that officer had nothing to do with the expenditure. All he had to do was to satisfy himself, before the Treasury could draw 1*s*. of the annual supply from the Bank of England, that it had been authorized by Act of Parliament. He admitted that the accounts might be simplified and rendered more intelligible; but there was no ground for regarding the present arrangement as a retrograde one, or for supposing that the system proposed by his hon. Friend (Mr. Dillwyn) would be an improvement.

Mr. POLLARD-URQUHART said, that, having read with some attention the evidence taken before the Public Moneys Committee, he felt inclined to concur in the views of the hon. Member for Swansea (Mr. Dillwyn) and the hon. Member for Dundalk (Sir George Bowyer) rather than those of the hon. Member for Peterborough (Mr. Hankey). Mr. Romilly, in his evidence before that Committee, said—

> "If a subordinate officer were placed at the Treasury for the purpose of audit, it would be a system that could hardly command confidence, and certainly would not be entitled to it. There is a very great difficulty in a Board checking the great public Departments. . . . In the case of the army and navy accounts there is an appeal to the superior authority of the Treasury, and the Treasury themselves have the power of deciding on disputed points. The check is one over which the Treasury have full control. . . . The check would be very different if it were to be exercised not by, or on behalf of, the Treasury, but over them. There is always a risk in checking the accounts of any Department by officers placed in that Department, that these officers become part and parcel of that Department."

Mr. Romilly's opinions on this subject were entitled to great consideration. Alterations had since been made, and the Audit Board now exercised an important function in seeing that all expenditure was in conformity with Acts of Parliament. It might be said that this was a mere matter of form. Lord Monteagle's experience certainly was to the contrary; for in his time there were several differences with the Treasury. And if control and supervision were necessary in the days when the Controller General and the Audit Board were separate, it was much more necessary now that these two Departments were united. Every Opposition found fault with the Ministerial Estimates; but when they in turn succeeded to power, the tendency was always to increase, and not to diminish. The people of this country wanted to know the reason why expenditure, which was always represented in the first instance as merely temporary, was suffered to become permanent, and they called, and would call more strongly hereafter, for an account distinctly stated. The necessity for some impartial and external audit was evident. This might be thought a small matter; but the real fact was that all attempts at improvement had been but gradual and tentative since in 1780 the great jobbery of that day first attracted the attention of Burke. There was still room for more improvement, It was very easy to those versed in figures to make an account appear perfectly fair. while all the time it covered very gross extravagances. The hon. Member for Swansea (Mr. Dillwyn) had rendered good service in calling attention to the matter, and he should certainly support him if he went to a division.

Mr. WHITE said, he was much surprised that the language of the hon Member for Peterborough (Mr. Hankey) varied so widely from what it was a little time ago, on this very question. The present system of audit was established under the Act of 1866 (29 & 30 *Vict.*, c. 39) "An Act to Consolidate the Duties of the Exchequer and Audit Departments; to regulate the Receipt, Custody, and Issue of Public Moneys, and to provide for the Audit of the Accounts thereof." When that Bill was read a second time the hon. Member for Peterborough said "it was practically an abolition of all control over the issues of Votes in Supply." And he

(Mr. White) then and now was of the same opinion. The question now raised, although dry, was, in its ultimate bearings, of deep interest to the taxpayers of this country. He must premise that he could not agree with the hon. Member for Dundalk (Sir George Bowyer) in his commendations of the previous system. How utterly inefficacious that system was would be admitted on the showing of Mr. Anderson before the Select Committee on Public Accounts in 1866, to wit, that out of an army expenditure of upwards of £14,000,000 the Audit Board objected only to the appropriation of sundry items, together amounting to £295 5*s*. 10*d*. Thus, this audit was really no audit of disbursements, but merely an examination of accounts. Again, under the old system Sir George Lewis, when Chancellor of the Exchequer, admitted that the Exchequer accounts were never audited, whilst the cost of the Audit Board was about £40,000 per annum. Under the new or re-organized system he (Mr. White) found that 127 persons were in the Audit Department at an annual charge of £42,000, an amount, he ventured to think, which ought to be adequate to secure the thorough performances of its very important duties. He regretted that the Audit Bill of 1866 had not been modified in accordance with the recommendations of the Select Committee on Public Moneys, to which Committee it had been specially referred. Their idea was that the public audit should be made a really great and independent Department of the State, but responsible only to the House of Commons for the proper performance of its duties. They were of opinion also that there ought to be an Assistant Auditor, possessing co-ordinate authority with the Auditor General, and bound, in case of difference, to report the same to the House. Now, however, all power and authority was vested in one officer, with the double title of Controller and Auditor General. He should hereafter show that the Controller and Auditor General was controlled by the Treasury, whose issues he ostensibly controlled and whose accounts he ostensibly audited. Thirty-seven years ago Sir John Bowring was sent by the then Government to examine and report on the method of keeping and auditing the public accounts of France. He thought the late Ministry need not have disdained to copy from our neighbours in that respect, seeing that Mr. Cobden had told him that he considered the French system to be so far perfect that it had long proved to be completely efficacious in providing against all malversation or misappropriation of the public moneys. He (Mr. White) was impressed with the conviction that the House must amend the present system of audit before it could get a practical control over the public expenditure. And the first step to be taken was to make the Audit Department entirely independent of the Treasury and alone responsible to the House of Commons. He held that the Auditor General should be permitted to appoint his own clerks and assistants as the Judges now did. Seeing that our normal expenditure was now £18,000,000 more per annum than it was a few years ago, he must be forgiven if he expressed a profound distrust in the Treasury as a supervising administrative department. It seemed to him an obvious anomaly that the Treasury should be empowered by the Act of 1866 to control the Controller and Auditor General. Our financial history was replete, unhappily, with gross frauds, malversations, and wrongful appropriations of public moneys. He found the first Return issued under the new audit was an account of the public income and expenditure, by which he learned the bare, unpleasant fact that the "excess of total expenditure over income in the year ended 31st March, 1868, was £2,166,023 13*s*. 6*d*." It was true, that the Chancellor of the Exchequer, when making his Fnancial Statement had blandly assured the House that he had exceeded the vast Estimates originally voted for the Army, Navy, and Civil Services. He (Mr. White) thought full printed explanations should be uniformly given for any expenditure not previously voted in Supply. And he would recommend to the Government, as a model for imitation, the Return moved for by the Secretary of State for India (Sir Stafford Northcote) in 1862, giving the amounts of excesses of Admiralty expenditure in the previous year, with the explanations assigned for those excesses by the Accountant General of the Navy. As illustrative of the practical dependence, the virtual subordination of the Audit Department to the Treasury, he would only refer to some of the clauses in the Act of 1866, under which it was now constituted. He found by Clause 8 of that Act that the Treasury was empowered to appoint officers and clerks, and to regulate their numbers and salaries. And by Clause 30 the Auditor-General, with consent of the Treasury, may dispense with an examination of vouchers. Besides this, by Clause

43, any Accountant dissatisfied with any disallowance or charge in his accounts made by the Auditor-General may appeal from his decision to the Treasury, who may direct the relief of the apellant, wholly or in part. And the same Clause declares that "the Controller and Auditor General shall govern himself accordingly." He would then ask was it not absurd to pretend that the present system of public audit was a valid and efficient one? With perfect confidence in the integrity of the present Controller and Auditor General (Sir William Dunbar) he could not help fearing, mayhap some years hence, there might be some startling evidence of the inefficacy of the present method of check and supervision of the public expenditure. Some of his hearers could not already have forgotten the gigantic Exchequer fraud perpetrated by Beaumont Smith. Besides, he (Mr. White) must remind the House that some men, and even officials too, have very misty notions of what were the functions or duties of an auditor. A remarkable instance came under the cognizance of the House only a few years back. The auditor of the Duchy of Lancaster—although holding a patent office—was summarily dismissed because he required to know whether the balance alleged to be lying at the banker's was really in their hands—the neglect of which simple precaution, by the way, enabled Pullinger to rob the Union Bank of £250,000. The Attorney General of the Duchy was asked by the Committee whether the auditor, if called upon by a Minute of the Chancellor, or Council of the Duchy, to sign a bill or document which, to his knowledge, was a misappropriation of the property, or contained any fraudulant act upon the property of the Duchy should do so, on the mere production of the Minute. The answer of the Attorney General of the Duchy was—

> "Yes; I have no doubt, in his pure character of auditor, although he was aware the Chancellor had either committed a fraud in passing the Resolution, or had been imposed upon by fraud; if the Chancellor persisted in the Minute, it would be the auditor's duty to sign it."

He had said enough, but he trusted in no carping or captious spirit. His sincere desire was to secure such a system of public audit as should deserve the public confidence. The House should not forget what had happened, and what might happen, unless proper checks and safeguards were provided by Parliament. As custodians of the public purse they should ever remember the terse dictum of Lord Lyndhurst, "That jealousy, not confidence, is the eternally governing principle of the British Constitution."

THE CHANCELLOR OF THE EXCHEQUER said, it was right that the House of Commons should be satisfied that the audit of the public accounts should be entirely independent; but had any case been made out against the independence of the Audit Department? The hon. Member for Peterborough (Mr. Hankey) had so fully and clearly answered the hon. Member for Swansea (Mr. Dillwyn) on that point, that he (Mr. Hankey) had relieved him from a great part of the duty which otherwise it would have been incumbent on him to perform. There seemed to be some confusion in the minds of the hon. Gentleman who made the Motion, and of the hon. and learned Baronet who seconded it, as to the functions of Controller and Auditor General. They had spoken of that officer as an accountant in one capacity and an auditor in another. Now, he did not understand in what sense the Controller and Auditor General was an accountant [SIR GEORGE BOWYER: As Controller General he is an accountant, but as Auditor he is not an accountant.] The hon. Member for Swansea said that the whole of the public money was paid into his account; no doubt the money was paid into the Exchequer acccount; but it should be remembered that the Controller and Auditor General had not the power of drawing money from that account. The Treasury had to make application to the Controller and Auditor General; and when he had satisfied himself of the legality of the demand, he gave credit to the Treasury for a certain amount. But when that was done it was the Treasury, and not the Controller and Auditor General, who were concerned with the issue of the money. When it was issued, then came in the function of the Controller and Auditor General as Auditor, to see that the money had been spent in accordance with the provisions of the Appropriation Act. It appeared to him that there was now a very proper and stringent system of check; and, as far as the Act had been tried, he must say it had worked well. He might remark that the present Government were not responsible for that Act, which was introduced by the late Government, and had received the sanction of the Committee on Public Accounts. The only fault, as far as he was aware, to be found with the Act, was that the alteration which it introduced has been pressed forward somewhat too hurriedly; and the consequence was that no little difficulty had been experienced in giving effect to its provisions. In all other respects it had worked well. The hon. Member for Peterborough (Mr. Hankey) had shown the great improvement which had been brought about by the Act with regard to the check on the expenditure of the public money. The hon. Member for Brighton (Mr. White) had quoted certain expressions made use of by the hon. Member for Peterborough on the second reading of the Bill, previously to its being sent to the Committee on Public Accounts. The hon Member for Peterborough, however, served on that Committee; and if, after a careful examination of the Bill, he became satisfied with regard to its provisions, the hon. Member's more matured opinion ought surely to be taken in preference to that which he expressed on the second reading. But it was said that the Controller and Auditor General was not really independent; and that was the point to which he would now address himself. Certainly, if he was not independent, he ought to be made so; but he maintained that he was independent, and he did not think there was any force in the arguments which had been adduced this evening with the view of showing that he was not independent. It was true that he was appointed by the Government of the day; but so was every public functionary in this country. It was obvious, indeed, that the Crown must make the appointment; for he did not imagine that even the hon. Member would propose that the Controller and Auditor General should be elected by the House of Commons. It ought to be borne in mind that the Controller and Auditor General held his Office by patent during good behaviour, like the Judges of the land; and that, consequently, he could only be removed by an Address of both Houses of Parliament. As regards his tenure of Office, therefore, no one could deny that he was completely independent. But it was also alleged that he was not independent because he did not possess the power of appointing his own officers. Now, considerable difficulty would arise if a person who was debarred from sitting in that House had the appointment of officers in the Audit Department. But let the House consider what was the nature of those appointments. At present, if a vacancy occurred in the Department promotions were made; the result being that a junior clerk's place had to be filled up by the Treasury; and the hon. Member would surely not pretend to say that the appointment of a junior clerk by the Treasury really interfered with the independence of the Controller and the Auditor General. The hon. Member, however, had remarked, and with truth, that a junior clerk might in course of time attain to the highest posts; but he had overlooked the circumstance that, under the Act, all promotions in and removals from the Office were entirely in the hands of the Controller and Auditor General. Consequently the officers were not dependent, in regard to their promotion, on the Government of the day. Then an objection was raised by the hon. Member that the Treasury had the power of fixing the amount of the retiring allowance of the Controller and Auditor General and of other officers in the Department. Now, in point of fact, the Act prescribed the limits within which those allowances might be granted; or, if those provisions were not resorted to, the retiring pensions were to be granted under the General Superannuation Act. If any special pension were awarded to the Controller General, or any other officer in the public service, beyond the limits laid down in the Superannuation Act, it was necessary that a special Minute should be made and submitted to the House of Commons, which of course had then a full opportunity of considering the matter. In regard to the salaries in the Audit Office, it had been pointed out by his hon. Friend opposite that the Controller and Auditor General, not being a Member of that House, was unable to bring forward any Estimates for the salaries in his Office. The salaries had to be submitted to a Vote of the House; and if the Treasury were to make them unduly high for the purpose of obtaining influence, the vigilance of the House would soon detect such proceedings. It could not, therefore, be said that this was a matter which really interfered with the independence of the Office. Allusion had been made to the Treasury determining what should be the form of the accounts. The Treasury had been endeavouring to adopt such forms of accounts as would correspond with the Estimates; and since the Treasury settled the form of the Estimates, it was desirable that they should settle the form of the accounts also. No great stress could be laid on that circumstance, which certainly did not interfere in any way with the independence of the Controller and Auditor General. He was of opinion that, by the operation of the Act, the House would gain a complete knowledge of the manner in which the public money had been expended. At present it could hardly be said that the Act was in full operation; and he had been informed by those who were well acquainted with the subject, that three or four years would probably elapse before the system got into perfect working order. He did not say that it might not be necessary to introduce some modifications into the Act; but he must express his opinion that its principle was a sound one, and that, as far as experience went at present, it had worked remarkably well.

Mr. O'REILLY said, he was of opinion that a considerable improvement had been effected in the system of audit by the Act of 1866, for which the country was mainly indebted to the right hon. Gentleman the Member for South Lancashire, but that it was still in some respects deficient. The Audit Department ought to be an independent one, responsible to Parliament alone, and its duty should be to see that the money voted in the House of Commons was applied to the purposes for which it was voted. Therefore, the Audit Department should be supreme in respect of audit over all other Departments, and responsible only to Parliament. Within his own Department the Auditor General ought to be supreme and independent. The Select Committee recommended that the Assistant Auditor General should have the power of reporting separately to Parliament; but it would have been most undesirable to give effect to that recommendation. It was inconsistent with one of the main objects of the measure, which was to substitute individual responsibility for the divided responsibility of a Board. The proposal was a sort of compromise between two things, either of which alone might have been desirable; but of the two he preferred individual responsibility. The matter is very clearly stated in the Correspondence laid before Parliament last year. It said—

> "The main object of substituting for the Board of Audit a single chief with supreme authority in the Department, is to fix the whole responsibility of the due execution of all the duties upon one public officer. It is true the Bill emerged from the Select Committee with some important alterations. A power was given by it to the Assistant Controller and Auditor, to report jointly with the Auditor General. On what grounds this change was proposed by the Committee it was difficult to say, as they neither took evidence on the point, or made any allusion to it in their Report to the House. When the Bill came back in its amended form to the House, it was pointed out by several Members, and among others by the right hon. Member for Oxfordshire (Mr. Henley) that the proposal to assign co-ordinate functions to the assistant officer was inconsistent with the measure itself, one of the purposes of which was to substitute individual responsibility for the divided action of a Board. The Chairman of the Select Committee (Mr. Bouverie) represented to the then Chancellor of the Exchequer the desirableness, on public grounds, of omitting the provision in question. This suggestion met with Mr. Gladstone's ready acquiescence, as it was an admission of the soundness of the original views of the Government—that on the supercession of the Board of Audit, individual responsibility was the only alternative basis upon which the business of the Consolidated Exchequer and Audit Department could be satisfactorily conducted."

It did not seem a practicable proposal to have a Standing Committee of that House associated with the Auditor General, who would be able to throw responsibility upon them. The Auditor General should be the supreme and final authority as to the form in which the accounts should be made out. Much was said of "Departmental audit;" but that was simply an Office examination of accounts, and could not be spoken of in the sense of an Appropriation audit, the object of which was to see that money was spent under proper authority from the Treasury. The audit of the India Office accounts was first intrusted to an auditor at £200 a year; a more adequate salary had since been paid, but it would be well if the India Office accounts were also submitted to Parliamentary audit. With regard to the Motion of his hon. Friend the Member for Swansea (Mr. Dillwyn), he thought it was substantially right in its spirit; but, in his opinion, it was not necessary that it should then be pressed upon the consideration of the House.

Mr. CHILDERS wished to say a few words on a question which had been brought forward so much to the public advantage by the hon. Member for Swansea (Mr. Dillwyn). Many interesting questions had been raised in the debate, such as the audit of Indian expenditure and other matters, which would doubtless be again brought forward; but he would confine himself to two—namely, the importance of securing in the Executive Government a proper system of control over the public expenditure, and, in the Audit Department, a proper system of audit for the information of the House; and these two things had been in some respects a little confused. On the first he deprecated the language of his hon. Friend the Member for Dundalk, who said the House should be jealous of the power of the Treasury over other Departments, and several hon. Members, perhaps without weighing their language, had spoken of the Treasury, as a great spending Department. Now there certainly were large spending Departments, and over these it was necessary that the House should strengthen the control of the Treasury, removing from it the idea that it was a spending Department and resisting the tendency to place the expenditure of money in the hands of the Treasury. If this were always done, the Treasury would be and should be considered the instrument of and fellow-worker with this House in the cause of economy; and, considering the little financial control now exercised by Parliament, if the House were jealous of the Treasury and gave expression to that jealousy, the Departments would be unrestrained. Coming to the question of audit, it was quite true that until 1833 the audit of the public accounts of the country was conducted simply for the Treasury, and for no one else. There was no Appropriation audit. All this was now at an end. By the Act of 1866 the whole of the public expenditure—and not only the Army and Navy Services and some Civil Votes which had been regulated by intervening Acts—will be subject to Appropriation audit. Instead of an irresponsible Board, an Auditor General, holding Office by the tenure of a Judge, had been appointed and he had absolute control over the promotion of his officers and the business of his Office. The hon. Member for Swansea (Mr. Dillwyn) said that the Audit Department ought to communicate their accounts direct to Parliament. But the Act directed that the Audit Commissioners should send the accounts direct to Parliament in case the Treasury did not do so within a specified time. The hon. Member also said the Auditor General ought to have the power of selecting his officers. But, except first appointments of young men of eighteen or twenty, he had absolute power in the promotions of his officers, and could remove or dismiss them as he liked. As to the pension of the Auditor General, no doubt he was entitled to a fixed pension and to no more; but if he had served in any other public Department he would have a right to a fixed sum in regard to that service. The whole question resulted in whether or not any practicable amendment of the Act of 1866 could be suggested, or anything could be advanced which would justify them in altering it. But the result of the working of that Act would not be apparent until next year, and it would be absurd to amend an Act before they had a practical experience of its working. Before 1866 questions respecting pensions, appointments, promotions, and so forth, were settled by the Treasury, and the Audit Board was a subordinate Department; but the Act of 1866 made that Board independent of the Treasury. It had been suggested that the clerks of the Audit Office ought to be appointed by this House, or by a Committee of the House, or by the Speaker; but he thought the House would pause before assuming patronage of that kind. He was as anxious as anybody could be to make the Audit Department independent, and to carry out reforms in the system. He believed that reforms might still be made with advantage in that system, but nothing had yet occurred to require amendment of the Act. Some remarks had been made as to the impropriety of placing officials or ex-officials on the Committee upon Public Accounts. The position he held upon that Committee was no doubt one of honour, but it also involved great trouble and labour, and he could only say that if any section of the House did not think he was likely to fill the position impartially, he should very gladly relinquish it. If, however, all those who had had experience of the public accounts were to be withdrawn from the Committee, and if the duties cast upon the Committee in reference to audit were at the same time to be increased, he was afraid that the control over the public expenditure and accounts would take a much longer time to work out than it did at present. He hoped that under all the circumstances his hon. Friend would not divide the House upon an abstract Resolution.

Mr. DILLWYN said, he was by no means satisfied with the explanation or the interpretation put upon the Act of 1866 by his hon. Friend (Mr. Childers). What he desired was to secure that, as far as possible, the audit of public accounts should be wholly independent of the influence of the Executive, and that was what was recommended by the Committee on Public Accounts, as an audit in connection with the Treasury gave the Executive a very obvious power of control. He had no wish to interfere with the free action of the Executive; all he wanted was to secure a complete Report to Parliament of how the money voted was expended. He should therefore feel it is duty to persist in his Motion.

Mr. GLADSTONE rose to make an appeal to his hon. Friend. He begged him to observe the position in which he proposed to place the House. The Motion consisted of two Resolutions, the first of which was—

> "That those who conduct the audit of Public Accounts on behalf of the House of Commons ought to be independent of the Executive Government, and directly responsible to this House."

Now that was a proposition which was full of undeniable and sound doctrine. The Audit Department ought to act on the part of the House of Commons, and ought to be directly responsible to that House so far as it was in the power of the Executive Government to make it. It was impossible to deny that proposition, and why, then, should his hon. Friend make the House divide upon it? The only course that could be taken against his hon. Friend would be to move the Previous Question; but that was a course which he should be loth to adopt, as it would seem like placing an obstruction in the way of his hon. Friend, whose object was a rational one. When once the House had got a fair sample of the working of the Act of 1866 in the shape of the accounts produced under that Act, then, if there was a sentiment on the part of his hon. Friend or the House that there ought to be further inquiry and that further legislation might be needed, he should think it extremely unwise on the part of the Executive to place any obstacles in the way; because if there was any jealousy felt by the House of Commons, that jealousy would be sure to be stimulated by any resistance of the Government, even though plausible reasons might be given for that resistance. If a portion of the representatives of the people entertained jealousy and suspicion with respect to the machinery provided for auditing the public accounts, the existence of such feelings would be a good reason for granting any further inquiry which might be demanded. But his hon. Friend, he thought, would see that it was not desirable for the dignity of that House to call upon it to assert this first proposition as an abstract Resolution; for every one, whether on the Opposition or the Treasury Bench, must be of one mind with his hon. Friend on the subject. The second Resolution, as a matter of fact, was more doubtful. That Resolution was—

> "That, inasmuch as the appointment, salaries, and pensions of the officers intrusted with the conduct of such audit are more or less under the control of the Treasury, the present system is one which imperatively calls for revision."

Now, the words "more or less" made a very important difference, for if the salaries and pensions were "more" under the Treasury, or, in other words, if they were to a considerable degree under it, the system might call for revision. But if they were but little under the Treasury, the call for revision might not be so imperative. The House had not really got the facts to enable it to judge how the new system was working, and he thought it would be very disadvantageous to the cause which his hon. Friend had taken up if he were to insist on the House giving judgment before the materials of that judgment were in their hands. He hoped, therefore, his hon. Friend would not force a division in a case in which the apparent weight of authority against him might produce an effect unfavourable to the object he had in view.

Mr. DILLWYN said, he could not resist the appeal which had been made to him by his right hon. Friend.

Motion, by leave, *withdrawn.*

LOCAL CHARGES ON REAL PROPERTY.

RESOLUTION.

Sir MASSEY LOPES said, it was with no little diffidence that he rose to move the Resolution that stood in his name. The subject to which it referred created no inconsiderable interest at the present time. The principle which it involved was grave and important; and should it be necessary for him to make any apology to the House for introducing so difficult a question, his excuse must be that for many years he had interested himself in the administration of local burdens; that he had always felt strongly the injustice of the present mode of assessing them; and in the western counties, in which he resided, this subject had been very ably and very anxiously discussed. He advocated this proposal on the broad principles of right and justice. He was neither animated by any party or political spirit. He was happy to think that this question was quite remote from the arena of party politics. Neither was he influenced by class interests, for no man in that House felt more than he did that the prosperity of the community at large depended on that of every class; and he would be the last man to say or do anything which should be detrimental to any class whatever. The Resolution which he had the honour to introduce affirmed three distinct propositions—namely, that the local burdens upon real property had of late years much increased, that they were annually increasing, and that it was neither just nor politic that those burdens should be laid exclusively on one description of property. Those local charges were now levied under the name of poor rates, and though the greater proportion were expended for the relief of the poor, yet a considerable amount of them might be denominated county rates, and were used for a variety of purposes. Those poor rates, therefore, were a general charge on real property for a variety, he might almost say an infinity, of purposes. Local taxation provided for police, militia, gaols and prisoners, lunatics, highways, bridges, coroners, weights and measures, vaccination, &c.; indeed, he might almost describe it as *de omnibus rebus et quibusdam aliis.* To show how local burdens had increased, he would give the statistics for every tenth year from 1837 to 1867. In 1837 the total amount expended was £5,412,000; in 1847 £7,094,000; in 1857 £8,339,000; and in 1867 £10,905,000; so that in thirty years the amount had doubled. To go into particulars, the relief of the poor required in 1837 £4,044,000; in 1847 £5,298,000; in 1857 £5,898,000; and last year, £6,959,000; the total expenditure for local taxation having thus increased by more than a half. The county rates amounted in 1837 to £1,168,000; in 1847 to £1,666,000; in 1857 to £2,241,000; and last year to £3,343,000; so that in thirty years they had nearly trebled. These figures showed that local taxation had increased since 1837 by 100 per cent, the increase in the poor rate being 70, and in the county rate 200 per cent. One-third of the poor rate, it must be remembered, was now levied for purposes wholly unconnected with the relief of the poor. It might be thought that the increase was owing to the increased population; but he believed the poor were in every respect much better off than they were thirty years ago. Nor could the increase be attributed to the higher price of the necessaries of life, for the price of wheat was in 1837 within 6*d.* per quarter the same price as it was last year. Of the £6,959,000 expended in the relief of the poor, the National Exchequer contributed £163,000, £110,000 being half the expense of medical officers, schoolmasters £35,000, and auditors £18,000. The sum was small, but the principle was large; and the thin end of the wedge having been inserted, he thought the application of the principle might be extended. Now, in 1776, the first year for which any authentic Returns existed, local taxation amounted to only £1,720,000; the poor rate being £1,556,000, and the county rate £164,000. Besides the £11,000,000 to which he had referred, between £5,000,000 and £6,000,000 were levied in the shape of poor rates, highway rates, and local board or improvement rates; so that upwards of £16,000,000 was levied in 1865 on real property, the annual value of that property being £90,000,000, and this was the latest date that all these official Returns were made up. It was bad enough to pay one income tax for Imperial purposes; but this direct tax of £11,000,000, levied for poor rate and county rate alone upon an annual value of £90,000,000, was equivalent to a second income tax on real property of 2*s.* 6*d.* in the pound. To show that the burden was still increasing, he would compare the Returns for 1866 and 1867. In 1866 the poor and county rates amounted together to £9,989,000; while in 1867 they were £10,905,000, being an increase of nearly £1,000,000. The poor rate rose from £6,439,000, to £6,959,000, or 8·8 per cent; and the county rate from £3,549,000 to £3,945,000, or 11·2 per cent. Of the forty-six union counties or divisions of counties in England and Wales, there was only one—the East Riding of Yorkshire—which did not show a large increase in expenditure last year. In Middlesex there was an increase of 21 per cent, in Kent of 20 per cent, while in other counties the increase was considerable. There were, moreover, contingencies which threatened a further increase. He cordially agreed in the remark made by the Home Secretary a few nights ago, that any attempt to throw turnpike roads on rates would lead to a great outcry, especially at a time when so strong a feeling prevailed against any increase of local taxation. Amendments in the Poor Law were likewise likely to involve increased expenditure. Now, with regard to the relief of the poor, if we study the history of the Poor Laws from the earliest times to the reign of Elizabeth, we shall find contributions were voluntary, and were levied from counties rather than parishes, every inhabitant being exhorted and expected to contribute "according to his means and ability." That phrase was repeated in all Acts from the reign of Henry VIII. until the 43rd of Elizabeth, and he contended that it was the language of reason, of justice, and of policy. By the Act of 43rd Elizabeth, passed in 1601, however, overseers and churchwardens were empowered to assess all property particularized therein, the contributions being made compulsory and parochial, and every parish, instead of every inhabitant, being expected to assist according to ability. That basis had undergone no alteration for nearly 300 years, and personal property not being mentioned in that Act, it had been exempted from taxation. Judges had held that all property to be assessable must be local, visible, and productive, and money and securities for money, not being local, had escaped taxation. There had been many appeals for the purpose of rating personal property. In 1775 the Judges gave it as their opinion that stock-in-trade was assessable; but it had never been practically or only partially carried out. In 1840 an Act of exemption was passed, and stock-in-trade had been exempt ever since. He gave no opinion whether it was right or desirable to assess stock-in-trade; there were many difficulties in the way which were perhaps insuperable. But was it creditable to a British House of Commons for thirty years to pass an annual Act of exemption rather than seriously consider the matter? The law was either good or bad: if good, it should be enforced; if bad, it should be modified. The Act of Elizabeth might be said to have dealt with the then existing state of things, both as regards property and society. Land and houses were at that time the chief, if not the only source of wealth. It was therefore not unreasonable that personal property should not be particularized. How different was the state of things now! Real property was not more than one-third of the annual income of the country. In 1865 the annual rateable value of property was only £90,000,000, while the property assessed to the income tax in the same year was valued at £290,000,000, and the aggregate annual income of the country was upwards of £650,000,000; for it must be borne in mind that incomes under £100 per annum were not assessed. But the local taxation was assessed on this £90,000,000 only; in fact, £6 out of every £7 of the annual income of the kingdom escaped local taxation, and paid nothing to the relief of the poor. How had all these large incomes from personal property been acquired? From labour—from labour of poor men—people make wealth. All capital was acquired by labour; why, then, should not wealth thus created contribute to the exigencies of the State and the relief of the poor, to the comfort of the afflicted, and maintenance of the aged, many of whom had worn themselves out, and spent the best part of their lives in acquiring for others wealth and affluence? The present state of things was most anomalous. The overseer called on every small cottage-holder for his poor rate, although he was little better off than those for whose benefit that rate was collected. They were, in fact, rating one pauper for the support of another—robbing Peter to pay Paul; yet, hard by, in the same parish probably, there lived a man receiving £1,000 a year who did not pay a farthing towards the support of the poor. The present mode of assessment was most impolitic; it tended to discourage improvements in land, and to diminish produce, thus so far prejudicially affecting the community at large. A man purchasing a large estate, with the buildings dilapidated and the land undrained, invested a considerable sum in the necessary improvements, and was immediately assessed on those improvements. Why should he pay local taxation on the money thus invested more than if it had remained, perhaps, in the foreign funds? So again, a man who has taken a farm for fourteen years, he calculated the outgoings when he agreed for his rent. He found, unless he spent a large sum in manure and improvements, it would be a ruinous undertaking. He borrowed money for the purpose, and immediately the assessment committee came down upon him and made him pay local taxation on the personal property he had borrowed and invested in it. Surely these men, by investing additional capital in their estates, not only benefited themselves, but by increasing the produce of their land benefited the community at large. They were more patriotic and deserved more encouragement than the man who invested the same amount in foreign securities, buried, as it were, his talent in a napkin, sits down with folded arms, and is simply content to receive his own with usury. So long as land enjoyed exclusive privileges it was fair it should pay exclusive burdens; but, protection being removed, those exclusive burdens should cease. He was an advocate for Free Trade; but they had not got it. He considered all exceptional legislation was bad; and the principle of Free Trade having been adopted, he desired that it should be carried out without favour and without partiality. All prohibitions and restrictions with regard to the produce and cultivation of the land ought to be removed. Their efforts were paralyzed by the malt tax; yet they refused them a drop of good beer to cheer their drooping spirits. They were not allowed to grow tobacco; they were denied that solace, to render them oblivious to their grievances and their sense of injustice. What privileges were now attached to real property in compensation for the burdens to which they were exclusively subjected? He was willing to surrender the last rag of protection. Last Sssion sheep dogs were taxed; and a few years since, because real property was exempt from probate duty, the right hon. Gentleman the Member for South Lancashire made real property amenable to a succession duty. The hon. Member for West Cumberland (Mr. Percy Wyndham) had brought in a Bill to rate mines, and he (Sir Massey Lopes) would assist in passing it. The possession of land was becoming a great luxury. No one who wanted an annual income from it would invest in land. So numerous were the outgoings, it could not pay more than 2 per cent. He remembered when in the West of England there was scarcely a parish which had not several small yeomen; their estates had been handed down from generation to generation. They were the pride and boast of the county. They were the connecting link between the large landowner and the agricultural labourer. But year by year he regretted to find they were gradually being absorbed; and the same story was true of them all—the local taxation was too onerous for them; while at the same time their profits, through foreign competition, had diminished. Let the House compare the colossal fortunes accumulated by persons in trade with the small competency ever made in these days by agriculturists. In the one case wealth was acquired rapidly, and by the agency of others; in the other if a man, after a long life of labour and anxiety, could retire in his old age with a moderate competency, he deemed himself fortunate. Everyone, no doubt, admitted the injustice of the state of things to which he had directed attention, but declared that it was a difficult matter to deal with. It was therefore necessary, in his opinion, that the subject should be discussed, for without discussion a solution of the difficulties was not likely to be arrived at. He was an enemy to centralization; he considered that local government was the essence of good government, and did not wish to see this system superseded by any other; but he asked whether it was not just that a larger proportion of the expenditure for such objects as police, the care of lunatics, and the administration of justice should be paid by the National Exchequer. If half the expense for those objects were defrayed out of the income tax, even then real property would pay more than half, because it would have to contribute its proportion to the Imperial taxation. By affording some such relief as this, the present mode of administration need not be interfered with—there would be the same local supervision, the same local responsibility, the same inducement to combine efficiency with economy. It was impossible for local taxation to go on increasing as it had done of late years, and be all borne by real property alone. The Militia was a national institution, and the owners and occupiers of land were no more interested in its maintenance than the owners of personal property. This impost ought therefore altogether to be paid out of the National Exchequer. He would not trouble the House by quoting the opinions of writers on political economy; but he would mention that the Report of the Lords' Committee on Parochial Assessments in 1850 set forth—

> "That the relief of the poor is a national object, towards which every description of property ought justly to be called upon to contribute, and that the Act of 43 Elizabeth contemplated such contribution according to the ability of every inhabitant."

Sir George Lewis said, in his evidence before the Committee—

> "With regard to the general policy of imposing a local rate exclusively on one class of property, I am quite prepared to admit that unless it can be shown that there is some special reason in favour of a local tax, limited to real property, it is more fair and equitable to defray the expenditure out of a national tax, which should comprehend all species of property. The objections to a local tax upon real property exclusively have been so manifest upon the ground of the partiality of the incidence of the tax, that attempts have been made to devise local taxes which should be free from that defect."

He would submit to the House that many of the objects for which local taxation was levied were objects in which the whole community were interested, and that, consequently, there was an equitable and moral and religious obligation on the whole community to contribute towards their expense; and that the present mode of assessment, which exclusively fell on real property, was not reconcilable with sound principles of political and financial economy, much less of justice. This was a question that must be fairly met and fairly considered. This was a difficulty which must be solved. This was a grievance which must be mitigated. He would now move his Resolution, feeling confidence in the principle of equity it embodied; in the sympathy of all classes of the community out-of-doors; and in the sense of justice which ever actuated their representatives in the British House of Commons.

Mr. CORRANCE, in rising to second the Resolution of his hon. Friend, said, he was conscious of doing so under certain disadvantages in this respect—first, that when he entered the House that night he had no intention of entering upon that debate; and second, that he had his doubts as to the expediency of discussing it in so general a form as that. But when he heard the able statement of his hon. Friend, not only did those doubts cease, but he felt that there was no danger that the cause would suffer from any shortcomings on his part. But, if that was a personal disadvantage, it might not be so considered by the House; for it was at least a guarantee for this—he should not go into statistics, and his remarks would be brief. Now, he had said that he agreed with the hon. Member as to the fact, and he thought, also, that by the Lords' Committee of 1846 these were fully borne out. Those facts rested upon grounds absolutely irrefragable, as he thought. Nevertheless, that inquiry laid over a wide ground and took in a great range of both general and local taxation, each one of which, in detail, would require close investigation and patient proof. It included the incidence of income tax, land tax, tithes, and of local rates, and no less so the actual economic effect of such burdens upon the industry itself—and the effect of such deduction from the gross produce of such an industry of any reproductive class. Those perhaps were scarcely suspected, for use and custom reconciled them to much. They knew that they paid income tax upon the gross sum, without any deduction for agency or collection, or incidental expenses, which amounted to about 25 per cent. It reached the last farthing they possessed. Of the land tax they knew that it fell upon agriculture in a larger proportion than aught else; that it could only be re-adjusted within parochial limits, and that under the power of redemption all expensive improvements could evade the tax; that in Liverpool and most large towns it was nominal at most, and that upon railways, canals, docks, &c., it was at once freed by redemption from the proportionate increase. All that was within demonstration and proof. They also learnt that under a system of local taxation, founded upon old and obsolete legislation, and perplexed by omission and doubts, the proportion of such charges upon land were immense—that one-sixth of the property of England alone contributed to such charges as that. But of each of such things the House would no doubt require proof beyond that which in that general discussion they were able to give. They must raise those questions in detail, and view in detail their rights. Theiy must show not only the burden, but its effects; not only its pressure upon a class, but its effects upon industry itself. Nor did he think that that would be a difficult task, if to the plain and accepted axiom of political economy, they might hope to have the consent of that House. To that they could claim the concurrence of Ricardo, who spoke thus—

> "It must be acknowledged that in the actual state of the poor rate, a usual larger amount falls upon the produce of the farmer, than on other classes in proportion to their respective profits. The farmers will, therefore, have less motive to devote his capital to land than to some other trade, unless the price of his produce is raised."

Again—

> "Any tax, whether in the shape of land tax, or rate on produed when obtained, will increase the cost of produce, and will, unless under direct competition with other untaxed produce, raise its price to the consumer; but if, under any circumstances, the price of produce did not so rise as to compensate the cultivator for the tax, he would naturally quit a trade where his profits were reduced below the general level."

Now these are axiomatic facts. Of all political economy they lie at the very root—no new reading could disturb or shake them, not even the authority of the hon. Member for Westminster himself. And if such be the case—if such, on inquiry fairly raised and fully carried out, they could prove—not that landlords were unfairly used, not that tenants were unjustly taxed, but that through a misunderstanding of the true economic position, a neglect of the plainest laws, capital was alienated and the industry depressed—he could, he thought with some confidence, seek in that House their redress.

Motion made, and Question proposed,

"That, inasmuch as the Local Charges on Real Property have of late years much increased and are annually increasing, it is neither just nor politic that all these burdens should be levied exclusively from this description of property."—(*Sir Massey Lopes.*)

MR. M'LAREN said, he thought they were all indebted to the hon. Baronet the Member for Westbury (Sir Massey Lopes) for having brought this subject under their notice, and for the able speech in which he introduced it. In reference to one remark the hon. Member made, he (Mr. M'Laren) agreed with him, and at once said that, in his opinion, nothing could be more absurd than to argue that questions of this kind should not be discussed in that House. If that were so, they need not assemble there at all. He thought they were obliged to the hon. Baronet also for the temperate and able way in which he stated his case. He (Mr. M'Laren) had however to say that there was another side to the question, and he wished to say a few words upon it lest it might be supposed there was nothing to state. The hon. Gentleman had referred to the Act of 43 Elizabeth as settling the Poor Law system; but he had not gone into all the questions affecting the land at the time, and their different relations and circumstances. If he had done so, it would have been quite obvious that the landlords had nothing to complain of. In the time of Queen Elizabeth there were no landowners; they were all landholders only. They held their lands from the Crown almost as leaseholders or tenants of the Crown. They received grants of their lands on condition that they performed certain duties to the Crown and the State. For example, they were to do all the fighting; they were to turn out with their retainers for the defence of the realm, there being then no standing army. They received the grants of their land on this further implied condition, that out of its produce they were to support the poor, who, they were told, on the highest authority, would never cease to exist in the land. Long afterwards, when the landholders had great power in both Houses of Parliament, they got a law passed—a most unrighteous law, he thought—by which they got rid of all those burdens on the land, for a most inadequate consideration; and they afterwards agreed to pay, partly in lieu of them, a composition of 20 per cent on the rent of the land for ever, or 4*s.* in the pound on the real rent. In 1692, Commissioners were directed to to take a complete survey of all the lands in the different counties of England, and it was enacted that the land should pay 4*s.* in the pound on the rental, in consideration of the burdens which were formerly removed. The survey was made, and the bargain carried out—the landowners thus agreeing to pay one-fifth of their whole rental from year to year as land tax. But no valuation was ever made after that year, and the land tax was levied today on the same valuation on which it was levied in the reign of William III., and the amount at which the land tax was then assessed, was the amount still payable, though it had risen ten-fold in value. If such a thing had occurred among the commercial classes, it would have been called a swindle instead of a grievance; and if the landholders were to act according to the moral obligation of the law passed in 1692 they would pay 4*s.* per pound on the whole value of the land at present time. And not only that, but they were also bound to support the poor. The hon. Gentleman who spoke last (Mr. Corrance) said that Liverpool and Manchester paid only 1*d.* in the pound of land tax once in twelve years, as though those communities derived a great benefit from that law; but the benefit had really been derived by the former landholders, who were converted into landowners. They told persons who wished to purchase land from them for building purposes that they would have only a small land tax to pay in lieu of the heavy burden to which it had been subjected, and they were thus enabled to sell the land for building purposes at a price which they never would otherwise have obtained. It had been said that the income tax pressed heavily on the land; but that was one of the greatest fallacies imaginable. Take the case of a landowner possessed of an estate worth £30,000, and deriving from it an income of £1,000 a year, on which he paid income tax, and compare it with the case of a physician who made £1,000 a year by hard work, which would shorten his life—he paid the tax in the very same way and to the same amount as the landowner. But suppose the physician lived up to his income, as probably he was obliged to do; when he died, his income died with him, and nothing remained for his family; but when the landowner died, his property, worth £30,000, remained and descended to his heirs. He (Mr. M'Laren) took the liberty of stating his conviction that this class of questions must come up for future consideration, and for the purpose of increasing the burdens on land, and thus placing the taxation on a more equitable system than now prevailed. He might refer to the example of America. There, a man's property was calculated and assessed as on a capital sum. A merchant would have to pay on the amount of his capital assessed at a certain rate. A professional man would be assessed in the same way on any capital he had, and for a sum which was merely nominal as compared with the assessment on the merchant or landowner. That he held to be a far more just plan than the income tax in this country. He did hope that a change would take place, but that it would increase the burdens on land and relieve others who were unjustly assessed from the undue proportion they now paid. As to the charges on land for the support of the Militia, they were mere fragments of the far more onerous and important burdens formerly laid on the landholders, who, as he had said, were once bound to furnish all the fighting men of the country at their own expense. The trifle they had now to pay for the Militia was a mere remembrance of the time when more righteous laws prevailed, and a sign of hope that a return might be hereafter made to a more equitable system of legislation.

Mr. LIDDELL said, he had listened with pleasure—he thought he might say in common with the House at large—to the speech of his hon. Friend (Sir Massey Lopes), which had dealt so fully with the facts and figures of the question as materially to smooth the way of speakers later in the debate. He would not attempt to deal with the very important question before the House in the off-hand and abstract manner in which it had been dealt with by the hon. Member who spoke last (Mr. M'Laren), nor would he enter into a contention with the hon. Member as to the distinction without difference between landowners and landholders; but would merely observe upon that point that, with regard to liability to the payment of rates, he had always understood that they were upon precisely the same footing. His hon. Friend who brought forward the Motion dwelt much upon those burdens that affected the land from which other species of property was exempt. Now, it was to one class of exempted property which he wished in the first place to refer—namely, mines other than coal mines, and he wished to point out the position which the Courts of Law had taken up with regard to it, and how it had been regarded by eminent authorities in this House. With regard to the Courts of Law, it had been laid down as early as the time of Lord Mansfield that all kinds of property which were not specially named in the statute of Elizabeth as rateable for the relief of the poor were exempt from that burden; and the law was therefore held to exempt all mines other than coal mines. The efforts of the Courts of late years had been to extricate themselves from the difficulties they had by their own decisions created for themselves; and when a case was heard in the Court of Exchequer Chambers as to the rating of a metallic mine, the Judges held that, were the question not incumbered by previous decisions, they would have decided in favour of the rating of these mines. The Courts, therefore, were in this position—they had given an interpretation to the law which they did not now agree in; but because this had been once given they lacked courage to reverse it. Decided opinions had been frequently expressed upon this question, both by Committees of the House and also by influential Members in debate. The right hon. Gentleman the Member for Wolverhampton (Mr. C. P. Villiers), then the President of the Poor Law Board, speaking in the House, a couple of years ago, with reference to the important decision given in the Mersey Dock case, and its probable result upon property hitherto exempted from taxation, said the House should understand, not that the law was unjust or that fresh legislation was requisite, but that there had been a misconstruction of the law, and that all exemptions were mere questions of privilege and favour. As soon as the area of chargeability was extended by the recent Act, from the Parish to the Union, it became evident that the exemption of personal property would be questioned, and that the House would be forced to consider the policy of that exemption. It was promised, indeed, at the time, that the matter should engage the serious attention of the Poor Law Board; but from that day to this nothing further had been heard upon the subject. The law as it stood recognized a liability upon two grounds; but only the first of these—that arising in respect of the occupation of land—appeared to have been borne in mind; but the House must remember the second subject—namely, the liability of inhabitants to the rate in respect of the enjoyment of personal property. This question, however, was a growing question, and the House and the country were both becoming more competent to understand its important bearings. This result was in large measure attributable to the action of those valuable institutions, the Chambers of Agriculture, to which the House had only done justice the other day in sanctioning, by inference at least, their claim to some share in the administration of local affairs. This question of liability to taxation and the increase of local burdens was one constantly occupying the attention of those Chambers, and at no distant day the House would likewise be compelled to face the difficulties which appeared to stand in the way of the removal of exemptions. He trusted that this question would receive the attention of the Poor Law Board, and that the House would be furnished with information in the shape of a Report from that Department which would guide them in arriving at a solution of this matter.

Mr. NEATE said, that though the present discussion was not likely to lead to any practical result immediately, the question was one to which it was right to draw the attention of the House and the public. There could be no doubt, in his opinion, that landed property did enjoy comparative exemption from taxation. He was not now speaking of local taxes, nor was he omitting, as was too often done, to draw the proper distinction between landed property and real property. Some persons spoke as if real property and landed property were in all cases the same thing; but real property in towns was a thing of a totally different character from real property in land. The owners of houses in towns did not represent landed, but personal property. The capital value of land had risen enormously, in many instances, he admitted, by an application of the capital of the landlord; but while the income of land had risen perhaps 10 per cent, the capital value of the land had risen 30 or 40 per cent. Great attention had been challenged for the income tax. Now, he held that, in reality, the land enjoyed a considerable exemption from that tax. The farmer paid on an income measured at half the rent of his holding. Let them take the case of a farmer holding 300 acres and paying a rent of £450 a year. That man paid income tax on an income of £225 a year. Now, would anyone acquainted with land, tell him that a farmer holding 300 acres, and having, say, £3,000 to work his farm, did not make much more than £225 a year income? [Dissent.] He could understand that Gentlemen might dissent from his proposition if they calculated income in the way the farmers themselves did. The farmers only calculated in that category what they had over and above all farming expenses and the maintenance of themselves and families. But that was not the way in which the people of towns were allowed to calculate their income for the purposes of income tax. With the farmer his income was his net profit after everything was paid. As to enclosures, he admitted that the old enclosures paid heavily, but lands recently enclosed paid very differently. The redemption process had nothing to do with relieving lands from future taxation. The intention was that by that process a man bought up the taxes he had to pay at the time. The houses of country gentlemen in agricultural districts were taxed very much lower than similar houses in towns. He denied that what they paid in poor rates gave the owners and occupiers of land any claim for the comparative exemption from income tax which they now enjoyed. If they had no poor rates to pay, wages must increase, or the landlords and the tenants between them must make some other provision for their poor. As to rating stock-in-trade, he contended that it could not be done without rating agricultural stock also. He admitted that when an agricultural district was brought into the same area of taxation as a town district, the former suffered considerable injustice: because, assuming that the landlord had nothing but his property, he would have to pay on the whole of that, while the owner of the town house would only pay on a tithe of his property. Much stress had been laid on the fact of county rate being paid in the agricultural districts, as if that charge was one in itself incident on the land; but it must be remembered that a great deal of the county rate was paid by houses. Agricultural districts, no doubt, paid more towards the police rate and the maintenance of gaols; but his own opinion was, that taking into consideration the present adjustment of local and Imperial taxation, it would be found that the owners of real and landed property did not pay anything more than they ought to pay. The whole subject was one deserving of careful consideration, and he trusted that it would be again brought under the notice of the House next Session.

Mr. READ said, he regretted to have to differ from so high an historical authority as the hon. Member for Edinburgh (Mr. M'Laren); but his reading of history was that, previous to the Reformation, it was the monasteries and other religious institutions, and not the land, which maintained the poor. The arguments with reference to the income tax applied with equal force to the moneyed interest and other holders of property as to the land. And he could not agree with the hon. and learned Member for Oxford (Mr. Neate) that the tenant-farmers were unduly exempted from the payment of income tax, because they were assessed on only half the amount of their rent. On the contrary, he was of opinion that they were assessed very fully and amply. The hon. Gentleman had argued that the stock-in-trade of farmers ought to be assessed if the stock-in-trade of other persons were to contribute to the rates; but on this point he begged to inform the hon. Gentleman that stock-in-trade in agriculture was supposed in the eye of the law to be assessed in order to produce the rent paid to the landlord. In addition to the two exemptions of real property already named—mines and woodlands—from rating, there was a third exemption. The owner of real property by overstocking his land with game so deteriorated the rent as to allow that land to escape its fair assessment and contribute its fair share to the maintenance of the poor. In America the assessment was not on the annual rent, but on the annual profit. The hon. Baronet (Sir Massey Lopes) had proved by statistics that the rates gradually and constantly increased. Several items of new local taxation had been introduced, and more were expected if turnpikes and education were to be paid out of the rates. The farmers were twitted with this—What a bother you make when you pay anything in the shape of rates! Why, what a bother and fuss was made when an additional income tax of a 1*d.* was imposed! But every 1*d.* rate which the farmer paid was equal to 2*d.* of the income tax. It was said that if the farmers were relieved from the charges they now had to bear the landlords would reap all the benefits; but he, on the contrary, felt assured that all small savings would go into the pockets of the tenants. The Chancellor of the Exchequer had said the other day in reply to a deputation that the tax on shepherds' dogs was not on the shepherd, but on the farmer, and therefore he supposed that those who argued that all rates fell on the owner would say if the farmer paid 10*s.* for a tax on two dogs it was a burden on the landlord. With regard to a national rate, he thought it ought to be particularly guarded against. It was impossible to restrict extravagance or to prevent centralization. If they could possibly localize the income tax it would have a good effect, and a certain portion might be applied to local expenditure. The assistance given to local taxation from the Consolidated Fund in 1866 amounted to £1,398,000, and out of that sum only £211,000 went to the country for police purposes, while the metropolis received £176,000 for the same object. Then with respect to lunatics. What had the land particularly to do with them? In the country, it was said, the management rested with the county authorities. But the moment any saving was proposed, down came a Government officer in the shape of a Commissioner, and ordered what must be done. The result was that as soon as a poor patient was cured by luxuries and comfort, he was sent away, and when he returned to the rough usage of the cottage he speedily relapsed. The lunatic was cured for a time, but very seldom permanently. He thought that many of these fixed charges ought to be borne by the nation, but that all relief to the casual poor should be paid by the district. This was no question of country against town; but he thought the towns ought to take up the case even more readily than the country. It was essentially the case of the poor man, and was more likely to receive in a Parliament elected by household suffrage a fair and generous consideration than in the present.

Mr. J. STUART MILL said, the hon. Baronet who had introduced the Motion (Sir Massey Lopes) had rendered a real service to the House and the country, for no one who had considered the subject could doubt that it required a much more systematic and deliberate consideration than it had yet received, not only on account of its great importance and the amount of taxation it involved, but because its importance was constantly increasing. In the natural progress of things more and more duties were continually being imposed on the Government, which duties would be almost always best performed by the localities, and at the same time, as the taxation of localities must constantly increase in order to meet increasing expenses, if there was any injustice in this taxation it must be an increasing injustice. The hon. Baronet, and those who took his view, thought that the local taxation was entirely borne by real property; but he (Mr. Stuart Mill) conceived that although real property bore an extra proportion of that taxation, it by no means bore the whole. The local charges consisted of two parts, one of which was proportional to the rent of land, and was therefore equivalent to a tax on land, the other was proportional to the rent of houses, and equivalent to a house tax. Now, a house tax did not fall on the owner, but on the occupier, and within moderate bounds was one of the fairest of all possible taxes, and one of those that came nearest to a perfectly fair income tax. Indeed, the house rent a person was able to pay was probably a better measure of what he could afford to spend, than could be afforded by the mere numerical amount in pounds sterling of his income. So far as the house tax fell on the ground rent it was a charge on property; but the ground rent bore only a small proportion to the whole rent of a house, except in cases of peculiar eligibility of situation, which favourable situations were a kind of wealth having a constant tendency to increase without any labour or outlay on the part of the owner, and therefore a fair subject for some degree of special taxation. He admitted that in most of the rural districts the burden was mainly on the rent of land; but he did not think the grievance so great as had been represented, because the prescriptive, and what might almost be called the constitutional mode of levying local taxation was to levy it on rental, and property had generally been acquired by inheritance or purchase, subject to that peculiar burden. If the burdens on land had a tendency to increase by the progress of society, so had the income from land, and income derived from real property was nearly the only one which increased by the effects of the industry, outlay, privation, and frugality of other persons than the owners; and inasmuch as the value of land did constantly increase from generation to generation, and the income from it increased independently of exertion or outlay on the part of the owners, this made it fair to regard it as in some degree a proper subject for increasing taxation. No one could doubt that the time had come when the whole subject of local taxation must be more fully considered. If they considered that portion of taxation which he thought fair in principle—namely, the house tax—they would find that this had become so heavy in many localities that the difficulty of increasing it had become a serious obstacle to any new outlay for general improvements. How it was possible to raise the additional sums that might be required in a manner less burdensome, because more equal and just, would have to be more and more seriously considered, and the different modes by which this could be accomplished would have to be well meditated. One mode, which had been partially adopted in this country, deserved consideration as one of the possible modes—namely, that of placing a certain proportion of some of these burdens on the general taxation of the country; for when this was done in the way of a fixed proportion it did not destroy, although it might weaken, those motives to economical legislation which so strongly recommended making these expenses local rather than general. There were great difficulties in adjusting the amounts of taxation on the various descriptions of property, and these questions would probably occupy their minds for a long time to come. He was glad that the hon. Baronet had introduced this subject to the House, and no doubt it would be seriously considered by the new Parliament. In the excellent speech of the hon. Member for Edinburgh (Mr. M'Laren) there was one principle which, if adopted, would involve an injustice—it was that of taxing terminable incomes, he did not mean at a lower rate than permanent ones, for that he entirely approved of, but of taxing them only according to their capitalized value. That would be a great injustice; but this was not the time for further discussing that principle.

MR. FLOYER said, one of the characteristics of this debate was, that the question had been discussed without any party feeling, and therefore it had received much fairer and more impartial consideration than many other subjects of late. In the speech of the hon. Member for Westminster (Mr. Stuart Mill), which was marked by the hon. Gentleman's usual ability, were some remarks with which he (Mr. Floyer) could not agree. He could not concur in the inference drawn by the hon. Member from the increased value of the land in certain districts. There might be some fortunate proprietors whose land had increased much in value in consequence of the improved condition of the country at large; but if an inquiry were instituted into the outlay and large expenditure upon different properties, it would be found that the return for those outlays was by no means beyond the limits of a fair and moderate return; but it was rather a smaller return than was generally received by those who invested their capital in trade and commerce. He doubted whether any hon. Member who had not really turned his attention to that point could form a conception of the enormous outlay that was being constantly made in this country by those who were in the occupation of land. The hon. and learned Member for Oxford (Mr. Neate), in his remarks, had made a frank and liberal admission. That hon. Gentleman said he thought that the land was charged with burdens, in the shape of local taxation, beyond those which it deserved to bear. He (Mr. Floyer) thanked the hon. Gentleman for that admission; but there were some points of his speech with which he could not agree. The hon. Member drew a comparison between the position of householders and the occupiers of land in respect to the income tax; and he said that in the one case the occupier of land only paid on half the value of his holding, whereas the householder paid upon the whole value; but the hon. Gentleman seemed to have forgotten the landlords' income tax, which was paid upon the full value of the land. So that in effect it might be said that there were one-and-a-half payments of income tax from the land, whilst there was but one payment from the house. The hon. Member for Oxford also observed that he considered that the payment of poor rates ought to be looked upon by the landowners and occupiers as a provision for the old and infirm people who had outlived their strength for work, but who passed their best days in labouring for the improvement of their farms. He (Mr. Floyer) trusted so long as the poor existed upon the land—and they had the highest authority for knowing that they would never cease out of it—that they would be looked upon, by both landowners and occupiers, in the kindest spirit, and with the feeling that it was through the labours of the poor they had derived their incomes and the land had been made profitable to them. The question, however, was very much open to doubt, whether a larger proportion of the labouring classes were not employed by the manufacturing and commercial population than by the occupiers of land. He believed that the statistics would show such to be the fact. Therefore, as the land round towns was assessed it had to contribute, under recent legislation, largely to the support of those who had once been employed in commercial and trading operations, but who had now become old and helpless. The hon. Member for Edinburgh (Mr. M'Laren) drew a historical parallel between the liabilities to charges thrown upon landowners and landholders as compared with the other portions of the population who were engaged in manufacturing and commercial operations; and, in referring to very early times he mentioned, amongst other things, the liability of landholders and their retainers to serve in the wars under the Crown. It was true that a certain portion of the land of the country had been held upon what was called knight service—that was, that the owners and occupiers were obliged to serve their Sovereign in the event of war at home or abroad; but the hon. Gentleman had forgotten to tell them that a large portion of the land was held by persons on free *socage*, and who were not liable to knight service. Besides, it should be also recollected that those who were actually employed in knight service received for such service from the Crown ample payment for the services they had so rendered. It was, therefore, a mistake to suppose that such service was gratuitously rendered. He (Mr. Floyer) denied that the payment of the land tax was a commutation for the services to which the hon. Member for Edinburgh referred. The fact was, those feudal tenures had been done away with at an early period of the reign of Charles II. Therefore, the land tax, which was imposed at the time of William III., could not be considered as a commutation or substitute for those liabilities and charges previously imposed on them. Then the hon. Member had made an error in his comparison of the charges imposed on the different classes. He had chosen to estimate the impost on landed proprietors at something like 20 per cent of their incomes; but history would show him that merchants and manufacturers paid more; for they had to pay fifteenths not only upon their incomes, but on their whole personal property. The hon. Member had, therefore, failed to make out that in olden times merchants and manufacturers were taxed less heavily than those who had to do with the land. As a matter of fact, the very reverse was the case. There was no doubt that a strong feeling existed in this country that the limits of local taxation had been exceeded. The increase in the local rates had far outstripped the advance in the income tax. Occupiers of land felt they had now nothing to depend upon but their own skill and industry; but, however much it was desired to relieve the tillers of the soil from unnecessary pressure, it must be admitted that if grants from the Imperial Treasury were made to supplement local funds, it would be difficult to insist on local management. He heartily endorsed what had been said by the hon. Member for East Norfolk (Mr. Read) and others as to the immense importance of maintaining our system of local management. It was absolutely necessary that local attention should be paid to the several cases which demanded Poor Law relief. If they had not the advantage of local knowledge in the administration of this relief, the only resource would be to come back to the severe test applied by the workhouse principle, which was that intended originally by the first promoters of this system; and that was one to which he believed the country would never return. He believed the direction in which they should look for relief was that of the Imperial Treasury, to obtain from it a larger contribution towards some of those expenses in which the local action of the country or the local occupiers had no personal or particular interest—he alluded to the lunatic asylums, the police, and other matters of Imperial and general interest. In those respects he thought that assistance fairly given from the Imperial funds was absolutely essential, without infringing on any of those great and important principles of local management.

MR. NEVILLE-GRENVILLE thanked the hon. Member (Sir Massey Lopes) for bringing forward the subject, which it was quite true excited great interest, and was very much debated in the whole of the West of England. He desired to assure the hon. Member for Westminster (Mr. Stuart Mill) that those who had given any consideration to this subject had never denied that houses and lands were in the same position as regarded this question, and he was glad that the owners and occupiers of houses had at length began to speak out upon it. As Sir Robert Walpole had once said, the country gentlemen were like their own sheep, because they would submit without speaking to any amount of shearing, whereas the commercial interests of the country more resembled the hog, which would not permit one of its bristles to be touched without loudly calling upon you to desist. In that remark there was some truth, even at the present day. The late Lord Brougham truly observed that the income raised for the relief of the poor was paid entirely by the land, people in trade only paying to the poor in so far as they were owners of real property, and thus a manufacturer deriving £10,000 or £12,000 a year from trade was rated as if he only had a large building worth £400 or £500 a year. The farmer, on the other hand, paid largely to the rates; and yet, while the farmer employed few hands, the manufacturer employed a whole colony; and while the farmer caused no material augmentation to the number of paupers, the manufacturer multiplied them by wholesale. On the part of the agricultural interest he did not demand relief from any payment which they were equitably bound to make. All he contended for was that equal justice ought to be meted out to all taxpayers of the country alike.

MR. SCLATER-BOOTH said, that when he held Office at the Poor Law Board, his attention was called to the subject of exemptions from rates, and but for the pressure of business on the Department it was hoped last winter that something might have been done to remedy some of the anomalies which still existed. The subject was a great and growing one, which would doubtless form the subject of future debates in this House. At the same time he thought there were certain objections to the form of the Motion which had been made, and he thought that the hon. Gentleman who had introduced it would do well to rest satisfied with the cordiality and unanimity of opinion which it had called forth from the Gentlemen on both sides of the House. He was glad to find that there was such general recognition of the burdens borne by the rateable property of the country, and that there was at the same time a general unwillingness to diminish local control and management of local concerns. That was a matter of material importance, and he was glad that hon. Gentlemen were unwilling to sacrifice it for the theoretical advantages of a system of national rating. That was a state of things from which they were, he trusted, far removed, and it would he hoped be long before they looked for a remedy in that direction. The Union Chargeability Act was a step in that direction it was true, but it was only a very little step, and it was a great part of the policy of the promoters of that Act that the area of charge would still remain coterminous with the area of management. He was glad to be able to admit, and his admission was all the more unprejudiced, as he originally viewed that Act with little favour, that in many cases the effect of that measure had been the reverse of what had been anticipated, and that extravagance of management had not resulted from its adoption. Much as he agreed with what had fallen from the hon. Member for Westbury (Sir Massey Lopes), he was far from wishing to see local burdens levied upon anything but locally rateable property. There were certain exemptions from rating which he agreed should be got rid of; but those exemptions might be counted on the fingers. He did not think that the plausible suggestion which had been thrown out—that stock-in-trade should be rated—was practicable. The system had been tried in Scotland, and he believed to a certain extent still existed in that country. But it was found impracticable to rate stock-in-trade, and it was, he believed, exempted by Act of Parliament. The evidence of Sir George Lewis, given before a Committee of the House of Lords fifteen or sixteen years ago, showed that such a plan would weigh very severely upon the farmer, while in the towns it would not have such an effect in equalizing burdens as was commonly supposed. In this as in many other matters the circumstances of the town and of the country were very different. In the towns the poor rate assessment was in fact equivalent to a house tax, and that, of a very severe and oppressive character. He did not, indeed, see how taxation could weigh more heavily than it did even now in many parts of the metropolis. The charge for relief of the poor had existed from the time of Elizabeth as a charge upon the visible property of a town, and he believed the maintenance of the pauper was a charge from which the owners of visible property would never shrink. There were other charges, however, which he thought were most unfair on the poor rates, and Parliament would act wisely in preventing the addition of more of such charges. With regard to the question of lunatic asylums, it was obvious that, so far as those asylums were places for the maintenance of the indigent poor, the charge was one which could be fairly borne by the real property of the district in which the asylum was situated. But, so far as the asylum was a place provided by the humanity of the age, with special appliances and skilled superintendence for the treatment of the unfortunate class placed within its walls, he thought the charge should be made upon the general taxation of the country. It was a matter not of local, but of general necessity and convenience. It was proper, too, that there should be a contribution from the Imperial funds in aid of the maintenance of constabulary forces. An important question, that of the education rate, was looming in the distance. He had a strong objection to an education rate levied as such upon the owners of rateable property; but he did not wish to enter into that discussion now. He merely quoted it as an instance in which Parliament might interfere to prevent what he thought would be a great injustice. It was not easy to see whether householders in towns or landholders and others in counties were subjected to the most oppressive burdens. The whole subject was one of great interest and importance, but, while he thanked his hon. Friend for bringing it forward, he thought that, looking to the words of the Motion, it would not be well to press it. The exemptions from rateability were few. His right hon. Friend the Chancellor of the Exchequer had hoped to have introduced a Bill respecting the exemption of Government property—a subject which had been already reported upon by a Select Committee. With a few exceptions of palaces and great public Offices, he believed that that exemption might be got rid of. Then it had been said that in cases where much game existed the land was under-rated, and a partial exemption was thereby created; but he did not see any reason why that point could not be dealt with by the Assessment Committees. As to the exemptions of mineral property his hon. Friend the Member for Cumberland (Mr. Percy Wyndham) had prepared a measure which might perhaps pass the House this Session; and the exemptions in the case of timber might also be dealt with. But these exemptions, if abolished, would not amount to anything like the relief sought for by his hon. Friend (Sir Massey Lopes), and those who thought that personal property might be the subject of rating.

Mr. SCOURFIELD said, very great objection was felt by many people to the constitution of the boards which were intrusted with the management of lunatic asylums. They were not responsible either to the House or to the Government, and he would strongly recommend that they should be brought more under the control of the Home Office, or the Poor Law Board.

SIR MASSEY LOPES said, in reply, that his object in introducing this subject was not to gain a barren victory, but to promote a discussion which might bear fruit hereafter, and he thought there was every probability that this expectation would be realized. With regard to the Act of Elizabeth, he reminded the House that it only referred to the poor rate, not to the county rate, police rate, and highway rate; and he thought that if new charges, unknown to the framers of the Act of Elizabeth, were now levied without its sanction, new forms of productive property, which had sprung into existence since that time ought to bear their share of these new burdens. He could not agree with what had fallen from the hon. and learned Member for Oxford (Mr. Neate) —namely, that land enjoyed a considerable exemption from the income tax, because the farmer paid only one-half the amount of his rent. On the contrary, he was of opinion that this tax fell more heavily on land than on personal property. The owner of a farm or house was assessed on his gross rental. No allowance was made for repairs, insurance, agency, or arrears, and therefore he invariably paid a larger percentage to the income tax than his net receipts. The assessment on the occupier was an arbitrary one, whether he made any profits or not; whereas, on the contrary, incomes from trades and professions were were ascertained by the voluntary declaration of the recipients—they were allowed to make their own returns. Thanking both sides of the House for the manner in which this subject had been treated, with an entire absence of party feeling, he begged to withdraw the Motion.

Motion, by leave, *withdrawn.*

COUNTY COURTS (ADMIRALTY JURISDICTION) (*re-committed*) BILL.

(*Mr. Norwood, Mr. Headlam, Mr. Candlish.*)

[BILL 94.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. KNATCHBULL-HUGESSEN said, that he was reluctant to initiate opposition to a Bill introduced by his hon. Friend (Mr. Norwood) to which the Government were giving, if not an active support, at least, a tacit acquiescence. He felt bound, however, to ask the Government whether they had fully considered the scope and extent of the Bill, and the important transfer of jurisdiction which it contemplated. He felt the more justified in asking this question on account of the policy of the Government upon other questions. Upon a very important subject the Government had expressed their opinion that it was unwise to legislate before the Report of a Royal Commission which was sitting upon that subject, although the powers of that Commission did not enable it to deal fully with the question in all its bearings. But, in this case, how stood the matter? This Bill proposed to transfer the jurisdiction of the Admiralty Courts to the County Courts. But only in September last, a Royal Commission was issued, which was directed to make full inquiry into the operation and effect of the constitution of all the principal Law Courts (among which were specially enumerated the "High Court of Admiralty in England and the Admiralty Court of the Cinque Ports"), with full powers, to report whether by separation of jurisdiction or otherwise, provision might be made for the more speedy, economical and satisfactory dispatch of the judicial business now transacted by the same Courts. That Commission would, ere long, report, and in what position would the House be if its recommendations should turn out to be entirely opposed to the present Bill? The County Courts were originally formed in order to give cheap law to the people. The law given might have been cheap; but inasmuch as the salaries of County Court Judges were not such as to secure the highest legal talent, he was inclined to believe the information which had reached him to the effect that such law was not very certain or satisfactory. And if, to the cases now tried in the County Courts, the House now added a very numerous and important class of cases such as those contemplated in the Bill, the interests of those who at present occupied the time of the County Courts might possibly be neglected, or, at all events, the law dealt out to them was not likely to be more certain and more satisfactory. He (Mr. Knatchbull-Hugessen) understood that what was really required was a local Court, whose decisions, upon the spot, could be speedily and economically obtained. He (Mr. Knatchbull-Hugessen) represented a large class of persons interested upon this question—namely, the boatmen of Deal and of the Kent Coast. [" Hear, hear ! "] He understood that cheer, and he wished to say that, although much abuse had been showered upon the Deal boatmen by anonymous writers in the public Press, he was prepared to say that those men were as brave, as enduring, and, as a body, as honest a class of men as could be found. He did not desire to introduce irrelevant matter upon this Bill; but if those who abused the boatmen in the Press should ever bring the matter before the House of Commons, he (Mr. Knatchbull-Hugessen) would be ready to defend them boldly in his place. And what did these men ask? That salvage cases and matters in which they were concerned should be tried by nautical men who understood such matters rather than by lawyers who knew nothing about them. He would give an instance of what he meant. He had lately been at Deal when the afternoon was fine and calm, but at night there was rough weather and a real gale, during which time the boatmen were out, risking their lives and their properties for the sake of saving the lives and properties of others. Now, these men would rather have their claims dealt with by a local Board upon the spot, composed of naval men who knew the circumstances of the case, than by some County Court Judge who had been sleeping quietly in his bed some miles inland, and could hardly understand the perils to which they had been subject. With great respect to the County Court Judges, they were not persons likely to understand these matters. And then came the serious question of delay. The County Court might not be sitting for some days after a case occurred, and was the captain of a ship to be delayed until the sitting of this Court? Such delay would be most detrimental. Now there was, in the Cinque Ports, a Court appointed by the authority of the Lord Warden, composed of naval men and merchants, quite competent to try and decide these cases—they were summoned at two hours' notice—they were bound to meet within twenty-four hours, and were sworn before trying a case. What Court could be more speedy or more economical? Formerly, this Court dealt with these cases largely, but some fifteen years ago, a Lloyd's agent had been sent to Deal, before whom parties preferred to go for arbitration, because the awards he gave were generally larger than those of the old Court. But, if properly worked, this Court was admirably fitted to serve as a local Court to deal with these matters. He (Mr. Knatchbull-Hugessen) would prefer that, upon general principles, legislation upon this subject should be postponed. But, if the House determined to go into Committee, he should feel bound to move words which would prevent the abolition of the Lord Warden's Court, which might, at least, exist as a concurrent jurisdiction with the County Court, so that people should not be driven to the latter if they preferred to settle their business before the former. If the House determined to abolish the Lord Warden's Court, it would be his duty to urge the claims to compensation of the officers who had vested rights in such Court. He hoped, however, that the Court would be left in existence, and in what he had said, he felt that he had been doing his duty to his constituents and also to the country.

MR. STEPHEN CAVE said, as it might be convenient that the House should know what course the Government proposed to take, he rose thus early in the debate. His hon. Friend (Mr. Knatchbull-Hugessen) had made a speech which would have been more appropriate on the second reading. If his hon. Friend had been in the House when the Bill was read a second time, he might have been saved the trouble of making many of the observations he had just delivered, because similar remarks had been made by the hon. and learned Gentleman the Member for Richmond, and were answered by the Government at the time. It was unnecessary for him to defend the course of those who desired to legislate upon this subject while a Commission was inquiring into it, seeing that on a more important question than this, the House was willing to legislate without waiting until the Commission now sitting upon it had made their Report. The reason why the Government had assented to the second reading of this Bill was that they had been informed that there was considerable pressure for legislation upon this subject. The provisions of the Bill were only intended to serve a temporary purpose, and they could be easily altered in the event of their being inconsistent with the recommendations in the Report of the Commission. He agreed with the hon. Member that the boatmen of the ports on the East and South coasts were a much abused race, and probably they deserved a good deal of that abuse, but got rather more than their deserts. They were most undoubtedly a very gallant class of persons, and without their aid the loss of life and property upon our coasts would be far greater than at present. Still it would be better if they were put under greater control, and were not allowed to be quite so extortionate as they were at present. He believed that the faults with which they were charged, were mainly to be attributed to defects in the system under which they acted, and by an alteration of that system it might be possible to turn their good qualities to the best account, without prolonging a state of things which had given rise to the French saying, that one of the greatest calamities which could befal a man was to be totally wrecked, but that a still greater was to be saved by English boatmen. He was bound to say on the other side that the chances of being saved were very much greater on the English than on the French side of the water—a fact which had been frequently proved, and which ought not to be lost sight of in these discussions. He was sorry he could not speak equally favourably of the local Courts of the Cinque Ports, which were in many instances not constituted of persons who were conversant with nautical matters. It was said that no case need be brought before the existing Courts, unless both sides were agreed upon adopting such a course, and it appeared that both sides seldom did so agree, so that the Courts were practically useless. They were told that Lloyd's agents usually decided these cases by means of arbitration. But that was a still worse mode of proceeding; inasmuch as the arbitrators were most extravagant in their charges, and for this reason that they were paid according to the amount which they awarded. In one instance that had come to his knowledge, the arbitrator awarded £3,000 damages in a case which was afterwards settled for £30. It was essential to a shipowner in most cases that the question in dispute should be speedily settled; and this necessity, taken advantage of by the claimant, obliged him frequently to accept very unfavourable terms. Under these circumstances the promoters of this Bill were endeavouring by its means to transfer these cases to the County Courts, where they would be decided not only with reasonable despatch but also according to the ordinary principles of justice. Under the Bill, the appeal lay from the County Courts to the Admiralty Court, but possibly that provision might be modified after the Report of the Commission was published.

MR. GORST said, he objected to any temporary legislation upon this subject, and hoped that the Law Officers of the Crown would favour the House with the reasons which had induced them to advise the Government to assent to the second reading of the Bill. He could see no reason why the Bill should be passed before the Report of the Royal Commission was obtained. He therefore moved that the House should go into Committee that day six months. There was at present the option, in salvage cases where the property did not exceed £1,000, of applying to two magistrates or to the County Court; but he had been informed that at Liverpool the latter course had never been resorted to. Nor would the Bill lead to any more speedy despatch of business; for the County Courts were already overloaded with the Equity and Probate jurisdiction which had been conferred on them, and he believed the addition now proposed would lead to greater delay and vexation than attended proceedings in the London Court of Admiralty. He doubted, too, whether County Court Judges were competent to deal with such recondite questions. The Judges, who had generally been barristers in limited practice, were not likely to be versed in the mysterious and recondite questions that would be submitted to them. Lastly, the ports that would be chiefly affected by the Bill were all in the highest degree averse to the proposition.

MR. FRESHFIELD, as a Member interested in the Cinque Ports, opposed the Bill. County Court Judges had already quite sufficient to do. It was clear that they could not be conversant with every department of law, and this was a matter in which they were likely to be especially ignorant. The right hon. Gentleman (Mr. S. Cave) seemed to be very ill-informed as to the constitution of the Cinque Ports. There was in them an Admiralty Court as ancient as the High Court of Admiralty, and it was presided over by Sir Robert Phillimore. The Cinque Ports, moreover, had a peculiar local Court. The Lord Warden had power to select "substantial men," any three of whom could determine claims for salvage. In ninety-nine cases out of a hundred these claims were very trivial, and were decided readily and promptly. A power of appeal to the Court of Admiralty existed, but was rarely exercised. A local tribunal of this kind was surely much better than the County Court, which often sat at a distance, and not more frequently than once a month. On these grounds he seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Gorst,*)

—instead thereof.

THE SOLICITOR GENERAL said, he wished to point attention to the provisions of the Bill as at present printed. He could not but think that many hon. Gentlemen had not read the reprint of the Bill. The avowed object of the original Bill was to facilitate the trial of cases which, from the small amount at stake, it was inconvenient to carry to the Court of Admiralty. To remedy the failure of justice which consequently occured, the hon. Member for Kingston-upon-Hull proposed, in the first instance, to confer Admiralty jurisdiction, in all Admiralty cases where the claim did not exceed £500, on twenty-two County Courts named in the Bill, appointing a Judge to each of these with a salary of £2,000 a year. This would have involved an expense to the country of £44,000 a year, and the jurisdiction thus given would have been rather formidable. The grievance, he had thought, might be met by a much less cumbrous machinery than the original Bill contained. The object to be desired was to give a local and speedy trial in certain, not in all cases, by an Admiralty mode of procedure, not by means of Admiralty jurisdiction. He had therefore suggested to the author of the Bill certain alterations, which would in his opinion greatly improve it, and he hoped render it acceptable to the House. First of all he said there should not be twenty-two County Courts named in the Bill; but where it was thought necessary or desirable a jurisdiction should be given to a County Court, similar to, but not the same as Admiralty jurisdiction. That should be done by Order in Council, and without increasing the charge on the country. Jurisdiction would be given not in all but only in some Admiralty causes. Wherever a cause of action mentioned in the Bill arose within the County Court district so appointed, the suit would be commenced, not by seizing the ship, but by a summons served on the captain of the ship or on the owner if resident within the district. There should be a list of nautical assessors laid before the Judge of the High Court of Admiralty, and confirmed by him, so that, in cases of salvage and collision, the County Court Judge if he thought proper, or if required by either party, would be assisted by two nautical assessors. Originally the Bill gave Admiralty jurisdiction in all Admiralty cases above £500; but under the Bill it was no longer an Admiralty but a County Court jurisdiction. He had thought that jurisdiction in cases of the amount of £500 was inconsistent with the other cases of their ordinary jurisdiction which the County Court entertained, and the hon. Gentleman had consented to lower that amount to £300 in collision and salvage cases, and to less in others. Judging from his own experience where in collision and salvage cases the claim was for £300, the decision would not be for more than from £50 to £100. He had also inserted in the Bill a clause giving a power of appeal to the High Court of Admiralty where any difficulty arose. Under these circumstances he thought that the Bill was one which the House should pass; and he hoped it would not be supposed that the Government had acted in the matter, as the hon. Member for Sandwich (Mr. Knatchbull-Hugessen) had stated, merely to satisfy the hon. Member for Kingston-on-Hull (Mr. Norwood), and other Members who supported the Bill.

MR. NORWOOD thought, with regard to the Cinque Ports, it would be objectionable to have two tribunals in the same district.

THE SOLICITOR GENERAL pointed out that the retention of the Cinque Ports Court would be perfectly consistent with the principle of the Bill—namely, the establishment of local courts; and as the jurisdiction would only be a concurrent one—and there existed a strong feeling in favour of retaining it in the district—he suggested that it might be desirable to continue it.

MAJOR DICKSON wished, in correction of a mistake that had been made, to say that the Commissioners of the Cinque Ports were not mere tradesmen. They thoroughly understood the questions which came before them, and their decisions were well worthy of confidence. He should be glad to know when the Commission on this subject were expected to make their Report.

MR. NORWOOD confessed that he was not disposed to wait for the Report of the Judicature Commission. He begged leave to remind his hon. Friend that there was a Report presented to that House not long ago, relating to transactions at Deal, which were not altogether of a satisfactory nature, and as to the observations of the hon. Member for Cambridge (Mr. Gorst), he must remind the House of the significant fact that the only petition against this Bill was from the Amalgamated Law Society. He would briefly state the reasons that had induced him, with his Friends, to introduce this Bill. The question of Admiralty jurisdiction by local Courts had been discussed for several years past, and it was a question which they, in the North of England especially, felt strongly upon. In the year 1865, a Bill, emanating from Newcastle, was introduced, which was withdrawn on the undertaking of the Board of Trade to deal with the question. The representatives of the seaports still continued to press the wants of their constituents upon the Government, and last year the Board of Trade introduced a Bill which contained provisions almost identical with those of his Bill. It gave, for instance, complete Admiralty jurisdiction to the County Courts, fixed upon limits precisely the same as his; and, in point of fact, the only difference between their Bill and his was this, that they proposed to give extended jurisdiction to the High Court of Admiralty, which was objected to pending the inquiry of the Judicature Commission. His Bill avoided all those points of dispute, and merely confined itself to giving to the local Court certain jurisdiction. Now, with regard to the selection of the County Courts, it would be impossible to find a tribunal better suited to the object in view. They were Courts that existed throughout the entire country, and to which there was every facility of access. With regard to the Courts of Record at Liverpool and Hull, the objection to them was this, that they sat only once in three months, and they could not, therefore, give that summary jurisdiction which a County Court would afford. He could not sufficiently impress on the Committee the importance of this point. Take the case of a foreign ship entering an English port—she might, under present circumstances, be detained, and the case tried in the Admiralty Court of England, whereas, if this Bill became law, the captain of that foreign ship would be able to have recourse to the local Court at an expense considerably lessened. He need not go fully into the various questions and objections which had been raised. They had, he thought, been fully and completely answered by the Solicitor General and the Vice President of the Board of Trade. As a large shipowner, and connected with the mercantile interest of the country, he could only say that he had listened with respect to the opinions of the hon. Member below him, and the hon. Gentleman opposite; but it appeared to him that the legal interest ought not to have more than its due weight in a matter of this kind. They came to the House and asked for what they believed to be a great boon, and without taking up the time of hon. Members any further, he could only say that he hoped the House would consent to go into Committee on the measure.

MR. HORSFALL said, that the Bill in its present form was not acceptable to the commercial community of Liverpool; but, after the explanation of the Solicitor General, he would not object to considering it in Committee, with the hope that the Amendment of his hon. Colleague (Mr. Graves), conferring the requisite jurisdiction on the Passage Court of Liverpool, might be agreed to.

MR. CHILDERS thought that he was quite safe in saying that the Judicature Commission would not report in time to influence the legislation of the present Session. Indeed, if they reported during the winter, it was hardly probable that the Government would be able to pass any measure founded upon its Report next year. While he did not agree with many of the provisions of this Bill, yet on the question of delaying it till the Commission reported, he was not in a position to oppose it.

THE ATTORNEY GENERAL said, he did not know when the Judicature Commission would make its Report. This Bill might be entirely upset by subsequent legislation, or it might be in harmony with the Report of the Commission. He thought a strong case had been made out for providing a remedy for existing evils, and it seemed right that the Bill should be considered in Commitee.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 to 3, inclusive, *agreed to.*

Clause 4 (Repeal of Acts and Parts of Acts).

Mr. KNATCHBULL-HUGESSEN moved the addition of words to the effect that nothing in the Act should affect the power of any Court appointed under the provisions of any Act of Parliament, and under the jurisdiction of the Lord Warden of the Cinque Ports. The Vice President of the Board of Trade was in error as to the constitution of the Cinque Ports Courts, such Courts being composed of naval captains and persons well acquainted with the subjects coming before them, and in the case of the settlement of a claim referred to it was an agent of Lloyd's, and not the Court of the Lord Warden, who acted on the occasion.

Mr. NORWOOD assented to this suggestion, and the Amendment was withdrawn in order that the Cinque Ports Admiralty jurisdiction might be retained by an alteration in the Schedule of the Bill.

Clause *agreed to.*

Remaining clauses *agreed to.*

Mr. GRAVES moved the following new clause (Port of Liverpool and the Court of Passage):—

> "The port of Liverpool and the district within the jurisdiction of the Court of Passage of the borough of Liverpool shall not be included in any County Court district for the purposes of this Act, but the said Court of Passage, upon such an Order in Council being made as Her Majesty is by this Act authorized to make with respect to County Courts, shall have the like jurisdiction, powers, and authorities as are by this Act conferred on County Courts, and as if that Court were a County Court; but nothing herein shall be deemed to enlarge the area over which the jurisdiction of the Court of Passage extends, or to alter the rules and regulations for holding the said Court, or to take away or restrict any jurisdiction, power, or authority already vested in that Court; and fees received in that Court under this Act shall be dealt with as fees received in that Court under its ordinary jurisdiction."

Mr. NORWOOD said, the Court of Passage sat quarterly only, and that would lead to a most unsatisfactory state of things.

Clause amended and *agreed to,* and *added* to the Bill.

House *resumed.*

Bill *reported;* as amended, to be *considered* upon *Thursday.*

MILITARY AT ELECTIONS (IRELAND) BILL—[Bill 95.]

(*Mr. Serjeant Barry, Mr. Gavin, Mr. Esmonde.*)

SECOND READING.

Order for Second Reading read.

Mr. Serjeant BARRY said, he proposed that the second reading of the Bill should be postponed.

Mr. VANCE complained of the Bill being continually put on the Paper and then adjourned. It was inconvenient to Members to have to attend and then find that the Bill was put off.

Mr. Serjeant BARRY said, that being the case, he would move the second reading of the Bill. His object in postponing it was to suit the convenience of Members. The object of the Bill was to assimilate the law of England and Scotland to Ireland with reference to the presence of the military at Parliamentary elections. The military were not only allowed to be present at elections in Ireland, but were employed to escort voters to the poll, thereby causing great dissatisfaction, and interfering with the freedom of election. The practice not only caused dissatisfaction amongst the people of Ireland, but was objectionable to the military engaged in the service. The English Act, passed in 1741, provided that the military should be removed two miles from the place of election; and, if the Secretary of War neglected to carry out the law, he was to be deprived of his office. There must have been an exception made in favour of the Household troops; because it appeared that the presence of the Guards at an election of Westminster caused the House to pass a Resolution declaring that it was a violation of the law. In 1847 another Act was passed, directing that, instead of removing the military two miles from the place of election, they should be confined to their barracks during the election, and that was the Act which he proposed by this Bill to extend to Ireland. In England, the military might be called on in case of necessity; but it must be shown that the necessity was so strong as to supersede the law. If they searched the records of English elections, they would find a degree of disorder utterly unknown at elections in Ireland; and therefore it could not be urged that, though the law might be fit for England, it was not for Ireland, in consequence of the greater prevalence of rioting at Irish elections. Even if there were a peculiar tendency to riot at elections, it was caused by peculiar and exceptional legislation, which provided that, if in any other place than the polling-place rioting takes place, the troops could be employed to protect the voters ostensibly, but in reality to bring the voters to vote against their own convictions. The tenant-farmers of Ireland were perfectly well able to go to the polling-place, and protect themselves in recording their votes; but, unfortunately, in Ireland the tenant-farmers could not vote according to their convictions, but must vote in obedience to the orders of their landlords. The general process was to collect the voters in a mass like a herd of cattle, and, having been put in the centre of a large military escort, they were marched off to the poll; the military being nominally their protectors, but in reality their custodians. Any attack made upon such a cavalcade—which in England or Scotland would create the utmost indignation—was not for the purpose of molesting the voters, but for rescuing them from their most unconstitutional imprisonment. Therefore the employment of the military at elections was most objectionable. If hon. Members were in earnest about protecting voters in the free exercise of the franchise, let them protect them by the ballot. He would only refer, out of many cases, to that of the last Waterford Election, in which two lives were lost under circumstances which he, as a lawyer, averred were perfectly unjustifiable, and which had produced an amount of ill-feeling and irritation not alone in the locality, but throughout Ireland, which it would take some time to subside. It was clear that, at Dungarvan, two persons, unoffending spectators of an election disturbance, were deliberately killed by a trooper of the 12th Lancers. The coroner's inquest found a verdict of wilful murder, which would have been respected in England, but was not in Ireland, on the occasion to which he referred. It was true that there were technical difficulties in the way of detecting the trooper who was actually guilty of the crime. He thought that a great indiscretion was committed when, in the triumphal *cortège* which escorted the Prince of Wales and his bride on their entrance to Dublin, the place of honour was accorded to the 12th Lancers, whose presence called from the people execrations, both loud and deep, and cries of "Dungarvan butchers"—the name by which they are now called in Ireland. He hoped this Bill would be read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Serjeant Barry.*)

The Earl of MAYO regretted that, without Notice, the hon. Member had arraigned the conduct of the stipendiary magistrate at Dungarvan, and at a time when no reply could be given, had made charges which might have been made a year and a half ago. The case might have been brought before the ordinary legal tribunals by the hon. Member or any of his friends. They had not done so; and therefore the House might assume that it was not proper to rake up the occurrence now. From his own personal knowledge, he could state that, though some hisses were heard when the 12th Lancers passed in the late procession, there was no foundation for the statement that execrations were heaped upon the men of that gallant regiment during the recent visit of the Prince and Princess of Wales to Dublin. With regard to the taste of the hon. Member in mentioning this circumstance as he had done, he would say nothing. It is deeply to be regretted that necessity so often compels the Executive to call out the military in aid of the civil power, at the time of elections in Ireland. All Governments had been compelled to take this course; and, so long as the present tendency to riot existed, troops would be required, the use of which it was quite a mistake to suppose was unconstitutional. Soldiers are not called out except on the advice of the magistrates for the preservation of the peace; and he would like to see the Government that could venture to refuse to listen to such advice. He objected to any interference with the Government in Ireland in reference to the employment of military on these occasions. No candid man could believe that, unless this protection were afforded, loss of life would take place. The hon. Gentleman, in trying to persuade the House that any influence was brought to bear on the voters in this way, was acting entirely at variance with facts. The only way to get rid of the presence of military at elections was for the people of Ireland to discontinue their tendency to riot. He moved that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*The Earl of Mayo.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. BAGWELL moved the adjournment of the debate.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Bagwell.*)

The House *divided:*—Ayes 37; Noes 57: Majority 20.

Question again proposed, "That the word 'now' stand part of the Question."

Mr. VANCE thought that the subject had been sufficiently discussed.

Sir PATRICK O'BRIEN then moved that the House do now adjourn.

Motion made, and Question proposed, "That this House do now adjourn."—(*Sir Patrick O'Brien.*)

Mr. MONSELL appealed to the noble Earl the Secretary for Ireland to allow the debate to be adjourned, as it was at the instance of the hon. Member for Armagh (Mr. Vance) that the question had been forced on at that late hour.

The Earl of MAYO said, that if hon. Members were determined to persist in this course it would be useless to enter into a contest. If the hon. Baronet (Sir Patrick O'Brien) would withdraw his Motion for the adjournment of the House, he would consent to the adjournment of the debate.

Motion, by leave, *withdrawn.*

Question again proposed, "That the word 'now' stand part of the Question."

Debate arising; Debate *adjourned* till *To-morrow.*

BRISTOL ELECTION.

Petition of Electors of the City of Bristol, complaining of that Election [App. 1]; referred to the General Committee of Elections, and Mr. Speaker to issue his Warrants for persons, papers, and records.

House adjourned at a quarter before Two o'clock.

HOUSE OF COMMONS,

Wednesday, May 13, 1868.

MINUTES.]—Public Bills—*First Reading—* Investment of Trust Funds Act Amendment* [116].

Second Reading—Weights and Measures (Metric System) [44]; Oxford and Cambridge Universities [30], debate *adjourned;* Jurors' Affirmations (Scotland)* [110].

Committee—Cotton Statistics* [96]; Customs and Income Tax* [108]; Exchequer Bonds (£1,600,000).*

Report—Cotton Statistics* [96]; Customs and Income Tax* [108]; Exchequer Bonds (£1,600,000)*; Metropolis Gas* [85]—amended Title [City of London Gas Bill] [115].

WEIGHTS AND MEASURES (METRIC SYSTEM) BILL—[Bill 44.]

(*Mr. Ewart, Mr. Bazley, Mr. Baines, Mr. John Benjamin Smith, Mr. Graves*).

SECOND READING.

Order for Second Reading read.

Mr. EWART, in moving the second reading of this Bill, said, he would shortly state the progress of the system. It was well known that it arose in France towards the close of the great Revolution, and was the production of some of the most scientific minds of that period in France. It encountered great opposition; and the practical philosophers sent on a mission to measure a quadrant of the meridian were often in danger from the partizans of the Revolution. The first Napoleon, who was hostile to new ideas in general, was also hostile to the metric system. He therefore restored the old system of weights and measures concurrently with the new one, and created a spurious system which was denominated the *systéme usuel.* It was not till a much later period —the year 1837—that Louis Philippe fixed a term, within which it was enacted that the metric system should be compulsorily adopted as the system of France. That term was the year 1840. Such compulsory enactment was the only practical way of securing the introduction of the measure. During all this length of time —a period of between forty and fifty years —the metric system was comparatively unknown in England. On the important subject of an uniform system of weights and measures, the country seems to have gone to sleep, nor was it awakened till the period of the Great Exhibition of 1851. It was then found difficult to ascertain the comparative weights and values of articles sent from countries whose weights and measures were at variance with each other, and the first steps began to be taken in favour of a reform of the system in this country. In the year 1862—the year of the Great International Exhibition—advantage was taken of the presence of many distinguished and learned foreigners to conduct an inquiry into the effects of introducing the metric system into foreign countries. A Committee of the House of Commons was moved for, of which he (Mr. Ewart) had the honour to be the Chairman. Many foreign witnesses were examined, English engineers, manufacturers, and workmen, some of whom had resided abroad, and all of whom gave concurrent testimony in favour of the success of the metric system wherever it had been tried throughout the world. A Report was drawn up to the same intent, embodying Resolutions for the gradual introduction of the metric system into this country, and the formation of a public Department for weights and measures. The Report was sanctioned by the unanimous approval of the Committee. A Bill founded on this Report was introduced, making the adoption of the metric system compulsory in this country. The second reading of that Bill was carried by a majority of 35. It was understood that the Government, though they opposed this first Bill, because it was compulsory, would not oppose a Permissive Bill. Accordingly, in the following year (1863), he (Mr. Ewart), or rather the Government introduced and passed a Permissive Bill, legalizing the use of the metric system. Unfortunately, it did not legalize the metric standards; and the Act became inoperative. We were therefore in as bad a state as ever; and the following words of Professor Leone Levi, which, six years ago, described our weights and measures, describe them now:—

> "For measures of length, we have the ordinary inch, foot, and yard. In cloth measure, we have yards, nails, and ells. There are four different sorts of ells. For nautical purposes, we have fathoms, knots, leagues, and geographical miles, differing from the common mile. The fathom of a man-of-war is 6 feet; of a merchant vessel, 5½ feet; of a fishing smack, 5 feet. We have also the Scotch and Irish mile, and the Scotch and Irish acre. There are several sorts of acres in the United Kingdom, and there are a great variety of roods. We have in almost every trade measures of length specially used in those trades. For the measurement of horses we have the hand; shoemakers use sizes; and we are compelled to adopt guages where the French use the millimetre. The guages are entirely arbitrary. The custom of the trade is the only thing which would decide the question in case of dispute. For measures of capacity we have twenty different bushels. We can scarcely tell what the hogshead means. For ale, it is 54 gallons; for wine, 63. Pipes of wine vary in many ways; each sort of wine seems to claim the privilege of a different sort of pipe. For measures of weight, we have ten different stones. A stone of wool in Darlington is 8 lbs.; a stone of flax at Downpatrick is 24 lbs.; a stone of flax at Belfast, 16⅔ lbs.; but it is also at Belfast 24½ lbs., having in one place two values. The hundredweight may mean 100 lbs., 112 lbs., or 120 lbs. If you buy an ounce or a pound of anything, you must inquire if it belongs to Dutch, Troy, or Avoirdupois weight."

Yet, while we stood still, other nations, whom we deemed less enlightened than ourselves, had advanced. Spain, Portugal, Italy, Belgium, Switzerland, Greece, had followed in the footsteps of France. It had been recently calculated that a population of not less than 265,000,000 enjoyed the blessings of the metric system. Our trade with that population amounted to about £307,000,000—about half the total trade of the country. Other nations were beginning to follow the example of those above cited; among them the United States of America, who had passed a Permissive Bill exactly resembling the one passed in this country, except that it was valid, while the Bill we passed was inoperative. The Bill was introduced in the Senate of the United States by that illustrious man Mr. Sumner; and the celebrated M. Jacobi, in his Report to the International Conference at Paris, in 1867, in the presence of some of the most eminent philosophers in the world, said "that there is reason to hope that the day is not far distant to the complete adoption of the metric system in the United States of America." The Americans have therefore got the start of us already. But the question was gaining ground even in our own possessions. A Commission in Bengal had already reported in favour of the adoption of the metric system; and a Committee had been appointed from the different Presidencies to report upon the whole subject. In the Report of the Committee to the Government of Bengal, he (Mr. Ewart) found the following statement:—

> "It is, then, our deliberate conviction that the simplest, the most efficacious, and the most convenient course which can be adopted will be to legalize the French decimal system of weights and measures, called the metric system; to put forth the whole strength of the Government in every practical direction, in order to familiarize the public with that system; and finally, after a convenient period, to render the use of it compulsory by penal enactments."

The only course for our Government to adopt is to fix a term of years within which the system shall take effect, and to work up to that object, lengthening or shortening the term according to the circumstances of the case, and the educational progress of the nation. As we proceeded, difficulties would vanish, as they did in France and Portugal under the determined perseverance of the rulers of those countries; and the simplicity of the system would become more and more apparent. In the Report of M. Jacobi, which he could not sufficiently recommend to the attention of the House, the results of the metric system for the promotion of education, trade, and manufactures were exhibited in a striking manner. The fact is, the metric system is the complement and corollary of Free Trade. By adopting it, we shall extend the commerce of England and the commerce of the world.

Mr. GRAVES: Sir, when my hon. Friend invited me to support the principle of the Bill which he has just submitted to the House, I felt some hesitation in acceding to his request, from the fact, that though long convinced of the necessity of a uniform system of weights and measures, I had not given that serious consideration to the precise character of the change which its importance deserved; it was, however, a question which, as representing a large commercial community, I could not shirk, and with the full consciousness of the responsibility attaching to such representation, I entered upon the consideration of the proposal, and I am bound to say the more I examined into it, the more was I satisfied of the inconvenience attending our intricate systems, and the greater appeared to be the necessity for adopting in lieu of them the metric and decimal, which are simplicity itself, and have the advantage of being extensively used in many of the commercial nations of the world. There is, no doubt, always a great difficulty in altering a system which has become interwoven with the daily and hourly avocations of a people, and the older the country the stronger the difficulty. England has always shown herself averse to change; but, on the other hand, when once the public mind has become impressed with the necessity for change, it is remarkable with what facility it is accomplished. Let me recall the House to what took place in Ireland not many years since, when a change was made in the currency; it was urged then, as I dare say it will be to-day, that confusion would result and great dissatisfaction arise, but happily wiser counsels prevailed; the currency was altered; some inconvenience was felt, but in twelve months it was all forgotten, and everyone was delighted with the change. Everyone in this House will probably admit that the introduction of one uniform system throughout the whole country would be an immense improvement. Now, let me ask hon. Members to consider whether the inconvenience which must attend the securing of uniformity would be much increased by taking one step more, and making the change a perfect one? I think it would not, and that it will be wiser not to involve the country in any new system, till it is prepared for one which will meet our own wants, and which will bring us into communion with other nations. It is hardly necessary for me to dwell on the variety which exists in our present system, or the endless trouble and confusion which grows out of it; everyone is more or less cognizant of it. It is a heritage derived from the union of countries possessing different standards of weights and measures, each preserving its own to the disadvantage of the whole. We have, for instance, the English mile, 1,760 yards; the Irish mile, 2,240 yards; and the Scotch mile, 1,980 yards; and there is the English acre, 4,840 yards; the Irish acre, 7,840 yards; and the Scotch acre 1,980 yards, all differing in quantities. Then there is the stone of meat, 8 lbs.; of cheese, 16 lbs.; hemp, 32 lbs.; flax, 16¾ lbs., and many others which I could name. And there are the hundredweights, sometimes taken at 112 lbs., 120 lbs., and 140 lbs., in fact, putting aside all local customs, there are eleven systems of weights and measures, all well known and extensively used in the British Islands, and which are all sanctioned either by Act of Parliament or usage. The hon. Member for Dumfries (Mr. Ewart) has traced very succinctly the history of this question up to the present, and has shown that in any inquiry which has been instituted, there has been a large, if not a unanimous opinion expressed in favour of the abandonment of our present standards, and the adoption of a metric one, founded on the principle of decimal subdivision. The Bank of England, it would appear, some years since obtained an Act authorizing the decimal multiples and division of the Troy ounce for weighing bullion. In the year 1838 a Royal Commission was appointed, the Chairman of which was the Astronomer Royal, Mr. Airy, for the purpose of replacing the standards that were lost by the burning of the Houses of Parliament. This Commission presented their Report in 1841. I will merely give one extract from it—

> "The decimal scale, however, appears to us to be by far the most convenient for all transactions which become the subject of written accounts, and for all transactions of whatever kind in which great numbers of weights and measures are combined by addition or multiplication."

In the year 1862 a Select Committee was appointed by the House of Commons in these terms—

> "That a Select Committee be appointed to consider the practicability of adopting a simple and uniform system of Weights and Measures, with a view not only to the benefit of our internal Trade, but to facilitate our Trade and Intercourse with Foreign Countries."

The result of their deliberations was to recommend unanimously the adoption of the metric system. And, lastly, we have just issued to us the valuable Report of the International Conference, which took place last year at Paris, composed of over twenty nationalities, and amongst them will be found the great commercial countries of the New and Old World. Now what does this Congress unanimously recommend?—

> "First: That the decimal system, in accordance with the system of numeration universally employed, is best adapted to express multiples and sub-multiples of weights, measures, and coins.
>
> "Secondly: That the metric decimal system is best adapted for that purpose in consequence of the scientific principles on which it is founded, the homogeneity which exists in the relation of all its parts, and the simplicity and facility of its application, in science, art, industry, and commerce.
>
> "Thirdly: That the instruments of precision and the method employed to obtain copies of prototype weights and measures have attained such a perfection that the exactitude of these copies answers to the wants of industry and commerce, and also to the exigencies of science in its present state.
>
> "Fourthly: That as every economy of labour, whether material or intellectual, is equivalent to a real increase of wealth, the adoption of the metric system, which ranges itself in the same order of ideas as machines and tools, railways and telegraphs, and tables of logarithms, recommends itself particularly in an economic point of view."

And as a means towards an end, the Conference advise the nations wishing to adopt its Report—

> "1. To prescribe the study of the metric system in all the schools, and to exact the knowledge of it in all public competition.
>
> "2. To introduce its exclusive use in scientific publications, in public statistics, in the Post-office, in the Custom-house, in public works, and in such other branches of the Administration as the Government may think desirable.
>
> "The Commission hopes that the competent authorities of different nations may give heed to the wishes of science and the manifestation of public opinion."

If we had our home trade alone to consult, it would no doubt be more convenient to decimalize our familiar units of the pound, the yard, and the gallon; but we have to consult our commerce with other countries, and with this most important necessity in view, our object should be to adopt such a system as would receive the assent of other nations, and by an assimilation of standards facilitate the mutual exchange of our respective products; indeed, the advantages which would follow the adoption by the commercial nations of the world of an uniform system of weights and measures, is one of the most attractive aspects which this question can assume. Already the metric system is in use in about twenty countries, including France, Belgium, the Netherlands, Italy, Spain, Portugal, Brazil, and partially in use in Prussia and Austria — the whole representing some 200,000,000 of people, with £230,000,000 of trade. And the United States, notwithstanding that it possesses a decimal system, has recently introduced the use of the metric system into the Post Office, and has passed a Permissive Bill, providing at the same time for the issue of standards to every State in the Union, and the teaching of the metric system in all the National Schools. Exceptions have been taken to the metric system, and substitute schemes unheard of by other countries have been put forward by high authorities in the scientific world; but with such an indication of national will we may dispel from our minds every idea that any proposal but the metric has the most remote chance of becoming International. The importance of decimalising our present standards instead of accepting at once the metric system in its integrity, and thus bringing ourselves into communion with the civilized nations of the world, is well illustrated by the case of Sweden, which country replaced some ten years since its confused system of weights and measures by a decimal system, in which their old standards were retained and decimally divided. The change was scarcely made when the mistake was discovered, and in 1863 a Congress, consisting of near five hundred Swedish, Norwegian and Danish Members of the three Parliaments and others adopted this resolution—

> "It is expedient to adopt the French metric system, with attendant subdivisions and denominations, for weights and measures in the three Scandinavian countries."

The difference between our ton and hundredweight, in which nearly all the external trade of this country is conducted, and the metric ton and cental is happily so small that it could not derange our ideas for long. The present ton of 2,240 lbs. would only exceed the metric ton of 1000 kilogrammes or 2,205 lbs. by 1½ per cent, while the hundred weight of 112 lbs. would only exceed the metric cental of 110¼ lbs. by 1¾ lbs.; while, by a similar accident, the practical standard of land measure in this country—namely, the surveyor's chain of 66 feet—does not differ from the metric chain of 20 metres by more than 4½ inches. Coincidences so fortunate as those between our principal measures and those of the metric system render its adoption much easier to us than any other that has been proposed. It may possibly be urged as an objection to making the system compulsory, that it has been tried permissively and failed; that if it promised all the advantages its advocates claim of it, public opinion would have seized hold of it, and we should to-day witness its formal adoption; but the fact is, that no provision has been made for the standards, and consequently there is no means of verifying those in use. Indeed, I may mention as a fact, that a firm in London, having foreign trade, weighed goods with metric weights, and were summoned for using a metre which was not stamped, for the simple reason that there was no stamp to verify and stamp it by. It would, no doubt, be more in consonance with our practice to rely solely on permissive powers, and make good this oversight in the Act; but I fear we should only be adding to the existing complication, and that it must be obligatory to use as well as disuse. But before this could be done it will be necessary to educate the young, and prepare the public mind for the change before it would be prudent or desirable to introduce it. My hon. Friend has wisely, I think, left a blank when the Act would come into operation, and there is no part of the Bill which will need more careful consideration at our hands than passing the number of years which should elapse before compulsion would attach.

Now, Sir, I will say a few words on the educational aspect of this question, for it is an important one in its consideration. The House of Commons objected to make the metric system compulsory, very much on the ground that the people were not sufficiently educated in it. Well, Sir, as soon as the Permissive Bill was passed, a deputation from the Metric Committee of the British Association for the Advancement of Science, and the Council of the International Decimal Association waited on the President of the Committee of Council for Education to ask that the metric system might be taught in the national schools; and what was the reply? "No; we cannot undertake to teach the metric system, unless it is made compulsory, because there is not time for teaching both systems." Now, let me dwell for a moment on this want of time, for it has a strong bearing on my argument, and it is admitted on all hands that a large amount of scientific instruction must be introduced into our schools. A Committee is now occupied upstairs considering how this can best be done, and the want of time will form no small difficulty in the desired introduction of science. The period devoted to education is not likely to be extended, and it can only be by economizing the primary branches that it will be possible to embrace science to any extent. The evidence was taken before the Committee on Weights and Measures of 1862 as to the probable saving of time which would be effected by a substitution of the metric and decimal systems, and I will merely quote the reply of one witness, the Rev. Alfred Barrett—

> "(1778.) How much do you think the boys' education would be shortened by the adoption of the decimal system?—Two years at least.
>
> "(1779.) And would the learning of the decimal system be more agreeable?—Yes, I think so, and more complete."

I can well believe that a large saving of time will be effected. Many of us will remember the difficulty we had in mastering the cumbrous "Table Book," and when acquired how difficult to retain; while the simplicity of the metric system is such that the youngest child can learn it; and, once impressed on the mind, will never leave it. It has been said by that large class of persons who dislike innovations, and will not take the trouble of thinking for themselves, that the proposed change is a theoretical one, and only advocated for purposes of science. This is a great mistake. There is scarcely a Chamber of Commerce in this country which has not urged its adoption. The Liverpool Chamber of Commerce has, in a petition just laid on the table, demanded it for the second or third time, in the interest of the educator, the merchant, the dealer, and the working man, alleging that it would simplify all commercial and trading calculations, bringing them within the capacity of the humblest trader. The enormous increase in our foreign trade, the new markets annually opening up—especially in the Eastern world—all making England the great centre round which commerce radiates, has brought to those who are engaged in it an increasing strain both mentally and physically; and it would be a great boon if, by some easy and uniform system, the calculations of trade could be so simplified as to insure a saving of time, thought, and trouble. Let anyone take up the price currents in a merchant's office, and he will be clever indeed who could in one month reduce the weights and measures by which each commodity is sold to one common standard. In fact, if human ingenuity were to be set at work to devise a scheme for embarrassment, confusion, and trouble, nothing more effectual could be proposed than the batch of systems by which the commerce of the world is being carried on. Few in general business understand the quotations of articles in which they are interested without having reference to tables of comparison. Trade has made some efforts to remedy the evil, and with success where tried. The great grain trade of Liverpool has introduced a decimal system of weights and measures, and the cental of 100 lbs. is now the only standard by which wheat is there bought or sold. All approve of the change, and I think it likely ere long it will be introduced to other of the cereals. Government also, I am told, has adopted it in their grain purchases, tenders being now made by the 100 lbs. Thus we see the advantages of the simpler system gradually growing in favour and use. Our decision is watched with interest. Other countries are watching and waiting. We have seen by her Permissive Bill how close America follows us. Russia, through her delegates in 1860, said—"If Great Britain would only take the lead, Russia was prepared to follow, and wholly adopt the metric system." Let us, then, begin to lead, and to-day prepare the way to so desirable a change. Telegraphic communication has broken down the barriers of isolation, and has brought the trading community of the world into hourly communication. We cannot speak with a common language; but we may have a common basis on which the commodities of commerce shall be interchanged, and the wants of industry made known, without having recourse to tedious calculations or tables of comparison, not always at hand. Economy of labour, whether material or intellectual, is an increase of national wealth; and, though it may be a work of time, I am persuaded we shall see the metric and decimal systems the law of England, and that those who come after us—on whom will devolve the duty of upholding the commercial and industrial greatness of our common country—will bless the man who devised and carried its adoption.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Ewart.*)

Mr. BERESFORD HOPE said:* Sir, in rising to move that this Bill be read a second time this day six months, I must congratulate my hon. Friends who have preceded me upon the manner in which they have conducted the debate. From first to last there has been on their part an admirable assumption of the whole question. From first to last the House has not been favoured with any clear definition of what this metrical system is which we are now asked in this sudden manner to force upon the people of the land. "Metricalisation"—I should have hesitated to use the uncouth word, only I have found it in the blue book of 1862, of the hon. Member for Dumfries, in which his case lies—is one thing, while decimalisation is a totally different thing; and yet nine-tenths of the arguments which they have used to induce the House to accept a change from the one system to the other are founded upon the assumption that they are one and the same thing. Decimalisation is a process of calculation for the benefit of the calculator. Metricalisation is not a process, but a system of measures, so called from its unit or base, which happens accidentally to be facilitated by the ease with which its details may be worked out through means of the decimal notation. The metrical system in itself is an abstruse and philosophic one, founded upon the fancy of some French men of science at the time of the Revolution, who adopted as the starting-point of the system the measurement of the earth's circumference, and by way of a unit, measured the 10,000,000th part of a quadrant of a meridian through Paris (about $39\frac{5}{13}$ inches) which they termed a "metre." No doubt those multiples and aliquot parts of the metre which form the French measures of length are adjusted to meet the decimal system, as are also the measures of area, capacity, and weight, which are by a further process built upon the metre. But decimal notation is equally applicable for the man who finds that it helps his calculations whenever he has to work out his sum in our own old weights and measures; for decimals are really not a system, but, as I said, a process for easily reaching a certain practical result, like logarithms or algebraical symbols. I grant all the advantages which their friends urge in behalf of decimals for the purpose of calculation; but it requires no Act of Parliament to enable those who appreciate them to make their own calculations by way of decimals. Least of all, is legislation needed for the merchant princes—the men of enormous means and gigantic transactions—whose advocate my hon. Friend the Member for Liverpool (Mr. Graves) has made himself. They have but to keep a calculating clerk—an employé whose one duty is to manipulate the decimals—and they have got what they want. The sufferers will be the little people—the small buyers and sellers, the hucksters and the marketers—who will be compelled under the penalties of a compulsory Act of Parliament, to learn and to use a system which is, in its outward type, as non-natural as it is novel. I will, in order to prove my point, take the most familiar instance, and show that although a great deal has been said about the advantages of the French subdivisions, yet, after all, our subdivisions are more natural for the ordinary purposes of life. If a boy has to divide an apple, does he ever think anything about the circumference of the earth and its aliquot parts, or about the decimal system and its unrivalled facilities for calculation? No; but he takes his apple, and cuts it into two parts if he wants to halve it, and those halves into quarters if he wants to make four parts of it. In the same way, if a housewife has to cut up the loaf for her family, she divides it into two, into four, into eight, or into sixteen parts, and the sixteen people share their bread naturally. Supposing the loaf to weigh originally a pound, each of these sixteen divisions comes out an ounce. Such is the *rationale* of our system of measuring—the binary system so-called—founded on continual halving, and proved, by the common sense of mankind, before the great era of enlightenment inaugurated in 1789, to be the most convenient and natural one. But I may be told—Halve away, but then express your halvings in decimals. This is very easy for the merchant prince to do when he is totting up his large transactions in "centals," or for the Chancellor of the Exchequer when dealing with a nation's finances; but how will it suit the little transactions of daily life? I come back to my loaf. How are ordinary people to represent halves and quarters by decimal points? The symbol of a half is the figure "five," with a dot to its left hand; the symbol of half that quantity, that is of a quarter, is the sum twenty-five, also with a dot to its left hand. Arithmeticians understand how this can come about, and the symbols have grown natural in their eyes; but in what—even the most infinitesimal—degree do they tell their own story to the unlearned? What palpable relations towards each other can be disentangled out of these most frequently recurring symbols? What is there in the nature of things to show that the dotted five means a half, and the dotted twenty-five a half of that half, and a quarter of the "one," with no dot on either side, which stands for unity? Decimal notation is then, after all, as I have been arguing, a process, and not a system. It is a process good for the schools, and good for the bustling counting-house and the large sum, but the poor man would be completely thrown out if he had to employ—under penal legislation, too—decimal points for the purpose of measuring his little purchases by halves and quarters. With permissive means, such as now exist, the system will come in where it is wanted, and be kept out where it is not wanted; but under a compulsory enactment it will intrude itself everywhere, and show itself in its real colours as nothing less than a public nuisance. But the more we examine the Bill of the hon. Member for Dumfries, the more inapplicable do its provisions seem for the purposes of practical life. I have touched upon the principles of the metric system, let me now call the attention of the House to the language in which (after the French model) it is proposed to clothe that system. The new unit of weight is to be the "gram" or "gramme," which is attained by providing a square vessel, whose capacity is the cube of the hundredth part of a metre ("centimetre" to wit), and then weighing the amount of water which it will hold at a certain temperature. One-tenth part of this gram is to be a de*ci*gram, and ten times a gram is to be a de*ka*gram, for the reformers decreed that aliquot parts were to be named after the Latin, and multiples after the Greek numerals. How in the name of common sense can we make poor people understand that because there are the letters "ci" in the one word it means the tenth of a gram, and that because there are the letters "ka" in the other it means ten grams, or 100 decigrams? My hon. Friends the Member for Dumfries and the Member for Liverpool come to this House representing great commercial transactions; but I stand up for the poor man. Only imagine an honest housewife going into a shop and asking for a decigram of pepper, and a dekagram of tea; imagine, too, the milkmaid selling her fluid by the litre. The Member for Liverpool is a kind-hearted man; is he then prepared, with all the stringent force of a penal statute, to enact that when one of his youthful constituents may desire to effect a commercial transactions in a manufacture for which one portion of that great borough is famous, he should be bound to go to the shop and tender his "dime" for three decigrams of Everton toffee? Fancy the farmer who has been accustomed ever since he entered on his farm to cultivate the "ten" or the "twelve acre field," having to consult the steward about liming the seventeen *are* field, or be a criminal and a contemner of the laws of his country. Fancy the bumpkin who was prepared to boast that he was within a decimetre of catching the fox as he crept through a gap about a decametre from the white gate. If the theorists and the men of wealth—men of brains, it may be, but as certainly men of self-assurance—have worked out this system for themselves, there are poor men, who form the majority of mankind, for whom it will never answer, and there are men of brains at least equal who are decidedly opposed to its adoption. Is it not possible that our present system is not only quite as convenient and useful as the metric system, but a little more philosophical also? Why should a standard founded on the quadrant of the earth's circumference passing through the meridian of Paris be a better one than ours? No doubt it looks very solemn, from the grand nomenclature with which it is propped, but all those odd names for the French weights and measures were adopted at the first heat of the great Revolution, when the pedantic aping after ancient Greek and Latin terms led to their being applied to everything novel and French—from the scanty proportions of a lady's dress to the most intricate principles of jurisprudence and moral philosophy. Moreover, they have taken root in nations whose vernacular languages are themselves derived from the old classical tongues. May it not, I repeat, be just possible that our unit is as good as that of the French, even upon the most abstract grounds? I have received from Sir John Herschel a letter which induced me to come prominently forward and propose the rejection of the present Bill, instead of giving the silent vote with which I should otherwise have been contented. It is dated the 6th of April, 1868, and is in the following terms:—

"Pray pardon me for calling your attention to this Bill of Messrs. Ewart and Co., in the hope that you will oppose it—at all events by vote, and perhaps by word. It is most uncalled for and violent, and is supported, I believe, mainly by the chemists among men of science, whose reading and experimental practice bring them frequently into contact with the French weights and measures, and such engineers as have foreign contracts to execute. As respects a reference of our fundamental units to a natural standard, our national system is anything but the haphazard, indefensible thing it is usually represented to be. The polar axis of the earth is a much better natural unit than the quadrant of a meridian through Paris, and, dividing this into 500,000,000 inches, our actual imperial foot comes within a 1,000th part of twelve such inches, or a geometrical foot. I have by me two foot-rules—one by a good optician, the other purchased at a good shop, and none the worse for wear, which differ from each other by more than that quantity. Taking for the definition of our ounce the weight in air of 1-1,000th part of such a geometrical cubic foot of distilled water at 62° Fahrenheit (our standard temperature), according to the rate declared in the Act 5 *Geo.* IV., our actual imperial ounce differs from such geometrical ounce by only 1-7,000th part. But if, as some later experiments seem to have shown, that rate is slightly incorrect, then, according to these experiments—that is, according to the best of our actual knowledge—the weight of that bulk of water *in vacuo* at a temperature of 72° in place of 62° is, with absolute precision, identical with our actual imperial ounce also weighed *in vacuo*. As for our measures of capacity, our half-pint is the measure of ten ounces of water. Were it worth while to legislate for the correction of such trifling deviations, our system would stand on a footing every way more scientific, as concerns its units, than the French—to say nothing of the actual deviations of the latter from its own theoretical basis, which are by no means insignificant. As to the expediency of sweeping away our national system, and the probability that our shopkeepers will ever be got by such dragooning to buy and sell by the metre, litre, and kilogramme, or our farmers and landowners to measure their land by the hectare, and alter the title-deeds of their estates in accordance, &c., these are matters of statesmanship of which you are a much better judge than I profess to be. For my own part, I do not believe it; but the attempt would create the most extreme disgust and resistance."

I may parenthetically notice the astuteness with which the promoters of the change have kept in the background the portion of their scheme which refers to the alteration in the measure of area. The inconveniences hinted at by Sir John Herschel give reason enough for their prudent reticence. I shall now quote the opinion of another man of science, who, as it will be seen, approaches the question in a direction different from that by which Sir John Herschel travels to it. Professor De Morgan, who, as he himself says, is not only Professor of Mathematics at University College, but practices as an actuary, was one of the witnesses examined before the Committee of 1862, and came under the intellectual thumbscrew of the Chairman, the hon. Member for Dumfries. Being pressed (Q. 2331) upon the "metrical units," he answered—

"With regard to the metrical system, I should distinguish between two distinct things. Decimilisation and metricalisation are two things which are often confounded; persons imagine that they must go together, which is not the case. Any system may be made decimal. I am as much for decimal division as any person can be; I believe that the decimal division of units might be introduced very easily; and I believe that it would coexist perfectly well with the binary division, which I am satisfied must always be used by the common people, so far as halves and quarters are concerned. The halves and quarters are easily converted into decimal fractions. The decimal system, therefore, if fully established throughout the country, might go on and thrive, consistently with the habit of dividing all units into halves and quarters in common life.

"(2332.) Then you draw a distinction between the decimal system and the metrical system?—The metrical system is the decimal system with the units of the French system superadded. I object to the introduction of the French units into this country. I object to it upon a balance of convenience and inconvenience. I admit that the change might be convenient to our foreign commerce; but I believe that it would create such an immense amount of confusion throughout the country that the inconvenience would far more than counterbalance the advantage we should derive in our foreign commercial relations."

After submitting to a good deal of pressing about the experience of foreign countries, Professor De Morgan roundly stated (Answer 2338)—

"What I mean is, that there would be no advantage commensurate with the disadvantage The advantage is in foreign commerce, and the disadvantage would be in the internal transactions of the country."

This led to the point-blank question (2339) "What are they?" And I particularly direct the attention of the House to the answer—

"In the first place, change is in itself a disadvantage, and a great change is a great disadvantage. I must first have it distinctly proved to me that there are advantages which would more than counterbalance the disadvantages I foresee in other respects. I take an objection to the metre. It arose from a mere fanciful connection with the quarter of the meridian, which I think of no practical importance to any man alive. You might just as well try to subdivide the distance from the earth to the moon. The metre is, of course, too long to be the common measure; it is a little longer than a yard. In decimal division the next thing would be the decimetre, which would be too short to take the place of our foot. The same thing applies very much to the other measures. I not only have a general objection to their size as compared with ours, but I think it would be necessary that a very strong case should be made out in their favour before any such change is effected."

The House will observe that Professor De Morgan approaches the consideration of the desirability of the unit having a direct commensurable relation to the great mundane dimensions in a different spirit from Sir John Herschel. The latter accepts the theoretical desirability of the relation, and then shows that our unit fulfils the law more perfectly than the French. Professor de Morgan assumes the practical attitude of a man of the world, and makes light of the necessity. But wide apart as these two men of science are in their premises, they meet in their practical conclusion, and equally condemn the penal enactment in our realm of the metrical system. I will only trouble the House with one more quotation from Professor De Morgan's evidence, as throwing a light upon the frame of mind in which the theorists of France took up the innovation—

"(2408.) The metre, you think, is fanciful?—It was obtained in a fanciful way. It was the ten millionth part of the quarter of the meridian."

"(2409.) Why do you consider that fanciful?—Because it was of no use to anybody, and among the reasons why it was adopted were such as this; that it would be a very pleasant thing for a small proprietor to say, 'I am lord of exactly such a fraction of the whole surface of the earth.' Now, I do not suppose that any little proprietor ever troubled his head with the fraction he held since the time when Adam began to delve the land."

The next witness whom I shall summon is one whom I heard with exceeding astonishment brought forward by the hon. Member for Liverpool as an advocate for the decimal system, namely — the Astronomer Royal, Mr. Airy, who also appeared before the Committee.

"(Q. 1950.) *Chairman.* What do you consider the conveniences or the inconveniences of the existing scales to be ?—I do not think there is much inconvenience." . . . (He then describes the gradual growth of different standards.) "This has given rise to apparent anomalies in the form of the existing scale, but these do not, I believe, produce much inconvenience in practice."

Mr. Airy next explains the comparative ease of the change of weights and measures in France, from the antecedent separation of provinces under which there was no one system for the whole kingdom, from the confusion of the Revolution, and from the meddling with the details of education on the part of the Government, which enabled it to force its will upon the people in a way which would create tumult in our own free land.

"(Q. 1964) *Chairman.* Do you not think that, as the trade of this country continues to increase, it would be of great advantage to the nations to meet together as it were under a common principle and a common system of weights and measures ?—I do not think the advantage is worth mentioning in comparison with the extreme difficulty of introducing it; the number of persons is so small, and the daily transactions in foreign trade are very small in comparison with our domestics transactions.

"(Q. 1965.) Do you not think that these transactions must increase ?—I suppose they must; but whether they increase faster than our domestic transactions I am not in a position to state. I think our domestic trade is far more active than it used to be.

"(Q. 1966.) Would our domestic trade be seriously inconvenienced by the introduction of the decimal system ?—By the act of introducing it, it would. I am not remarking on the merits of the decimal system, but the trouble of the change would be inconceivably greater.

"(Q. 1967.) But if the change could be made *per saltum,* and you could be transferred from your present state into the decimal system, do you not think the change would be advantageous ? —No."

I beg to direct my hon. Friend the Member for Liverpool's particular attention to this brief and decisive answer, It pretty conclusively disposes of Mr. Airy's advocacy of the decimal system.

"(Q. 1968.) Then do you think that the present system is a perfect system ?—If I had a new nation to create, with a new system of weights and measures, I would give them the binary scale throughout. That, I conceive, would be nearest perfection; the binary scale, with means to enable us to use decimal multiples or submultiples."

This scale is further characterized in the next answer as—

"The subdivision that has been adopted by the consent of mankind, and is undoubtedly the most convenient for the purpose."

In Answer 1970, Mr. Airy says the decimal would "scarcely at all" be the means of facilitating calculations in this country. "In coinage it would; but scarcely in anything else." In 1979, those who want the decimal system "introduce it themselves without any difficulty," while—

"As a practical test, the inch is divided in almost every scale into eighths and tenths; but there are very few working men who ever use the tenth. They use the half, the quarter, the eighth, and even go do down to the sixteenth, and they call the next after that the half of the sixteenth."

In Answer 1980, Mr. Airy does—

"Not think it of the least consequence that there should be a corresponding and uniform system between different countries."

The House will allow me briefly to recapitulate my evidence as far as it has yet gone in reference to the compulsory application both of metricalisation and decimalisation. Sir John Herschel has proved that our scale is more philosophical in its unit than the metrical one. The Astronomer Royal has shown that the binary system of division, which is ours, is the "nearest perfection." Professor De Morgan has exposed the pedantic absurdity which lay at the bottom of the revolutionary change in France. But I have yet another witness to call, a gentleman for whom I hope the hon. Member for Dumfries will feel some respect, a teacher at whose feet he may not be ashamed to learn wisdom. It is the Chairman himself of the Committee of 1862, Mr. William Ewart, whose sagacious views I desire to offer for the consideration of the Member for Dumfries. The first witness called before that Committee as a leading advocate for the metrical system was Professor Leone Levi, and among the questions which the Chairman put to him I find the following:—

"Do you not think it was an act of indiscretion on the part of the French Legislature to introduce Greek and Latin terms ?"

"People utterly ignorant of Greek and Latin must have found great difficulty in understanding the terms used ?"

"Is there not this objection also to the use of Greek and Latin terms, that all nations appear, for the sake of brevity, to have adopted very short terms for their weights and measures ? In England, for instance, we adopt the ounce, pound, ell, yard, and so on, almost all of the words being monosyllables; then in France, the *toise,* the *aune,* &c,, almost all of which are monosyllables. Is it not, in your judgment, more consistent with experience to follow that common usage of mankind, rather than the more elaborate system of Greek and Latin terms?"—[Questions 74, 75, 76.]

I will not trouble the House with Mr. Levi's replies at length, as I think the questions themselves amount to a condemnation of the proposed system. The witness sums up—

> "If you have two difficulties to encounter, one to introduce a new system, and another to learn a new language, the difficulty of introducing it" (the system) "is immensely increased."

Only let me entreat my hon. Friend not to be too proud to own himself wrong now, and return to a better mind. Mr. Airy has not been above doing so on this very question, for I find that he printed, in 1862, *Notes for the Committee on Weights and Measures*, referred to in his evidence, in which these paragraphs occurred—

> "I once recommended the substitution of a measure of 2,000 yards instead of the mile of 1,760 yards; not only because it is decimal, but also because it approaches very near to one minute of a degree on the earth's surface, because it corresponds to the nautical mile, and because the Government possess the power (through the turnpike roads and the railways) of exhibiting the material symbols of the measure. But the inconvenience arising from the circumstance that 2,000 yards cannot be measured by the ordinary land chain of twenty-two yards would be so great, that I now doubt the expediency of such a course. I also once recommended the substitution of a weight of 100 lbs. instead of 112 lbs.; and I think that, in certain cases (as at the Custom House, where the duty on large weights of tea, &c., is charged not by the cwt. but by the lb.) it might be convenient. But, viewing the small connection which really exists between the use of the cwt. and the use of the lb., I now doubt the expediency of that substitution."

Such is the Bill which we are asked to pass. Its merits, such as they are, are compressed into the small compass of the facility of decimal notation for a certain class of sums, and the convenience of a common scale by which English and foreign merchants can compare their invoices, and chemists can conduct their experiments. All these advantages already lie within the compass of an easy option; and those who clamour most loudly for the change, are those most easily able to purchase the convenience for themselves. Its disadvantages I have recapitulated. If the Bill is to become not only an Act, but an Act which shall be in deed, and not in name only, law—an Act which shall not be a mockery and an incubus to the statute book—it must be weighted with heavy penalties, inexorably inflicted. Last year several of the English papers expressed deserved sympathy for an unlucky Belgian editor, who, in describing a great flood, innocently remarked that the river rose a certain number of toises. For this the unhappy man was dragged to the bar of justice as a criminal; he had violated the law of his land; he had brought the Belgian statue book into contempt; he had rebelled against authority; and so his doom was fine and imprisonment. This is what we shall have to come to in England, if the hon. Members for Dumfries and Liverpool and Stockport are to make their law and use their law. I have read the language in which the Mover of the Bill exposes the inconveniences of his own proposal. I have also brought to the Bar of of the House men of the highest scientific eminence—Herschel and Airy and De Morgan—as witnesses against the Bill; but in asking the House to reject it, I do not rely upon their testimony. I speak in the name of the poor honest people of the country, traders and buyers, who will suffer infinite inconvenience and embarrassment, and who in their perplexity will have their small incomes cruelly mulcted, if this extraordinary measure becomes the law of the land.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Beresford Hope.*)

Mr. POLLARD-URQUHART said, he was sorry to find his hon. Friend, who held the position of Member for a scientific University where they had both been educated—a position in which he (Mr. Pollard-Urquhart) had assisted to place him—should sneer at a system of notation that was desired by so many eminent men, and by all the great merchants of the day. His hon. Friend had told a pitiful tale of what would happen to the small tradesmen, and the fruitwomen, if this Bill were passed. But did his hon. Friend never buy an apple from a woman in France or in Switzerland? The system prevailed in the retail trade of those countries, without any of the inconveniences which his hon. Friend had conjured up. It might be said that France was a highly centralized country, where the people were bound above all things to obey orders proceeding from head-quarters. But that was not true of such countries as Switzerland or Holland, where the people had as much social independence as in this country. Yet the system prevailed there, and the change had been made there. There were two things to be considered in this matter: the one was, whether the proposed system was advantageous; the other was, whether the advantage was worth the trouble of change. Now he thought the speech of the hon. Member for Liverpool (Mr. Graves) was a sufficient answer to those who said that there was no practical advantage in the change. The hon. Member well knew the evils that arose from our system being different from that of all the rest of the world. He might also refer to the evidence of the late Sir William Brown in favour of this system, who said there would be a large saving in the management of his own business if it were adopted. This was not merely a great merchant's question; there was no class more interested in the adoption of this system than the working men who had to earn their daily bread; for it was only by adopting every possible economy, not only in manufactures but also in keeping accounts, that our country could make head against the competition of other countries. He might also refer to the case of a gentleman who said that his firm had often lost a post by the necessity of translating the system of weights and measures from that of our country into that of the Continent. He thought these were strong arguments in favour of the change, and they all came from practical men. Then came the question whether the change was worth the trouble. He believed that the inconvenience attending it would be so slight as to be unworthy of consideration. It had been made on the Continent without difficulty. It had been found to work well in countries where the small retail trade bore a much greater ratio to the wholesale foreign trade than it did with us. He himself was old enough to remember the introduction of the British currency into Ireland in 1825, and how rapidly after that alteration what were called the Irish fivepenny pieces and the sixpence-halfpennies of the old system were forgotten. He saw no reason to doubt that the other changes to which he had referred would be as easily carried out. The difficulties must be overcome sooner or later, and the sooner, he thought, the better. They had abandoned at a great expense the old methods of warfare, because the safety of the Empire required it. The preservation of the trade and commerce of the country, for which these changes were advocated, was of equally high importance. If we did not adopt this system, which was rapidly becoming the commercial notation of the world, we should be left as much in the lurch as those who, in the present day, crossed the Atlantic in sailing vessels, or those who went out shooting with muzzle-loading fowling-pieces. He should support the Bill.

MR. GORST said, he was sorry to disagree with his hon. Friend the Member for the University of Cambridge (Mr. Beresford Hope); but as he had come to the conclusion that the change would be of great advantage to the country he had no alternative but to support this Bill. He was in favour of decimalisation, even though they went no farther; but if they adopted decimalisation he thought it would be foolish if they did not go a step further and adopt metricalisation also. If we were the only nation in the world, and were about to consider the unit which ought to be adopted, he would accept the evidence of Sir John Herschel or Professor Airy as conclusive. But they were not choosing a unit. A unit had already been chosen, and was in use throughout the other countries of Western Europe, and though it might not be scientifically the best, they would be foolish if they did not choose the unit that was already in use among so many nations. He thought the learned men to whom the hon. Member for the University of Cambridge had referred were asked about things which they did not know much about. If they had been asked what was the proper scientific unit he would have had the greatest respect for their opinions; but when it came to be a question of the best mode of keeping accounts he would rather take the opinion of the hon. Member for the City of London (Mr. Goschen) than that of all the professors in the world. The rest of his hon. Friend's argument only amounted to an abuse of strange new-fangled names of the system. But that had nothing to do with the system itself. The real question was whether the adoption of that system would be advantageous to the trade and commerce of the country. He believed it would be of great advantage to adopt the decimal system in their coinage; but if they adopted the metrical system—which was the decimal applied to a unit of measure—it would be still more advantageous. He was bound to say that one argument which was used in favour of this measure did not commend itself to him—the argument that it would be of advantage to the cause of education. Now, if education was to be considered merely as the teaching of an art of ciphering, that might be true; but if by education was meant instruction in the science of calculation, then the present system of arithmetic was much to be preferred. He wished to say one word on the subject of the compulsory nature of this Bill. A Permissive Bill would aggravate the inconveniences involved in the change. If it were made at all, that must be done by a compulsory measure, the operation of which the Government could facilitate, as the Austrian Government had facilitated the change in the coinage of North Italy, by printing tables and distributing them among the people. It was admitted on all hands that the change would cause inconvenience, and the quicker and sooner the change was made the less would the inconvenience be. They had a Permissive Bill already, but no one adopted the system; in fact, no individual merchant or trader would adopt it till the adoption was made general over the country. Suppose a Government were to adopt the decimal and the metrical system in their taxation and tariff, while the rest of the country adhered to the present system, one could easily see what a scene of confusion would ensue. Against the authorities cited he would quote that of Mr. Cobden, who, speaking of his residence in France, when he was negotiating the Treaty of Commerce, said—

> "I was engaged for, I believe, six months in the constant study and conversion of English weights, measures, and prices into French weights, measures, and prices, and so much did I feel the disadvantages of our system as compared with that of France, that to say I felt mystified and annoyed would not express my feelings at the time; I felt humiliated. The one is simple, symmetrical, logical, and consistent; the other dislocated, complicated, uncouth, and incoherent."

Mr. J. B. SMITH said, when this question was last discussed in 1864 they witnessed the anomaly of Mr. Cobden supporting the metric system as a means of facilitating the growing intercourse between nations, created by the adoption of Free Trade, while the Free Trade Ministers—the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) and the Member for Ashton (Mr. Milner Gibson)—voted against it. The Government, however, were defeated by a large majority, and then engaged to take charge of the Bill. But what a Bill it had proved to be! According to the Report of the Warden of the Standards one of the Inspectors of weights and measures had seized some weights in a tradesman's shop as being illegal, and brought the culprit before the magistrates. The simple-minded man took the Act of Parliament in his hand as his defence against the charge, and the magistrates dismissed the information, observing however that the Act was so loosely drawn they believed he was liable to a penalty. The Law Officers being consulted gave it as their opinion that, though it was lawful to use metric measures, anyone having them in his possession was liable to be prosecuted! It was absolutely necessary that a Bill should be brought forward to correct the blunders of the existing Act; and his hon. Friend the Member for Dumfries (Mr. Ewart) now proposed the second reading of a Bill for the compulsory use, after a limited time, of the metric system of weights and measures. He (Mr. J. B. Smith) hoped that we should not now witness another anomaly — namely, the Government opposing this Bill, while in 1864 five of its present Members supported the metric system. The extraordinary progress which this system had made in other countries was sufficient evidence of its superiority to the old systems. It was now in use by 150,000,000 of people, and its use was permitted among upwards of 120,000,000 other people. The United States adopted it last year. A Royal Commission in India had recommended its adoption in the province of Bengal, and another Commission is now sitting to consider its adoption by all India. Last year the representatives of twenty nations assembled at Paris and recommended its adoption by all nations. M. Matthieu, the President of this assembly, in an admirable opening speech, observed—

> "The establishment of railways and electric telegraphs, those great instruments of progress and civilization, has, so to say, changed the face of the world. Communications are now so easy and so rapid that the different countries are now in a condition in which they were not before, of being rather provinces of the same empire. We cannot now limit ourselves to attempting some simplification: we are led by the force of circumstances to extended reforms. This is the only mode for facilitating social transactions and commercial operations in the entire world."

No less than 61 per cent of our exports go to countries using the metric system, and the time is arrived when we should no longer delay its adoption and thus facilitate our growing intercourse with all the world. The hon. Member for the University of Cambridge is opposed to this Bill, and has read us a letter from Sir John Herschell condemning the metric system, and suggesting a better, but it is too late to attempt to persuade half the world to change a system which they have found so easy and convenient, that no nation has ever shown any desire to abandon it in favour of any other. The late Master of the Mint (Sir John Herschell) is no doubt a high scientific authority, but we have the distinguished authority of the present Master of the Mint (Professor Graham), who was examined before the Weights and Measures Committee, and who recommended the immediate and compulsory adoption of the metric system. We have also the authority of one of the hon. Member's constituents (Professor W. H. Miller of Cambridge), who was one of the members of the Committee for the restoration of the lost standard, and to whom was intrusted the restoration of the standard of weights, no mean authority, who says—

> "The great advantages of the metrical system are having convenient units, and the enormous advantage also of having decimal subdivision."

Then we have the authority of three men, who probably combine more scientific knowledge with practical experience than any other men of any age. Professor Fairbairn says, "the metric system is of all I know the best," and Sir William Armstrong and Mr. Whitworth bear similar testimony. With such overwhelming authority in favour of the metric system it were a waste of time to say another word. In these days of rapid advancement when orders for cotton were sent to America by the electric telegraph and replies received —as in a case he (Mr. J. B. Smith) had heard of—dated half an hour before the date of the order, it was impossible to stand still — we are the first commercial nation in the world, we must maintain our position—to stand still is to be left behind; let us press on then until an international language is established by the use of the same pound weight, the same yard measure, the same gallon, and the same money throughout the world.

Mr. HUBBARD said, he must oppose the Bill. Decimal coins and decimal weights and measures were so closely connected that it was unfair to test one apart from the other; because they worked so much more easily and naturally together. Notwithstanding their advantages, his conviction was that neither change would be for the general advantage of the great interests of the country. He admitted the essential value of the decimal system upon which sales of bullion at the Bank of England were conducted under a special Act of Parliament; but there was a much larger question beyond upon which he felt bound to make a stand. On scientific grounds and for the convenience of large commercial interests, and perhaps with regard to very delicate machinery, it might be an advantage to introduce the decimal system; but it was one thing to state that for certain purposes a system was the more perfect of the two, and quite another thing to say, "You shall subvert an existing widely accepted system in favour of another simply because it is more perfect." Let the Committee look at the possible consequences of this measure before committing themselves to it. They were discussing not a Permissive, but a Compulsory Bill, and not the less compulsory because its operation was to be postponed for some years. The hon. Member for the University of Cambridge (Mr. Beresford Hope) had not at all over-rated what would be the absurd if they were not the grievous hardships that the system would impose upon the people. Supposing that the foreign trade of the country was as important as the hon. Member for Stockport (Mr. J. B. Smith) said it was, still it was to be remembered that this trade was carried on on a large scale, commodities being dealt with in shiploads, and thousands of pounds worth included in a single invoice, and therefore the operations connected with them could be dispatched with comparative ease. But it was a different thing when they followed the domestic and distributed trade of this country through all its manipulations till they found their way into the small retail shops in the New-cut of Lambeth. On the poor the Bill would inflict the greatest possible inconvenience. ["Why?"] Why? because it would be a long time, if ever, before the poor of this country adopted the new system of weights and the foreign names which were attached to them. We could not substitute from a foreign vocabulary any expressions so convenient in quantity as the pound and the ounce. ["Why not?"] Because, as a matter of fact, the commodities which were the staple of their purchases were bought most conveniently in the quantities indicated by those weights. It had taken fifty years of arbitrary and despotic rule in France to obtain for the metric system its present position; and it was far from being general in Paris and still further in the provinces. He might refer to a remarkable illustration of this fact which prevailed in the retail trade of Paris at the present day. A person going into a chandler's shop would ask for a livre or pound of candles, and the shopman would hand over a packet containing 485 *grammes*, or a pound, thus showing how completely the old system kept its hold on the mass of the population in France even though the new system had been introduced by a Revolution, and had been in use for half a century. He did not think the working men, still less the wives of the working men of England more likely to adopt the new system than the same class of people in France. Were Englishmen and Englishwomen to be driven out of their customs and into the adoption of a foreign nomenclature? At least, it was not worth while to go through a Revolution, as the French had done, for the sake of the decimal system. Our present arithmetical system was defensible as an intellectual exercise which developed the minds of scholars, and the decimal system would not be an advance from an educational point of view. Besides the change which had taken place in the corn trade proved that, consistently with the present system, the metric system might be introduced wherever it was considered convenient, whether with regard to weights or measures. The conclusion to which he had come was that, however convenient the metric system might be for the purposes of scientific investigation or engineering, it would be, as regarded the people of England, a grievous inconvenience to have a system introduced which was to be brought into compulsory action—to force upon them a system strange to them by name; of which they had a very imperfect comprehension; to which they could attach no definite idea; and which he believed would never take root in this country. The great diversity that still prevailed in measures of capacity, notwithstanding the efforts that had been made to obtain uniformity, showed the strength of custom in these matters and the difficulty of setting it aside, and the moral he would draw was, "Do not attempt to introduce a change still more at variance with the national taste and feelings, but endeavour to simplify our present system, and bring it into universal acceptance."

Mr. MORRISON said, he opposed the Bill on different grounds. He concurred in the arguments for a decimal and uniform system, and particularly one that was international as well as national; but he could not ignore the fact that all the strength of a Government in the full fervour of revolutionary change in France had failed as yet to secure the entire acceptance of the metric system there, and he questioned whether the cause was advanced by trying to pass this measure in the last Session of a middle class Parliament, to be followed by one in which the working classes would be more perfectly represented. It would be one of the most unpopular measures ever passed by a House of Commons. A cry was sure to be raised against the middle class if the Bill passed; and this would increase the difficulty of putting it into practical working when the time fixed for doing so came. He, therefore, put it to the promoter of the Bill whether it was worth while putting his supporters into a false position by forcing a division. He was in favour of the principle of the Bill; but he could not vote for it in the last Session of an unreformed Parliament. He would urge his hon. Friend to be content with the discussion which he had elicited.

Mr. STEPHEN CAVE said, it seemed to him that this question might be regarded in two ways; first, with reference to this country alone; and, secondly, with regard to our communications with other countries. If this were merely a question regarding ourselves, he, for one, would hesitate very much before assenting to a change, even for the better, in an old country, with a vast population, accustomed to certain ways, a departure from which must necessarily involve very considerable confusion and annoyance. He admitted the inconvenience arising from the present system. Those who suffered the most from it, were those who were scarcely able to judge for themselves; and looking to this country alone, he certainly would be inclined to adopt the advice given by some hon. Members—namely, to endeavour to simplify and bring to one point the weights and measures which exist in this country, although he admitted there was very great difficulty in doing this. He himself attached no importance to the educational argument on the present system. He certainly was not one of those who would advocate unnecessary difficulty in learning for the sake of strengthening the mind. When everything had been made as easy as possible, there would assuredly be difficulty enough left to secure this object. There was quite enough labour in running the race of life, without carrying lead in one's shoes. As Sydney Smith said, life had been distressingly abridged since the Flood, and anyone might be regarded as a benefactor who shortened the time requisite for the attainment of any branch of learning. He had heard, indeed, difficulty in calculation defended by a great authority the other day, on the ground that Frankfort, where, it seemed, the currency was extremely intricate, had produced the greatest dealers in exchanges. For his part, he was willing to leave her that pre-eminence; nor would he enter upon the deeply scientific question of the origin of the two systems. There were many who had argued with great ability that our system should be adopted by the rest of the world. He thought, however, that whatever might be their opinions on this point, all who had tried a decimal system must feel that it was more easily mastered, and more rapid than the present. But, in reference to the second point, there could be no doubt that the progress of opinion in this and other countries as to an international system of weights and measures, as well as of coinage, within the last few years had been remarkable. It might be dated from the Great Exhibition of 1851, and had received enormous impulse from the increased facility of locomotion and the growth of telegraphic as well as postal communication between the nations of the world. The French metric system had already been adopted as an international system in several countries of Europe, and by the United States of America. Its introduction into British India in substitution for the existing complicated system was, as the hon. Member had said, now in contemplation. There could be no question as to the advantage to all persons engaged in transactions with foreign countries involving weights and measures in such an international system, and, considering the great advantages of the simplicity of its decimal scale, and of the relation of the measures of length, weight, and capacity to each other, as well as the adaptation of all these to the coinage, and the fact of its having been already adopted by several countries as an international system, it must be admitted that if a new system was to be adopted in this country, it could be none other than the metric system as established in France. But if the view were adopted of establishing the metric system in Great Britain as an international system, the questions would arise — 1. Was it to be established with reference to international transactions, and concurrently with the existing Imperial system for home transactions? 2. Or was it to be, as by the present Bill, exclusively adopted for both foreign and home transactions, and compulsorily enforced after a specified period, in substitution for the present system? The consideration of the second question involved many points, the discussion of which time did not allow. It would be scarcely possible, at the present time, that such a course could be practically carried out, when it was considered that from 15,000,000 to 20,000,000 of Imperial weights and measures existed in Great Britain, without considering the gas standards and measures. If any step was now to be taken for immediately introducing an international system of weights and measures, it could only be the permissive use of the metric system, as recommended by the Committee of 1862, concurrently with the Imperial system, should it be considered that the advantages to be gained by now establishing an international system were sufficient to counterbalance the evident disadvantages of two concurrent systems of weights and measures, and of abandoning the principle of uniformity which had always been deemed so important. As the hon. Member for Dumfries (Mr. Ewart) had said, the attempt to combine two systems had turned out very unsatisfactorily in France. At the same time the hon. Member was, he thought, impatient, when he expected great effects from a Bill only passed three years ago. The hon. Member for Liverpool, indeed, said trade was already feeling its way in this matter, and it was clear that so great a change could only make its way very gradually in any country. The Astronomer Royal had said, as to a portion of this Bill—

> "With reference to the commercial value of an authorized Exchequer standard on the metrical system it is important to consider the present state of the British law. Contracts made in terms of the metrical system are legal; the values of the metrical units being ascertained, not by reference to an Exchequer standard, but by a table of equivalents, that is of proportions of these units to the units of British measure, of which there are Exchequer standards. As affecting transactions with foreigners, this system leaves nothing to be desired. Contracts with foreigners are always on a large scale, and the verification of such contracts by means of the British standards is as easy as by means of the standards of the foreign country (metrical or otherwise). If it is required to verify a contract for 1,000 metres of French silk, it is only necessary for the merchant to refer to the table hung on the wall or desk of the counting-

house, and he will at once see the number of yards, admitting of verification by a legal standard, which ought to be represented in the measure of the silk furnished to him. As affecting domestic transactions, the considerations are of a different class. If the use of the metre standard as a material measure, and not a tabular equivalent, be in any way made legal, it will be in the power of a single person here and there to require that all tradesmen with whom he may deal to verify their asserted measures by exhibition of, and reference to, a material and metrical standard. And, in a district where not one inhabitant in 10,000 cares about the metrical system, a troublesome person may compel many tradesmen to keep, by the side of the yard measure of 36 inches, a metre measure of 39⅜ inches. The evils of a double standard must be great under any circumstances, but in no case can they be so great as when the two standards are sufficiently near to be occasionally confounded, and sufficiently different to alter every price by 9 per cent. It would be a very great misfortune for the country to be exposed to such an inconvenience."

One of the points referred to the Standards Commission was to inquire and report whether any and what additions to the existing official standards of weights and measures were now required, and under this head was involved the expression of their opinion as to the establishment of the metric system in this country. With the view of placing before the Commission the fullest information upon the whole subject of the metric system in France, the mode in which it was established, and its practical working at the present time, the Warden of the Standards had been in communication with the head of the French Department of Weights and Measures, and had received from him copies of the laws, ordinances, and official instructions relating to the metric system, which would enable him officially to lay the requisite information before the Commission for their consideration. Such information had not hitherto been afforded in this country, and it would enable the Commission not only to form a better opinion as to the actual working of the metric system in France, but to contrast it with the working of the Imperial system in this country. It was suggested, therefore, that until such information should have been laid also before the Government and Parliament, together with the Report of the Standards Commission, any legislation to authorize the introduction of the metric system into this country would be premature. But it appeared to him, with all deference to the opinion which that House had expressed more than once, and to the general feeling of the commercial classes as interpreted by the Chambers of Commerce throughout the country, that the Bill should be read a second time for the purpose of assenting to its principle, on the understanding that it should not be proceeded with in Committee until the Report of the Commission had been received, which would not be during the present year. It had also been suggested by the hon. Member who had last spoken, that it should be left to a new Parliament, like many other questions, inasmuch as that new Parliament would be better able to express the views of the large body of people who would be effected by the change. Sooner or later the country would in all probability adopt the metric system, but he did not at present see any prospect of carrying a compulsory measure, without causing serious, and even perilous dissatisfaction.

MR. MILNER GIBSON said, he was glad to hear from the Government that they would support the second reading of the Bill; at the same time, he was not quite sure that it was a Parliamentary course to read a Bill a second time merely for the purpose of sanctioning the principle on the understanding that the measure was to go no further. He wished to correct a misapprehension of his hon. Friend the Member for Stockport (Mr. J. B. Smith), who had represented him as being an opponent of the metric system. That was erroneous. He had been always of opinion that of all systems of weights and measures now existing in the world the metric system of France was the most complete and most useful in all dealings between men and between nations. This Bill was founded on two principles. The first was that this country having already sanctioned the use of the metric system by Act of Parliament, the Government should be authorized to construct metric standards so that people might have an opportunity of verifying the metric measures in use, and having their accuracy guaranteed by the Government stamp. The second principle was that after a certain number of years our present measures should be abolished and those of the metric system substituted. With regard to the first part of the Bill he was prepared to accede to it. As they had passed a measure the Preamble of which stated that it was expedient to legalize the metric system of weights and measures, the natural consequence was that they should pass another to enable that system to be brought into operation; and at a future time it might be necessary to compel its adoption. If, however, they were to go too far at first they might defeat the object they had in view. He thought that at present the United States had not gone beyond this—namely, the authorization of the construction of those metric standards which would enable tradesmen to use measures with the Government stamp thereon as a guarantee of their accuracy. He hoped the Commission to which the right hon. Gentleman had referred had power to inquire into the desirableness of such a proposal. He did not think it quite clear that the proposal came within the Order of Reference. He should vote for the second reading, reserving to himself the power, should the Bill go into Committee, of dealing with the compulsory clause as he might think most advisable.

MR. EWART said, that there was something so fair in the suggestion of the right hon. Gentleman the Vice President of the Board of Trade that he would willingly accept it.

Question put, "That the word 'now' stand part of the Question."

The House *divided:*—Ayes 217; Noes 65: Majority 152.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Wednesday* 1st July.

OXFORD AND CAMBRIDGE UNIVERSITIES BILL—[BILL 30.]

(*Mr. Coleridge, Mr. Bouverie, Mr. Grant Duff.*)

SECOND READING.

Order for Second Reading read.

MR. COLERIDGE: Mr. Speaker—Sir, I rise to invite the House to assent to the second reading of the Bill now before us. And in so doing I regret that I should be obliged to trouble the House with a single observation. For this is really no more than a consolidation of two Bills with which the House is already familiar—one which has hitherto been associated with the name of the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie); the other which has been introduced in former years by the hon. Gentleman the Chairman of Committees (Mr. Dodson), by the right hon. Gentleman the Member for London (Mr. Goschen), by my hon. Friend the Member for Elgin (Mr. Grant Duff), and by myself. These Bills have been so repeatedly before us—they have been in principle, and in more than principle, so often affirmed by large and even overwhelming majorities—that, as nothing new is to be said upon them, and as I cannot suppose the House to be very desirous of hearing cases argued over and over again on which it has already decided, I should, for my own part, have been content to take the sense of the House upon the measure, without, I confess, much doubt or fear as to what that sense would be. But the matter has been taken up with so much heat and zeal outside the walls of this House; the Bill has been encountered by an agitation and by proceedings so unusual and almost unprecedented; misrepresentations as to its scope and end, unintentional, I am sure, from the characters of those who have made them, but so extreme, and, to me, so utterly incomprehensible—have been so freely indulged in; that it is fit that we who have charge of the Bill should explain, shortly and clearly, what our Bill does propose, and equally shortly and clearly, I hope, what it does not propose, to bring about. Perhaps I may be allowed to say one word as to my own personal position in this matter. It is true that I have always, till now, intentionally kept the question of a free University and the question of free Colleges entirely distinct. It did not appear to me that the one at all necessarily involved the other. And, as a matter of reasoning, I think so still. It is perfectly possible to have a purely secular University with very strictly denominational Colleges forming part of or affiliated to it. The flourishing existence of the University of London is a proof, if one were needed, of this possibility. Nor will I deny but that, if we had to begin afresh, and could do exactly as we liked, this would be not perhaps the best, but a very good idea on which to work. But we have not to begin afresh, and we cannot do exactly as we like; and it is not what is abstractedly the best, but what is, under all the circumstances, reasonably possible that a man of sense aims at in practical politics. I have never taken any part in opposition to the Bill of the right hon. Gentleman the Member for Kilmarnock; and I am now convinced that it may be safely incorporated and usefully passed in the shape now before the House. Much has been said, and justly said—and said by men for whose opinions I have the greatest respect—about the inconvenience of dealing with cognate questions in separate measures. We yield to these objections. The right hon. Gentleman the Member for Kilmarnock has allowed his Bill to be incorporated with mine; and the whole question of religious tests, in both the Universities of Oxford and Cambridge, will henceforth be dealt with in one single and simple measure. In one sense, no doubt, this is an advance. But it must be remembered that the House of Lords last year declined, by a large majority, even to read a second time a Bill sent up to them by an overwhelming majority of this House; and it was therefore useless to invite them again to a second contumelious rejection of the self-same measure. In this House, too, we are getting on: we cannot allow to hon. Gentlemen opposite an absolute monopoly of political education. We all advance—some of us slowly, with hesitation, with difficulty; some by bounds so rapid that the amazed spectators can scarcely follow the motions of the performers. I hardly think, however, that we shall have much argument of this sort from the other side of the House. If, indeed, my noble Friend the Marquess of Salisbury were still amongst us he might, if it suited the nobility and generosity of his nature, use such an argument without exciting a smile of scornful derision on the faces of his opponents. But he has passed away, I believe, with the general regret of the Assembly of which he was an honour and an ornament—I am sure to my own great and unfeigned sorrow. For if I may venture to plagiarize with due acknowledgement from Mr. Canning, I would say that I would gladly give his cause the advantage of his abilities, so we might have the great advantage and delight of his presence—

> "Tuque tuis armis, nos te, poteremur, Achille."

What, then, is it which this Bill does really propose to effect? It will be obvious to any one who reads it that it deals on quite different principles with the Universities and with the Colleges within them. As to the Universities, it enacts, and so to say it compels, freedom. It provides that the full privileges of University membership shall be open to every subject of the Queen without the imposition of any religious test; but the schools of Arts and Law, of Mathematics and History, of Physical Science, of Medicine, and of Music, shall for the future stand apart from the school of Divinity, and, as far as the Universities are concerned, shall not be affected by or connected with it. As to the Colleges, the Bill does not enact or compel at all, but it allows freedom of election, or rather—for this is too large a description of it—it removes restrictions on freedom of election, so far as those restrictions have been imposed by the direct authority of Parliament. And I believe, for the first time, it proposes to remove them all. The right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie), I believe, had dealt only with the restrictions imposed by the Acts of Uniformity. It had been objected that the Bill in its old shape was incomplete and cowardly. The hon. Baronet the Member for the University of Oxford said, and said truly, that it left still excluded those very persons—I mean the Roman Catholics—whom, on any principle of justice and respect for founders' wills, should have been the first to be included. The fact undoubtedly was so; whether it was an objection it is for the House to say; but if it was it is so no longer. All, then, that we ask to be done with the Colleges is that the State should remove restrictions on their freedom of action which the State itself imposed. All things else regarding them will remain as they are now. Their statutes, old and new, will remain unaltered; the religious convictions of their members, old and young, will remain unaffected; their feelings, their associations, will continue entirely unchanged; above all, the personal influence of religious men, whether within the Colleges or without, that influence which is the true source of religious teaching—the wide-reaching power of religious life and religious example—these will remain untouched. No Act of Parliament gave this influence, no Act of Parliament can lessen it, or take it away. Is this, then, just? If not, it should not be done; and it is fit, therefore, to inquire whether it be just or no. Now, as to the Universities, it seems to follow that it is just, from the now generally received proposition, that they are national institutions, to which the nation has granted great privileges, in which it has great interest, and which it is fair that the nation should have access to without reference to the form of religion which the individuals comprising it may chance to profess. No one indeed very seriously disputes this part of the measure; and many Members opposite have abstained from voting or engaging in any active opposition to it. But it is said that it is not just to the Colleges. What is it, then, that we propose? Literally nothing more than to repeal the Act of Uniformity of Charles II. and two or three other much more recent Acts, specially directed against the Roman

Catholics. We propose to withdraw from one form of religion a special protection given in comparatively modern times, and given mainly for a political object; and to leave it to the operation of the general law, and to its own enormous inherent power and influence. Sir, I have heard it said before—and I have heard it with an indignation I find it hard to master—that this measure is an attempt to lay hold of the property of others, and that the object of those who advocate it is to share in money which does not belong to them, and to which they have no right. Once I heard it coupled with a sneer against them, because they had not themselves contributed to raise the institutions to the benefit of which they sought to be admitted. But how much have any of us contributed? Why, not a penny. The founders, nine-tenths of them were Roman Catholics—["No, no."]—Well, I will not argue the proportion; but a large proportion of them were so—and unless we adopt the silly clerical argument that all the founders could have certainly agreed with Bishop Bale and Archbishop Cranmer rather than with Sir Thomas More and Cardinal Pole and Bishop Fisher, we are all of us—except for the title which Acts of Parliament have given the Church of England—equally unentitled to the benefit of Roman Catholic foundations. No man of common sense and common honesty of mind will deny that Chichele and Fox and Adam de Brune would just as much and just as little have desired to see Mr. Miall or Mr. Baptist Noel partakers of their bounties, as Professor Jowett or Archbishop Thomson or Mr. James Anthony Froude. The truth is that all this sort of argument is unworthy; it is a mere appeal to prejudice and to base and coarse prejudice too, and is destitute of any foundation in history or in fact. I do not know that a desire to be a Fellow of the magnificent and beautiful Colleges at Oxford and Cambridge, is in itself a discreditable desire; nor an inclination to repine at exclusion from them, because a man cannot sign the Thirty-nine Articles nor agree in all things with the Church of England, is a very unreasonable inclination. But I put it on a higher ground, a ground of argument which we at least believe in, and we at least can appreciate—that it is not just for the State to interfere as a State between conflicting creeds; that the Church, strong in its position, its learning, its wealth, and its numbers, should justly be left to fight its battles in the Colleges, and that Parliament therefore should let right be done. But though it may be just, the wisdom and the prudence of doing it may be still matter for consideration. And here we are brought face to face with the agitation of which I spoke, and with that most strange and wild address to the Archbishop of Canterbury, which many of us I suppose have read with surprise, and, speaking for myself, I must say with very great regret. I will read to the House some of the passages of that composition, which I think will justify the epithets I have applied to it. The remonstrants say—

> "We approach your Grace as the chief guardian in Parliament of the religious interests of this realm."

They evidently do not think much of the House of Commons. They go on—

> "At the present moment there is a Bill before the House of Commons which, if it should become law, would completely destroy the existing connection of the University and the Colleges with the Church."

Once more—

> "For as the tutors are selected from among the Fellows of Colleges, we are convinced that the admission to Fellowships of persons not necessarily Christians will imperil the continuance of religious education in Oxford and tend to the establishment of a purely secular system. In thus appealing to your Grace, we plead the cause of the Christian parents of our English youth throughout the land, whatever be their religious profession. We are confident they will feel with us that if the proposed changes are effected, not only will unity of faith and worship be inevitably destroyed in the University and the Colleges, but, with the overthrow of a definite creed and of a common form of prayer, the very basis of a Christian education will disappear from amongst us. While the intellect, at a most critical period of life and in an age of great and increasing excitement, will be highly stimulated, the conscience will be injured by the exhibition, in the very home of education, either of a bitter conflict on first principles or of a lax and careless indifferentism. We cannot too strongly represent to your Grace that this is no common contest, no party question. It is not even a question between the Church and Dissent. The battle is for Christian Faith and Christian morals. It is for our very life. On behalf of our Church and our country, on behalf of the souls of the youth of this hitherto Christian nation, we solemnly, as in the presence of Almighty God, implore your Grace, and our Christian brethren everywhere, to strive with us to maintain in our University and our Colleges the principle of Christian education which has been handed down to us through so many Christian centuries, and which, if once destroyed, it will be impossible to restore."

I think it will be admitted that I have read the strongest parts of the address; I have, at least, intended to do so, and I must say that these are surely altogether exaggerated expressions, and utterly weak and unworthy fears. The Church and religion are always perishing out of the land. Ten times, at least, in my own not very long life-time, the clergy and clerically-minded men have foretold the speedy downfall of both; but, thank God, they do not fall down; they grow and spread; they derive strength from measures which are said to threaten their extinction, like the much quoted tree in Horace, which, as he says—

> "Per damna per cœdes ab ipso
> Ducit opes animumque ferro."

Now, what was the Archbishop's answer? I approach an Archbishop, I hope, with proper dispositions. There is the conventional respect for the rank and office, which I try to feel; and there is the real respect for the man, which I feel without effort. But I suppose an Archbishop's logic is no better than that of other men, and that his reasons may be examined by the merely human understanding. He told the remonstrants that, as he had been ten years ago a party to a settlement by which these endowments were secured to the Church of England, he would oppose to the uttermost of his power any measure by which that settlement was threatened with disturbance. But I should like to have asked his Grace who was the other party to that settlement? How were any but members of the Church of England represented on that occasion? It is true that, ten years ago, a Commission of members of the Church of England reformed certain scandals and abuses in the Oxford system, which were too bad for longer toleration; that they reformed establishments, at that time confined to members of the Church of England, for the benefit and in the interest of the Church of England; but how that affects this question, or how it shows, or has any tendency to show, that persons belonging to other religious communions may not now justly share in the advantages of these establishments, I am entirely unable to perceive, and his Grace did not think it fit or needful to explain. The truth, however, is, this whole remonstrance is based on a false assumption as to religious teaching in the sense in which those words were used. I do not want to weary the House by going over again what I said last year; yet I must respectfully but emphatically assert that it does not, and never did, exist in University or Colleges in the sense in which these petitioners talk of it. I asserted then, and I assert now, that the real religious teaching which men of my time got at Oxford—and I mention Oxford and my time, because what is true of Oxford and my time is true *mutatis mutandis* of all time and of both Universities—that which awakened conscience, aroused feeling, and influenced life and practice—was derived from the writings and teaching and example of two illustrious men, equally discouraged and proscribed by University authorities, one in Oxford and one out of it — Dr. Arnold and Dr. Newman. All direct religious teaching worthy of the name I maintain to be personal; indirect religious teaching and influence may come from public services, from the administration of sacraments, from religious buildings, and in a hundred other ways. These indirect influences are utterly untouched by the measure before the House. The direct religious teaching, so far as it is real, so far as it depends on personal authority, will remain exactly as it is. Does any sane man believe that the influence of Mr. Jowett, or of Mr. Liddon, will be in the slightest degree affected by the repealing of the Act of Uniformity of the time of Charles II.? Of course not. No one will be hardy enough to venture any such assertion. Is there any danger, then, to doctrine and to faith? First of all, in a national Church you must needs have great variety of doctrine. Some time ago, within my own knowledge, one Bishop refused ordination to a candidate who answered a doctrinal question in the words of another Bishop, telling his questioner that he had done so. And at present you would find, upon most important points of doctrine, the authorities of Oxford and Salisbury on one side, and of London and Carlisle on the other—hopelessly irreconcilable. There is, as we know, controversy raging in the University; there is, as we know, the very widest difference already in religious teaching; and to talk as if there was one clear, definite code of belief taught alike, and taught with authority, to all the students, is—forgive me—to talk nonsense, and to talk unfair and misleading nonsense too. I am sometimes told by good men, with honest horror, that in the Universities at the dresent moment there is a large amount of almost professed infidelity, and that every religious belief—even the most elementary—is considered there as an open question. I hope, I believe, there is exaggeration in the statement; but if it be true, and so far as it is true, it proves incontestably that your system of religious protection is an utter failure; that it keeps out, perhaps, good and honest and devout Christians, but does not quench doubts, nor extinguish disputes, nor banish infidelity. And, for my own part, I would far rather have fierce but honest and open conflict about religion than a system which, if the statements of its own advocates are to be believed, stifles inquiry without producing conviction, and has an inevitable tendency to create that self-deceit which, to use the memorable words of the illustrious Butler—

> "Undermines the whole principle of good, darkens the light which is to direct our steps, and corrupts the conscience, which is the guide of life."

But this is a practical question, and not one of theory at all; and it is only from a practical point of view that Parliament can regard it. Is this measure safe? Will it really tend, in any appreciable degree, to produce those mischiefs which we have heard so much of? I have pointed out, as well as I can, the exact limits of its operations; and I may appeal to the common sense of the House as the best answer to what seem to me unreal and visionary fears. And when I see distinguished men declaiming in the papers and on platforms about Comtist professors and infidel Fellows and lecturers, I answer—first, that many professorships, and all the lectureships, are at this moment open to them—all, that is to which no subscription to the Articles is attached as a condition—and next, that as every single Fellow is bound by statute and by oath to elect the man whom he believes after examination to be most fit to be elected a Fellow of the College as a place of *religion* and learning, you must have a majority of the Fellows scoundrels, or else men who have become infidels since their own election, before this measure could even aid in the election of any but a man at least honestly believed by the electors to be a moral and religious person. Sir, so far as this is matter of authority, it is decided surely by the petitions. The House heard the remarkable petitions which I presented just before I rose to address them. A large body of the most eminent men of Oxford, non-resident, petition in favour of the measure. A majority—or, if I am exaggerating, at any rate, a large minority — of the working staff of the University and Colleges petition in the same way. A majority of the Fellows of Trinity College, Cambridge, of the Fellows of Peterhouse, and the whole of Christ's College, as a body, are to be found on our side. I am not much grieved by the petitions under the respective seals of the Universities which have been presented against it. Of the Cambridge petition, as I am not a Cambridge man, I say nothing, except that it, of course, does not represent those eminent men who have petitioned in favour of the measure. Of the Oxford petition, I say this — that amongst the dissentients is a vast majority of the men of eminence engaged in the real work of the University. The men who teach, the men who give tone and character to the place, the men of whom we think when we speak of the intellect, the life, the power of the University, all stand aloof, and either petition for the measure or are absolutely neutral. And no one knows better than the right hon. Gentleman opposite, who now represents the University of Oxford, the difference between the weight and numbers of the University; the cruel candour of a thorough analysis of the poll-book at the last election must have satisfied even him that, though he represents a majority of the members of Convocation, he represents only a miserable minority of the class-men, the prize-men, the Fellows, the scholars, the professors of that great and famous University. Sir, one word as to the Bishop of London's plan. I desire to speak of it with that great respect which, on every ground, I feel for that right rev. Prelate; but I will only say that it comes too late; that it is a compromise which we have passed by in this House; and that, for the objects we have in view, although it may turn out that this measure will not wholly effect them, it is perfectly plain that nothing less than this measure in its integrity would have the smallest chance of success. Sir, I have carefully abstained from noticing the personal attacks and the utterly groundless and unprovoked slanders to which those who support this Bill have been exposed for many months. In defence of any existing institution, especially if it can be more or less remotely connected with Christianity, it seems, as far as I can judge, to the defenders to be perfectly right, and, of course, quite justifiable, to forget the elementary precepts of the Christian religion which they are professing to defend, and to make imputation of motive and misrepresentation of object do the duty of reasoning and argument. I pass by the rhetorical garland of abuse which the distinguished Prelate who presides over the See of Oxford offered the other day to the acceptance of an audience largely composed of undergraduates with great favour and applause, because he does not sit in this House, and I differ from him in thinking it fair to make imputations on men in their absence and when they can make no reply. But the hon. Gentleman the Member for Buckingham is in his place, and as he called this Bill, a little while ago at a public meeting, a distinct and avowed attack on Christianity itself, I ask him to stand up here and tell us whether, when he said that, he had even read the Bill, and, if he had, on what sentence, or word, or syllable in it he founds a charge so groundless and so offensive? On these subjects, however, I say no more; and I almost regret I have said so much. Such courses are never ultimately successful, because they are unfair and do not deserve success. They may pain and wound a particular man; I will not deny to the hon. Gentleman the satisfaction, if he desires it, of knowing that such expressions have pained and wounded me, but they cannot prevent the success of what is just; they will not alter by one hair's breadth the course which, as matter of conviction, it is my duty to take. Sir, the vast endowments of the Universities and the Colleges can no longer remain the *peculium* of one particular religious body. They were in effect, by the change then made in the terms of holding, given to that religious body for the wisest purposes and with the best intentions some 300 years ago. In the state of things which then existed, and which continued for many years, they were useful and beneficial in no common measure. But that state of things has past away, and with complete toleration and complete social and political equality it is just and fair that there should also be a complete and absolute educational equality. That these great institutions will continue to work, as they have worked hitherto, for the advance of true religion and of real morality, I have as little doubt as I have of my own existence. How they will work I do not pretend to foretel; I leave the future where Homer left it, and where all wise men must leave it, on the knees of the Gods. But I know that there are a thousand ways in which good may be done or religion may be maintained; and I do not believe—you must excuse me for saying it is childish vanity, and folly to believe—that a few English statutes are the one set of provisions in the world on which Christian truth reposes, and that when they are altered or repealed they involve in their repeal or alteration the destruction of Christian truth. There is much more wisdom, much more real religion, much more Christian faith in the noble words of Mr. Tennyson's *King Arthur*, with which, and with the thought contained in which, I will end what I have to say—

> "The old order changeth, yielding place to new,
> And God fulfils Himself in many ways,
> Lest one good custom should corrupt the world."

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Coleridge*).

Mr. WALPOLE said, that the hon. and learned Gentleman had spoken of those who differed from him on this question in language which he did not expect to hear from him and which seldom fell from his lips. The hon. and learned Gentleman (Mr. Coleridge) was entirely mistaken in his view of the objections entertained to the Bill. Nobody had ever thought of objecting to the fullest educational freedom with regard to the Universities, and indeed the freedom of which his hon. and learned Friend spoke so highly was already secured to everyone throughout the length and breadth of the land. The hon. and learned Gentleman had very properly divided his subject into two parts, the one relating to the Universities and the other to the Colleges. Though the hon. Gentleman now maintained that there was no distinction between the Universities and the Colleges, he spoke differently some time ago. With regard to the Universities, his hon. and learned Friend said he believed the Bill would establish a system of complete freedom, while, with regard to the Colleges, he stated that he only proposed to do justice to them by removing the restraints by which their action was at present fettered. Let them see how the matter stood. In both Universities the utmost freedom of admission was given to Dissenters, and by the University Acts powers were given or intended to be given to them to receive the benefits of a University education by the opening of private halls or hostels. The only distinction between Oxford and Cambridge — a distinction which he admitted should be removed—was that while at the former a person could not advance beyond the Bachelor's degree without a religious test or declaration, at the latter he could advance to the Master's degree; and that while at Oxford a private hall could only be opened by a member of Convocation, at Cambridge a hostel could be opened by any graduate. If this distinction were removed, to which the right hon. Baronet (Sir William Heathcote) raised no objection, at both Oxford and Cambridge the fullest advantages of a University education, with the prizes, honours, exhibitions, and everything which could stimulate a student, and with the Master's degree as a certificate of ability and learning, would be open to the members of every religious denomination. He could not see that any other legislation was required. The hon. and learned Gentleman argued that both Universities required more educational freedom. But this was not a question of educational freedom at all; but whether, when those who did not conform to the teachings of the Church had been given all possible educational freedom, you were to admit to the governing body and teaching power those who did not subscribe to the doctrines of the Church, and who could not, therefore, fulfil the trusts for which these Colleges were founded. The question stated in this way was totally different from that put before the House by the hon. and learned Gentleman, who had, he thought, in this part of his argument thrown the House off the true scent. To what did the eloquence of the hon. and learned Gentleman point when he said the Universities still require additional freedom. He (Mr. Walpole) maintained that there was nothing that could be given to these persons which they did not already possess, unless they were to be admitted to the governing body. The hon. and learned Gentleman spoke of the religious education of the University, as if those who opposed his Bill were contending that there might not be persons like Dr. Arnold and Dr. Newman, who, living in the University, might teach things contrary to the doctrine and practice of the Church. That was not the contention at all. There were two principles upon which they were nearly all agreed. In the first place everyone admitted that education without religion was really of very little worth. Most persons were also agreed that education could not be carried on with religion unless there was some definite and established mode of teaching that religion. The question was whether, when they found such a mode of teaching religion established, they would take it away and say that any person in a College might set up a mode of teaching religion different from that of the Established Church, and with which the great majority did not agree. The general education prescribed by the University was founded upon a definite mode of religious teaching, and the effect of both was to form the habits and regulate the character of the young men at the University. He doubted whether these beneficial results would be secured to young men if a different mode of teaching religion in the University were adopted. He would now consider the question as it affected the Colleges as distinct from the Universities. The latter were more or less connected with the State. They became incorporated bodies by Act of Parliament in the time of Queen Elizabeth, "for the promotion of godly learning." Since the reign of James I. they had returned representatives to that House. They had been, moreover, down to a recent period, supported by certain grants from Parliament. But the case was very different as regarded the Colleges. They were not incorporated by any Act of Parliament, but were governed by charters from the Crown. They had never received any contributions from the public funds. They were voluntary institutions, founded by voluntary benefactions, and supported by these benefactions turned into endowments. They were thus as much entitled to protection and security, according to the trusts of their foundation, as any Dissenting College, whether at Homerton, Hoxton, or Stonyhurst. Upon what principle would Parliament now disturb them in the possession of their privileges? If it were proposed that the House should take from those Dissenting institutions the rights that they now claimed and enjoyed — if it were proposed to interfere with their definite mode of religious teaching—there would be an outcry from one end of the country to the other, ten times as great as the reasonable demonstration made by members of the Universities for defending their statutes and privileges. The Legislature, in dealing with the endowed schools, had laid down the two principles that ought to decide this question. One claim set up and allowed by the Legislature was that the children of parents of every religion should not have their religion interfered with if they went to these schools; and, secondly, that if children of various religions went to the school the provisions of the trust should not on that account be altered. Parliament said that the children of parents of every sect should be enabled to go to these endowed schools, but that it would not interfere with the governing body of these schools. A more complete analogy could not be found than that which existed between the principle laid down by Parliament for the endowed schools and that which he maintained ought still to continue in these Colleges. With regard to the practical operation and consequences of the present Bill, he took issue with the hon. and learned Gentleman, and would state in a very few words why he stoutly and strenuously opposed his measure. There were four points of view in which the practical working and consequences of such a measure might be viewed — as regarded the Dissenters, the Colleges, the Church of England — with which the Universities were connected; and the general interests of the public. With regard to the Dissenters, could the hon. and learned Gentleman contend that they were at present debarred from any privileges which they had a right to expect, holding different opinions, as they did, from those on which these Colleges were endowed? Could he contend that the Dissenters did not now enjoy the fullest benefits and advantages of a University education within the walls of the several Colleges? Did he not know that at this moment there were at Cambridge Dissenters of almost every class, to whom every indulgence was extended, and whose religious convictions and practices were not interfered with? There were at Cambridge Jews, Roman Catholics, Dissenters, and even Parsees, and no practical grievance was complained of. But because they received all the advantages of a University education, and a share in the exhibitions, were they therefore to have a share in the government of these institutions? He would concur with the hon. and learned Gentleman in regarding it as a misfortune that accomplished and learned students could not receive these Fellowships, because they belonged to other religious communities, but he denied that this was a reason for disturbing the trusts on which these Fellowships were held. It was to be regretted that there was not some other mode of rewarding those who had during their University career attained to special literary or scientific distinction, but this was not a sufficient plea for disturbing the very foundations of the Colleges. Then in regard to the Colleges themselves, did the hon. and learned Gentleman really believe that no injury would happen to the religious discipline and teaching of these collegiate bodies, if they admitted to a share in the governing body, not as a favour or as a privilege, but as a right, any persons of any and every religious opinion, and even persons of no religion at all? In Cambridge there were seventeen Colleges, fifteen of which were called the smaller Colleges, because they were not so large as Trinity and St. John. The resident Fellows in these smaller Colleges did not average more than six or seven, and even in the two larger Colleges the seniority was composed of not more than six or seven Fellows. Now, if persons of any and every religion were to be admitted as Fellows they might arrive at a point at which the majority of the Fellows might not belong to the Church, and would the practical working of the system under such circumstances be beneficial? Would not the youthful mind of the country be materially injured if they gave to persons holding religious opinions not in conformity with the trusts of the College the right of advocating secular as distinct from religious principles, the right of upholding rationalistic theories, the right of maintaining the views of all the Dissenting bodies, and, above all the right of prosleytising, which would be freely used in order to bring these young men to Rome? Every one could foresee the controversies and contests which would arise, and it would be extremely difficult for the young men to judge between the scepticism on the one hand and the fanaticism on the other which would prevail. With regard to the Church of England they could not inflict a greater blow upon her than by passing the measure. One of the chief benefits of the connection between the Colleges and the Church of England was that the clergy and laity were so brought up and educated together that no discordance prevailed between them, and they were taught to entertain no narrow or intolerant views. The tendency of the system under which they received a common education was to enlarge the mind and liberalize the ideas of the clergy, and this was shown in all their dealings with mankind after they received Holy Orders. If, however, the House should pass a measure of this kind, such a state of things could exist no longer. As there would be an end to the present definite religious teaching the consequence would be that it would be necessary to send the young men intended for the Church to a theological training College, and there would no longer be that union between the clergy and the laity which had been so beneficial to both. Lastly, he was greatly apprehensive of any change which would convert institutions established to give a sound and religious education into places where everything was or might be taught except religion. He did believe that such a change would shock the feelings and convictions of the country, and would lead many parents to withdraw their sons from the education which they now received at our Universities. While he agreed that it would be desirable to give certain distinctions to Nonconformists which they could not now enjoy, he contended that all the other practical consequences would be most unjust to the Colleges, destructive to the connection of the Church of England with the University, and most detrimental to that combination of religious with secular education which had approved itself to the feelings, wishes, and affections of those who sent their sons to the Universities. For these reasons he trusted that the House would maintain the system that had always prevailed in our two Universities of Oxford and Cambridge. The right hon. Gentleman concluded by moving that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Walpole.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. WINTERBOTHAM said, that to suffer in silence had never been esteemed one of the virtues of the Protestant Dissenters; and he trusted that the House would listen to one of that body who had suffered keenly from the state of things which the present Bill was brought forward to remedy. The House should remember, in the first place, that Dissent was the creation of Parliament. The disabilities and exclusions under which Dissenters had laboured, more or less, for 200 years were all imposed as parts of one policy. The Preamble of the Act of Uniformity set forth that the persons at whom it was directed "wilfully and schismatically refused to come to their parish church." Was that the light in which Parliament was now to regard Protestant Dissenters? If Parliament had changed its policy from that which dictated the Act of Uniformity — had abandoned penal legislation, and had allowed Dissenters a participation in civil rights—they asked that this change should be carried out in the Universities as well as elsewhere. They did not ask for separate halls, or for special provisions for their religious education. They hated sectarian distinctions. They only asked for perfect religious freedom and equality. They asked for nothing more and would take nothing less. They were told that Dissenters had at present free access to the Universities, and that it was only their exclusion from monetary advantages that they regretted. That matter, however, was past argument. If hon. Gentlemen had been fostering so long the spirit of religious ascendancy that they could not appreciate the sense of degradation which it inflicted upon those who were its objects, it would be quite impossible for him to impress it upon them. Culture and education might be bought too dear; and this happened when they were bought at the sacrifice of independence, self-respect, and equality. He believed that the framers of the Act of Uniformity never contemplated the present exclusion of the Dissenters from the Universities. It could never have been intended to deprive the great middle class—the bulk of whom were Dissenters—of the advantages of University education. But he was unwilling that the state of things which this Bill was intended to remove should be considered merely as a grievance on the part of the Dissenters. It was, on the contrary, an injury to the State. The effect had been that, for two centuries, the Dissenters had been left with an unlearned clergy. He knew Dissenting ministers well; they had zeal, and piety, and abilities far above the average, but they had not been, for the greater part, men of culture and learning. They had been, in fact, imperfectly educated. What had been the effect upon the classes with whom they came in contact, and who, from their own deficient culture, had been more dependent upon their ministers than the laity of the Church of England? The effect had been most deleterious upon the middle classes. Those classes possessed great virtues and great energy; but their energies had been too much diverted and narrowed into the production of material wealth. They did not want more energy, but to have their energy better directed. They wanted culture and refinement; not more life, but a higher life. And these they might have been encouraged to attain if their clergy had not been excluded from the highest education which the country possessed—namely, in its Universities. It appeared to him that the anti-social and disintegrating influences which were at work in modern society were terribly strong. What was the duty of those who wished to counteract these agencies? To maintain a common culture and a common faith. Every one knew the power of both in smoothing away religious and political distinctions. Men could not live together for twelve months without coming to like one another. Nothing had struck him more during the short period in which he had had the honour to be a Member of that House than the wonderful tolerance with which hon. Members listened to opinions the most opposite from their own. Christians agreed upon more points then they differed; and the effect upon young men of different religious opinions of receiving their education in common would be, that they would like each other better, and be more tolerant of each other's opinions. It seemed to him that the episcopal and clerical opponents of the Bill knew this, and did not desire it to pass for that very reason. It was said that it would be injurious to the Church; but the laity of England were not to be excluded from instruction in the Universities because young men were studying there for the Church. If the latter could not bear the free breath and healthy light of inquiry and opinion, let them have their theological Colleges, as had been suggested by the right hon. Gentleman (Mr. Walpole); but let not great national institutions be turned into forcing-houses for the clergy. He thought, on the contrary, that no greater boon than this freedom of inquiry could be desired for them. Which was the more cruel—to make them sign the Thirty-nine Articles first and inquire afterwards, or to let them inquire first and sign afterwards? When the deputation on this question waited the other day on the Archbishop of Canterbury, the Bishop of Gloucester spoke of the Church of England being founded on a rock, and of the storms that raged round it. But how had those storms originated? Not with the Dissenters, but with some of the clergy of the Church. Fears of too much freedom of inquiry, and even of infidelity, had been expressed. But where did the thing come from that was so much feared? Not from Protestant Dissenters, but from tutors and Fellows, and even Bishops, who had swallowed all the University tests; and they would make the Dissenters scape-goats for their sins, and send them into the wilderness. Apprehensions of Romanism had likewise been expressed; but where had the Romanist movement in the Established Church its rise? Not among the Protestant Dissenters—he should like to ask how many Protestant Dissenters had become Romanists—not from the increased activity of the Romanists themselves, but at Oxford, among clergymen, Fellows, and tutors, who had swallowed all your tests? How could it be otherwise so long as they compelled men to sail under false colours? Men came in under false colours and changed them when they went out. If they allowed men to come in stating manfully what they believed, they need not fear that, on going out, they would depart from the opinions they had expressed. Let them cease to try the consciences of men; to lead them to tamper with their convictions and trifle with their consciences at a time when their convictions were honest and their consciences were clear. The argument used by Milton in his *Plea for the Liberty of Unlicenced Printing*, was applicable to this question—

> "Where there is much desire to learn, there of necessity will be much arguing, much writing, many opinions; for opinion in good men is but knowledge in the making. . . . . What some lament of, we rather should rejoice at, should rather praise this pious forwardness among men, to reassume the ill-deputed care of their religion into their own hands again. A little generous prudence, a little forbearance of one another, and some grain of charity might win all these diligencies to join and unite into one general and brotherly search after truth, could we but forego this prelatical tradition of crowding free consciences and Christian liberties into canons and precepts of men."

It was in the interest of Christian truth, unity, and charity that he supported this Bill. It would not injure, but rather increase, the influence of real religion by liberating it from odious and unnatural restrictions; and then real religion, breathing more freely, would more effectively pursue its high and holy course, promoting truth, peace, and good-will among men.

SIR WILLIAM HEATHCOTE said, the hon. Gentleman who had just sat down had spoken with an ability and—though he could not himself agree with much that had fallen from him—on the whole, with a temper which showed that he would evidently be an addition to the debating power of that House. Nevertheless, the hon. Gentleman had confirmed him in the impression he previously entertained, that the Bill must inevitably tend, whether its authors intended it or not, towards making University education merely secular. The hon. and learned Member for Exeter (Mr. Coleridge) had committed something like an anachronism in describing this as a Bill for the admission of Dissenters to the Universities. The two questions involved in the Bill—the education and the governing power — were distinct. The hon. and learned Member for Exeter had said that his measure would not have the effect of introducing scepticism or infidelity into the Universities, because infidelity existed there already. For himself, he certainly had no knowledge of its existence there now; but he would ask his hon. and learned Friend whether there was no difference between a man of sceptical principles being in possession of opportunities which it was a disgrace to him to retain, and who therefore was necessarily under the operation of motives that would induce him to be cautious, and the setting-up of such a person in a place of recognized authority? Then they came to the question—could they have the governing power of the Colleges composed of men of different, and, perhaps, contradictory beliefs? He apprehended that the qualifications contained in the Bill must of necessity come to nothing. For instance, there was the reservation of the divinity degrees and the divinity professorships. How could that reservation be maintained? It was entirely inconsistent with the whole principle of the Bill. If they set up the national character of Universities as fatal to, or at least inconsistent with, their religious character, how could they maintain a staff for teaching and examining in the religious tenets of a Church which would be designated as a sect? That reservation would, therefore, last only a very short time. Then, again, how would they retain the religious worship of the College when the members of the College, the governing body, the Fellows, and teachers were of different forms of religion, and some of them, perhaps, of no form of religion at all? It would come to this at last, that they must secularize their education. For his own part, if it came to that, he would rather have seen—though the hon. Gentleman who had spoken last disclaimed the desire to see it—some of the Colleges, or a part of their funds, diverted to establishments for the Dissenters, than that the present governing and teaching bodies should be entirely revolutionized. He did not think his hon. and learned Friend (Mr. Coleridge) really saw the shore on which he would, after all, be landed; he was doing the work of those who wished to bring about a very different state of things from what he desired; and a work which must end in so complete an elimination of religious education from the Universities that they must have separate institutions for teaching the clergy, and even go beyond that. There were, as usual, three courses now open to them. The Colleges might be maintained as they were now in possession of the Fellows belonging to the Established Church; or, if that was not to be conceded, they might either secularize them, as that Bill would do; or convert them into denominational institutions. If they took the last course it might be carried out either by giving half the Colleges to the different forms of Dissent, or—leaving the Colleges as they stood—by diverting half their funds for the benefit of other denominations. He should prefer the latter alternative if he had to choose between them.

MR. HUBBARD said, he hoped he would be allowed to reply briefly to the remarks addressed to him personally by the hon. and learned Member for Exeter, (Mr. Coleridge). His hon. and learned Friend had taken exception to some observations made by him not there but elsewhere. Now he had never uttered a word on that subject either there or elsewhere which he would shrink from acknowledging. His hon. and learned Friend, however, had not quite accurately quoted his words. What he had stated at a public meeting at Buckingham was that the measure of which his hon. and learned Friend was a sponsor was one of a series of measures that were directly aimed against the Christianity of the nation. To those words he entirely adhered, and he was prepared to justify them. The Preamble of the Bill declared that it was expedient that the benefits of the Universities of Oxford and Cambridge should be rendered "freely accessible to the nation." Now, would his hon. and learned Friend say that those great institutions never were accessible to the nation. Were they not open to and intended for the nation at the time of their foundation? When did they cease to be accessible to the nation and appropriate to their original purpose? Would it be pretended that the Church of England ceased to be the Church of England, or that institutions founded to impart sound learning and religion ceased to be appropriate to their purpose, because England, almost as one man, threw off the yoke of the Church of Rome? If, indeed, they had ceased to be "national," it was only to men who themselves were not of the nation — to men who did not hold those principles and those creeds which had at all times been bound up with the religious life and profession of the nation. Were they to revolutionize not only the Universities but the country itself in order to do away with the only question on which there was any repugnance on the part of the Dissenters to the University system? Were they, he asked, to revolutionize and degrade not only the constitution of the Universities, but the Constitution of the whole land, in order to take away that which presented the only point of repugnance between them and the nation? He protested against the abuse of the word "national" in respect to the Universities. These Institutions had come down to them with all their great functions and their character unchanged. The new Member (Mr. Winterbotham), who had spoken that day with much ability, had in one short phrase stated the whole battle between them, for he said, "We ask for religious equality, and we will be content with nothing less." There was nothing like coming to a clear explanation. There was no use going on year after year with mere side issues, which were only so many means of aggravating, and never led to a settlement of anything. The real question was —Was this to be a religious land or was it not? ["Oh!"] He expected a shout of disapprobation when he made that statement. Hon. Gentleman did not see that religion must be founded on a faith. They talked of their all uniting in teaching religion and morality; but the greatest and most absurd figment of the day was the notion that they could uphold religion and teach morality without a faith on which they were to be founded. If they elected into the teaching and governing bodies of the Universities men of entirely different and contrary creeds, there must ensue either constant conflicts that would be destructive of all religious teaching, or, as was more likely to happen, religion would be so subordinated to every other subject as to be practically swept out of the University *curriculum.* Religion would be tabooed by common consent, and they would have no religion taught at all. It was impossible to found any argument on the contradictory state of feeling that now existed. This Bill would open the doors of the Universities to those who had not even an idea of a hereafter. His hon. and learned Friend had argued his cause with consummate ability; but he had pleaded as an advocate; in time he would doubtless reach the highest position in the profession which he adorned, and he (Mr. Hubbard) appealed from the argument of the present Advocate to the matured decision of the future Judge. He had never wished to say a word that would give the least pain to his hon. and learned Friend; but entertaining as he did the strongest objection to his proposal, he could not shrink from the duty of boldly saying what he felt and believed on this important subject.

Mr. POWELL said, he hoped that after a discussion of only two hours on such an important measure the debate would not be arrested. The object of the Bill was to un-denominationalize our system of education and to create a secular system. The petition against the Bill had been signed by 460 Heads and Fellows of Colleges, whereas that in its favour received the signatures of only 290,

And it being now a quarter to Six of the Clock—

Debate *adjourned* till *To-morrow.*

ESTABLISHED CHURCH (IRELAND).

LEAVE.

Mr. GLADSTONE: I rise, Sir, to make the Motion which stands on the Notice Paper in my name, and which, I believe, I could have made, as a matter of form, on the night on which the Resolutions were reported, if it had not been that I waited for the answer to the Address to the Crown—namely, that leave be given to bring in a Bill to prevent, for a limited time, new appointments in the Church of Ireland, and to restrain, for the same period, in certain respects, the proceedings of the Ecclesiastical Commissioners for Ireland.

Mr. NEWDEGATE said, I think it necessary, Sir, to give you notice that I object to the right hon. Gentleman's proceeding at this hour (7 minutes to 6 o'clock) with a Motion for the introduction of a Bill in pursuance of the reply of Her Majesty to an Address from this House;

and, with the permission of the House, I will state my reasons for so objecting.

Mr. SPEAKER: According to the rule of the House, if the hon. Member objects to the Motion being brought on at this hour it cannot be proceeded with.

House adjourned at five minutes to Six o'clock.

HOUSE OF LORDS,

Thursday, May 14, 1868.

MINUTES.]—Public Bills—*First Reading*—Alkali Act Continuance * (99).
Second Reading — Religious, &c. Buildings Sites (77); Duchy of Cornwall Amendment * (94).
Committee—Sea Fisheries (96).
Third Reading—Industrial Schools (Ireland) * (15), and *passed.*

RELIGIOUS, &c., BUILDINGS (SITES) BILL—(No. 77.)

(*The Lord Cranworth.*)

SECOND READING.

Order of the Day for the Second Reading read.

Lord CRANWORTH, in moving that the Bill be now read the second time, said, that the object of the measure was to relieve a very meritorious class of Her Majesty's subjects from what they conceived to be a hardship inflicted on them by the Mortmain Act. By that Act languishing and dying persons were restrained from improvident alienations of lands for charitable purposes when on their death-beds; and the Act made it necessary that such gifts should be made at least twelve months prior to the death of the donor, and that the deed of gift should be enrolled in the Court of Chancery within six months of its execution. This of course excludes gifts by will. The Act extends even to lands purchased for a full consideration, except that in such cases there is no necessity that the purchase should be made twelve months before the death of the party conveying. But the necessity for enrolment extends to these cases as well as to gifts of land. The Act applied to the smallest quantity of land, and even a small plot of ground, intended for objects beneficial to the entire community, such as for a site for the erection of a meeting house or a mechanics' institute, could not be given without conforming to all the provisions of the Act. Now, in the case of large gifts of land these provisions acted, no doubt, beneficially; but in such cases as those he had referred to the enrolment could not possibly serve any useful purpose. He might, perhaps, remark that a similar Bill to the one now before their Lordships was introduced in the last Session of Parliament, and was sent up to their Lordships with the approbation of the House of Commons; but during its passage through their Lordships' House the noble and learned Lord who then held the Great Seal (Lord Chelmsford) proposed a new mode of registration which the promoters of the Bill regarded as so objectionable that they preferred that the law should remain in its present state. A gentleman interested in the promotion of this measure had handed him a paper, from which it appeared that the enrolment in one case had cost a little over £9, and in another £6. This charge was of small moment in the case of large gifts of land, but was felt in the case of small plots as a grievance. These expenses might not be very heavy, but if they were attended by no advantage why should they be incurred at all? The Bill therefore provided that all grants of land for a full valuable consideration (except by will) to trustees on behalf of any body of persons associated together for religious purposes, or for the promotion of education, arts, literature, science, or charitable purposes, for the purpose of erecting thereon buildings for such purposes, shall be exempt from the provisions of the 9 *Geo.* 2. c. 36 and 24 *Vict.* c. 9.

Moved, "That the Bill be now read 2^a."—(*Lord Cranworth.*)

Lord ROMILLY said, he approved the general principle of the Bill, but he could not agree with his noble and learned Friend as to the uselessness of registration. He intended to move some Amendments in Committee, because he felt convinced that the enrolment complained of by the noble and learned Lord was attended with considerable advantages in the case of small charities. This enrolment, in fact, made it impossible that these charities could be deprived of land which had once been given to them. He had made inquiry upon the subject, and he was informed that the highest expense known to have been incurred for this purpose was £3 7*s*.

The cases alluded to by his noble and learned Friend must have been very peculiar and unusual in their character, and he should be obliged if his noble and learned Friend would favour him with the details, so that he might verify them. At present the fees, though not large, might be reduced by the Lord Chancellor, with the consent of the Treasury. When the Bill got into Committee he proposed to move Amendments which would have the effect of doing away with some of the preliminary steps in the enrolment—steps which were totally unnecessary. The result would be that these small charities need not employ any solicitor; but that everything might be done by their own secretaries at an expense of about 30*s*. or 40*s*.

Lord CHELMSFORD said, he agreed with his noble and learned Friend that it was most desirable to prevent any secret grant or alienation of land given for religious and charitable purposes, and it appeared to him that the most effectual way to secure that object was by requiring that all those grants should be enrolled. There could be no practical objection to such a course, which need not be attended with inconvenience or any great expense. His noble and learned Friend, on the previous occasions when he moved a measure similar to this one, had invariably made enrolment one of the conditions upon which those gifts should be valid; but he had altered his views since, and had given their Lordships no satisfactory reasons for his change of opinion, or why the principle of enrolment should not be maintained; and his noble and learned Friend (Lord Romilly) had shown that such enrolment could be effected easily and cheaply. He (Lord Chelmsford) should certainly support any Amendment in Committee which would provide for the enrolment of those grants.

The LORD CHANCELLOR said, he did not rise to offer any opposition to the second reading — on the contrary, he thought that the object of the Bill was exceedingly good and laudable. He had ever been inclined to support measures proposing to effect the acquisition of sites for these purposes in the easiest and cheapest manner. But he wished to observe that the opinion of the country upon the subject did not appear to be so general or unanimous as his noble and learned Friend who moved the second reading supposed it to be. He should have thought that the various bodies throughout the country, who were proprietors of chapels built upon small pieces of land, would have been anxious to reduce to a minimum the expense attending the acquisition of sites. But he found that to be by no means the case. He had received a deputation from a Conference of the Methodist body, representing an enormous number of chapels throughout the country which had been built upon small pieces of land granted for the purpose. Their statement was remarkable. They said it was true that the object of the Mortmain Act originally was to prevent secret conveyances of land for religious and charitable purposes; but where a small piece of land was sold out and out to build a chapel upon it there was no reason to apprehend any mischief from the secrecy of the transaction. The Act had, however, in practice, answered a larger and more important purpose, inasmuch as it had brought about a system of registration of the trusts of small pieces of ground which had proved of the highest possible advantage. The Methodist body stated that they had not a regular stationary body of ministers in their chapels. They were men who went about from place to place. Consequently the deeds of those trusts were generally loosely kept, and some of them had been lost. The result was that all traces of the boundary disappeared, and encroachments were occasionally made which gave rise to disputes as to the exact nature of the trusts, and the obligations which were imposed upon the trustees. The enrolment was, however, attended with this great advantage, that they could procure from the Court of Chancery for a few shillings an office copy of the trust deed, if required. Although that was not the object of the Mortmain Act, yet as it had sprung out of it and proved to be beneficial he (the Lord Chancellor) thought they ought to consider whether it would not be well to secure it by a special enactment. It appeared to him that all practical objects would be secured if those trust deeds were required to be filed, like affidavits, instead of enrolled, and the expense of doing so would be very trifling.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Tuesday*, the 22*nd instant.*

SEA FISHERIES BILL—(No. 96.)

(*The Duke of Richmond.*)

COMMITTEE.

House in Committee (according to Order) (on *Re-commitment*).

Clause 5 (Interpretation of Terms).

THE MARQUESS OF CLANRICARDE said, he had understood that it was the intention of the noble Duke to insert a clause exempting Ireland from the operation of the Bill; as, however, his noble Friend had not done so, he (the Marquess of Clanricarde) would move the omission of the word "Ireland" from the 5th clause. In his opinion the Irish oyster fishermen had a right to complain of the the way in which they had been treated in reference to this matter. By the Convention that had been entered into with France, which it was the object of this Bill to carry out, the oyster fisheries on the coasts of England and France were protected during close time; but the Irish oyster beds were left entirely at the mercy of English and French fishermen, who would most assiduously dredge them during the close season for the purpose of supplying their own oyster beds. The result must inevitably be that, in a few years, several hundreds of Irish fishermen would be deprived of a valuable fishery and of a productive source of livelihood.

THE DUKE OF RICHMOND said, that if the noble Marquess had done him the honour of reading the Bill, he would have seen that he had made his Amendment applicable to the wrong clause. The 5th clause had no reference to the oyster fisheries; it was the 27th clause which referred to Ireland; and in that clause it was provided that that part of the Bill should not interfere with the jurisdiction or powers possessed by the Irish Fishery Commissioners with regard to oyster fisheries, and should not apply to Ireland or the seas adjoining. There was also a proviso that nothing in the Bill relating to oyster or mussel fisheries should either interfere with or affect the jurisdiction which Irish Fishery Commissioners had power to exercise over the seas surrounding Ireland, or over the oyster fisheries and oyster beds in those seas. The 5th clause merely related to what he might term the police regulations of the Bill, and the provisions it contained were such as even an Irish oyster would not object to. The Convention which had been signed between England and France had the effect of reducing the close season by six weeks; so that if the Bill were passed there would be less inducement by six weeks than at present for fishermen to go to the Irish oyster beds. The Bill merely proposed to carry out the Convention.

VISCOUNT LIFFORD maintained that the Bill would interfere with the power which the Irish Fishery Commissioners now possessed and exercised of making by-laws for the regulation of the oyster beds, which existed ten miles out at sea on some parts of the Irish coast.

THE DUKE OF RICHMOND said, the Irish Fishery Commissioners had no more right to make by-laws for the fisheries beyond three miles of the coast, than the noble Lord had to make laws for the regulation of his estate.

VISCOUNT LIFFORD said, that the real tendency of the measure would be to give to Englishmen, Scotchmen, and Dutchmen, facilities for fishing the Irish grounds during the month of June, while the Irish fishermen could only stand and look on, without any power to fish the beds themselves.

THE EARL OF WICKLOW said, that if the Bill passed, the fishermen of Arklow, on the coast of Ireland, would be powerless to protect their oyster beds, which lay within seven or eight miles of land, and were fished by strangers from a distance during the close season. He had recently received a letter stating that in about a week or ten days thousands of barrels of oysters were taken from those beds.

LORD STANLEY OF ALDERLEY said, that the complaint was, that while the Convention gave the French the right of fishing English banks, subject to the observance of close time, the Irish would lose their right of making a close time through the operation of the Fishery Board. The Irish banks would, therefore, be frequented by English and French fishermen in close time to replace the oysters which had been taken from their own beds, and there would be no protection for the Irish coast. His own opinion was, that the Convention was most unjust and unfair, and that their Lordships should not facilitate the carrying of the Convention into effect, but that the noble Duke should endeavour to make a further Convention in reference to close time.

THE LORD CHANCELLOR said, that the question whether a further Convention should be made with France could not then be considered; the only question then was whether the Convention which had been made should be carried into effect. He thought it better that the title to the fisheries off the coast at Arklow should not be discussed; but, at any rate, any jurisdiction that the Irish Fishery Board had exercised was exempted; and any fishery within the proper fishery limits of the coast of Ireland was also exempted.

LORD STANLEY OF ALDERLEY said, that all the banks between England and France beyond the three miles were dealt with by the Convention. Why were not similar banks off the coast of Ireland dealt with?

THE LORD CHANCELLOR said, that the House was not asked to legislate territorially as to fishing rights, but only to give effect to an international arrangement entered into to the effect that the Legislature of each country should put some limit on the action of the subjects of those countries. If there should be a similar Convention as to Ireland the House would have to deal with a measure to give effect to it.

THE MARQUESS OF CLANRICARDE repeated that, as no penalty was imposed in reference to the coast of Ireland, great injury would be done by oysters being taken in breeding time, and he should propose a new clause to remedy this evil.

EARL GREY said, that while he agreed that they could not by legislation affect French rights in places more than three miles from the coast, he thought that the objection of the noble Marquess had not been answered. The Convention secured to France and also to England all that each wanted; but it had neglected to secure what was necessary to protect the Irish fisheries; and the noble Marquess said that Parliament ought not to pass any Act until there should be a Convention to deal with Irish fisheries, and give them the same protection as was given to the French and English fisheries. It seemed reasonable that they should postpone legislation until that was done; because if by passing the Bill they gave France all she wanted it would then be idle to ask her for a fresh Convention.

THE DUKE OF RICHMOND said, that the noble Earl had not clearly apprehended the case. The Convention with France was already signed, but it was necessary to obtain the sanction of Parliament. It seemed to be forgotten that the object of the Commissioners, right or wrong, was to abolish close time altogether, and they had shortened it by six weeks. He had made inquiries, and could not find any case in which any person had been convicted for offending against the by-laws of the Irish Fishery Board at a distance of more than three miles from the shore; and the truth was that they had no power to make such by-laws.

LORD TAUNTON said, they ought not to pass this Bill without further consideration, and that they should place Ireland upon the same footing as was proposed for England and France. They ought, at all events, not to part with the Bill until they had come to an understanding that the matter should be thoroughly investigated, and that any real grievance that might press upon the Irish fisheries should be dealt with.

THE EARL OF MALMESBURY said, there seemed to be some misunderstanding upon this point; the Convention was not in operation, and could not be until it was sanctioned by Parliament. He was inclined to think it desirable that the discussion should be postponed, because it seemed that the matter was not at present well understood. The Convention between England and France was confined to those two countries simply because they possessed the opposite shores of the Channel; but Ireland was in a different geographical position. It seemed to him that the Irish fishermen were labouring under a state of unnecessary panic. The French fishermen, he believed, had not hitherto gone to the Irish beds, which were too distant from them; and he did not see why it should be supposed they would now commence to go there simply because a Convention had been concluded between France and England affecting the Channel fisheries. It would, however, be a serious matter to allow the Convention to be set aside after France had been brought to agree to make undoubted concessions. He might add that he could not agree that the English Parliament had any power to make laws with respect to oyster beds which were more than three miles from the coast.

THE EARL OF KIMBERLEY said, that an express stipulation was inserted in the Convention that it should not come into operation until an Act of Parliament had been obtained. He might remind the noble Earl of an exactly similar case which happened on the first occasion when he held the Seals of the Foreign Office. At that time a Convention was concluded between England and France, subject to the confirmation of Parliament; and a

Bill was consequently introduced, but the Legislature refused to adopt the Bill, and the Convention therefore remained inoperative. As to the jurisdiction which either country might possess over fishing banks at a certain distance from the shore, he supposed there was no doubt that the exclusive jurisdiction of each country extended only to the three mile line. But this treaty, if assented to, would affect the subjects of the Queen and of the Emperor of the French beyond the three mile line. The question was whether it was not advisable, before the Convention was sanctioned, that an arrangement should be made which should include the Irish fisheries also. The grievance of the Irish fishermen was simply this—French fishermen would be able to resort during the close season to the coast of Ireland, and they would certainly do so if prevented by this Convention from fishing in the English Channel. Only the most simple would suggest in answer to this that after the Act was passed the French Government should be asked to grant fresh favours. How could it be expected France would do so after having secured all she desired?

The LORD CHANCELLOR believed the noble Earl misapprehended the state of the case. Should the Convention not obtain the sanction of Parliament, the arrangement of 1859 would remain in force, and under this close extended six weeks longer than was proposed by the present Convention. The negotiator of the Treaty had induced the French Government to shorten the close time by six weeks; therefore the inducements for French fishermen to resort to the Irish grounds would be rather less than more under the treaty; and if as was acknowledged, French fishermen had not as yet found their way to the coast of Ireland the freer course opened to them by the Convention would most likely induce them to continue fishing nearer home. As to the suggestion that France should be asked to prevent her subjects from fishing on the Wicklow coast he thought it very unlikely she would assent to the proposal when we had nothing to offer in return. In his opinion, the hope of obtaining this other concession, of indifferent value, was not a sufficient ground for postponing the enjoyment of the real benefits which would result from the Convention as at present agreed on. The noble Marquess (the Marquess of Canricarde) had asked why Frenchmen should be allowed to fish off the Wicklow coast when the Irish were prevented from doing so? This would be a very just ground of complaint if it were well-founded, but the Irish Fishery Commissioners had no power to impose such a restriction as that described, and he questioned whether any by-law of the nature alluded to was in existence.

The Earl of MALMESBURY said, that as regarded the Bill of 1852, to which the noble Earl (the Earl of Kimberley) had alluded, the object of which was to sanction the Extradition Treaty, he was under misapprehension. It was not he (the Earl of Malmesbury) who had made the Convention with France in respect to extradition, or who was responsible for the Bill introduced into Parliament in respect of it. The treaty was negotiated by Lord Palmerston, and his successor for two months, Lord Granville, and when the Government of the Earl of Derby came into Office they found the Bill ready in the Foreign Office. Of course the new Government felt themselves bound to carry out the engagement with France entered into by their predecessors, and therefore he (the Earl of Malmesbury), as Foreign Minister, introduced the Bill in their Lordships' House. To his great astonishment, as well as to the astonishment of many noble Lords on the other side the House, the Bill was opposed by the then Lord Chancellor (Lord Campbell), who moved its rejection; and it was thrown out. He (the Earl of Malmesbury) was not responsible either for the treaty or the Bill, and had merely moved the latter as a matter of honour.

The Marquess of CLANRICARDE moved to report Progress.

House *resumed;* House to be again in Committee (on *Re-commitment*) on *Friday* the 22*nd instant.*

ALKALI ACT CONTINUANCE BILL [H.L.]

A Bill to continue the Operation of the Alkali Act, 1863—Was *presented* by The Duke of Richmond; read 1ª. (No. 99.)

House adjourned at Seven o'clock,
till To-morrow, half past
Ten o'clock

HOUSE OF COMMONS,

Thursday, May 14, 1868.

MINUTES.]—Supply—*considered in Committee* —Civil Service Estimates—Class III.

Public Bills—*Ordered*—Unclaimed Prize Money (India) *; Established Church (Ireland).

First Reading — Established Church (Ireland) [117].

Second Reading—Partition * [107].

Committee—Boundary Bill [165]—r.p.

Third Reading — Customs and Income Tax * [108]; Exchequer Bonds (£1,600,000) * [112].

METROPOLIS—IRON GATES IN DEVONSHIRE PLACE AND WIMPOLE STREET.—QUESTION.

Mr. GOLDNEY said, he would beg to ask the hon. Member for Bath, Whether the Metropolitan Board of Works is aware that Iron Gates are still continued at the end of Devonshire Place and Wimpole Street, being one of the principal thoroughfares between Oxford Street and the New Road, and that such Gates are refused to be opened to the public unless a gratuity is given to the Gatekeeper; and, if the Board are aware of it, whether they propose to take any steps with reference thereto; and, further, whether the road is repaired at the public expense or by any private individual?

Mr. TITE said, this matter is but a portion of a large question which has been under the consideration of the Metropolitan Board since January last year. There are between 200 and 300 gates of a similar character in the metropolis, and thirty in the parish of St. Pancras alone. The Board first memorialized the House of Lords to refer the matter to the Committee inquiring into Municipal Regulations, but that was not attended to. They then applied to the Home Secretary, who, after considering the subject very carefully, replied that the case was surrounded with so many difficulties that he was unable to bring in a Bill on the subject. The particular cases referred to by the hon. Member for Chippenham are not peculiar. The Board know of no justification for charging anything in the shape of a toll, which would be illegal; but the gates belong in many cases to the owners of the property on which the streets are built, and the Board have no power to interfere. They hope, however, to be able to bring in a Bill next Session. The expense of repairing the roads where such gates exist is, in many cases, borne by the parishes.

LIBRARY AND MUSEUM OF THE PATENT OFFICE.—QUESTION.

Mr. LAYARD said, he wished to ask the First Commissioner of Works, Whether the Government intend to carry out the recommendation of the Select Committee on the Patent Office of 1864, and of the Commissioners of Patents made at various periods, with regard to the Library and Museum of the Patent Office, and to find proper accommodation for them; and, if not, why not?

Lord JOHN MANNERS said, in reply, that the result of the recommendations of the Committee was that a room, ninety feet long and fifty feet wide, had been provided for the purpose of a library, and no complaints had been received of want of accommodation; though if it were found to be insufficient there would be no difficulty in increasing it considerably. The recommendations of the Committee respecting the Museum of Patents were not very clear, and the Government, for various reasons, did not intend to submit any proposals on the subject to Parliament.

METROPOLIS—IMPROVEMENTS IN PARK LANE.—QUESTION.

Viscount HAMILTON said, he wished to ask the First Commissioner of Works, Upon whom rests the responsibility of the present impeded state of the thoroughfare in Park Lane; why the works have continued so long unfinished; and, how many men a-day are employed upon them, and when there is a probability of the works being completed?

Colonel HOGG said, perhaps the noble Lord would allow him to answer the Questions. The Metropolitan Board of Works were at present engaged in altering the thoroughfare in Park Lane. Towards the end of last year their attention was drawn by the St. George's Vestry to the state of Park Lane. A Committee was formed, and, after various conferences between the First Commissioner of Works, the Committees of the Metropolitan Board, and the Vestry of St. George's, Hanover Square, it was agreed that a roadway should be formed of a minimum width of 40 feet, a footpath on the east side of a minimum width of 10 feet, and one on the west side of a uniform width of 8 feet. The deed was signed and deposited with the First Commissioner of Works on the 28th of January, 1868, and on the 31st the contractor was ordered to commence the work. He was allowed twelve weeks to complete it, and, accordingly, it ought to have been completed on the 24th of April. A delay had, however, been occasioned by the necessity of altering the levels of the road in various places, which, though not originally contemplated, was found to be advantageous to both the thoroughfare and the Park. At present there were twenty men on the work, which were as many as could be conveniently employed. At times, during the progress of the job, there had been as many as 100 men on it. The portion of the road between Oxford Street and Mount Street was completely open, that from Mount Street to Stanhope Gate would be open this week, and the remainder would be open in about ten days from the present time.

LEGISLATION FOR SCOTLAND.

QUESTION.

Sir ROBERT ANSTRUTHER said, he wished to ask the Lord Advocate, Whether it is the intention of Her Majesty's Government to proceed with the following Bills :—Land Writs Registration (Scotland), Court of Justiciary (Scotland), Court of Session (Scotland), County General Assessment (Scotland, and Entail Amendment (Scotland) ; and, if so, on what day ?

The LORD ADVOCATE said, in reply, that he did intend to proceed with the Land Writs Registration, the Court of Justiciary, and the Entail Amendment Bills. The County General Assessment Bill stood for second reading that evening; and he proposed that it should be read a second time, in order that it might be reprinted with Amendments, which had been suggested at various county meetings held in April last. Recommendations from several legal corporations upon the subject of the Court of Session Bill were now under the consideration of the Government ; and he would state next week what course he would take with reference to that measure.

REPRESENTATION OF THE PEOPLE ACT, 1867—THE COMPOUND-HOUSEHOLDER.

QUESTION.

Mr. H. B. SHERIDAN said, he wished to ask the Secretary to the Poor Law Board, What steps the Government propose to take to remedy the alleged evils and hardships which have resulted from the abolition of the Compound-Householder; whether it is intended to introduce some general scheme of uniformity of Poor Rate, or whether it is intended to await the Report of the Select Committee on Poor Rates Assessment, &c. ?

Sir MICHAEL HICKS-BEACH said, in reply, that, when his attention was first drawn to the Question of the hon. Gentleman, it occurred to him, remembering the discussions and divisions of last year with reference to the compound-householder, that it ought to have been addressed to some more responsible Member of Her Majesty's Government. The Bill introduced by the Poor Law Department in the present Session in no way affected the compound-householder. The hon. Member must be aware that on the Motion of the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) a Select Committee had been appointed to consider this and other questions. Now, if he might offer his private opinion, he thought that neither the House nor the Government would be likely to legislate on the subject without a full consideration of the Report of that Committee.

THE CORPS OF COMMISSIONAIRES—EMPLOYMENT IN CIVIL DEPARTMENTS.—QUESTION.

Sir CHARLES RUSSELL said, he wished to ask the Secretary to the Treasury, Whether it is true that in a Report of a Committee (composed of Mr. Goulburn, the Vice Controller of Customs, Mr. Farrar, and Mr. Williams, of the Board of Trade), presented to the Treasury in June 1865, a strong recommendation was made of the expediency of employing Commissionaires in the various Civil Departments of the United Kingdom, on the special grounds of "efficiency" and "economy;" and, if so, whether there will be any objection on the part of the Government to produce that part of the Report relating to the Corps of Commissionaires ?

Mr. SCLATER-BOOTH, in reply, said, he had to inform his hon. and gallant Friend that the Report to which he had alluded made no such recommendation as he appeared to suppose. The Committee confined their recommendation exclusively to the employment of two Commissionaires in the office of the Registrar General of Seamen. It was not their duty to report generally. The Report was a confidential one, addressed to the Board of Trade, and he therefore could not lay it on the table.

IRELAND—CUSTOMS' OFFICERS.

QUESTION.

Mr. STOCK said, he wished to ask the Secretary to the Treasury, Why the First Clerk in the Customs at Dublin should have a salary of only £400 a-year, his Collector's salary being £1,000, when the First Clerk at Glasgow had a salary of £450, although his Collector's salary was only £800?

Mr. SCLATER-BOOTH replied, that the hon. Member was misinformed as to the salaries of those officers. The establishment at Dublin and that at Glasgow were in precisely the same classification as regarded the salaries of the clerks. The Chief Clerk at each place had a salary of £350, rising by annual increments to £400. It was true that the Collector at Dublin had a higher salary than the Collector at Glasgow, because he was a sort of Surveyor General in Ireland.

ESTABLISHED CHURCH (IRELAND).

QUESTION.

Colonel STUART KNOX said, he wished to ask an important Question of the right hon. Gentleman the Member for South Lancashire. He regretted that he had only been able to give him private Notice after he entered the House. The question he wished to ask was, After what hour he will not take the Suspensory Bill; and, whether, as the right hon. Gentleman can bring the matter before Parliament without the least delay, and without interfering with the necessary business of the country, he will, if he still persists in his present intentions, introduce the Bill at such an hour as will permit a full discussion?

Mr. GLADSTONE: Sir, I have no difficulty in answering the question for want of Notice, because it appears to me to be simple in its character. The Motion which I have to make for the introduction of this Bill is a Motion which I believe, in conformity with the ordinary usages of the House, I should have been perfectly justified in making immediately after the Report of the Resolutions which passed through the Committee, and a Motion for leave to introduce a Bill under such circumstances, as far as my recollection goes, is uniformly acceded to as a matter of course. It was from motives which I explained on a former occasion that, in deference to the Crown, I did not bring in the Bill at that time. I trust I shall be allowed to put myself in as good a position as I should have been in if I had been able to proceed in the usual course, at whatever hour I may have the opportunity.

Colonel STUART KNOX: We shall feel it our duty in this case to give the right hon. Gentleman a precedent for future occasions in regard to the introduction of Bills of such a nature.

BOUNDARY BILL—[Bill 78.]

(*Mr. Secretary Gathorne Hardy, Mr. Chancellor of the Exchequer, Sir James Fergusson.*)

COMMITTEE.

Order for Committee read.

Mr. GLADSTONE: It is to be regretted, although I do not think it is matter of blame to anyone, that there was no discussion on the subject of this Bill when it was read a second time; because it involves consideration of a nature that can hardly be discusssed in Committee, unless we consider broader questions than are raised by any clause on the Motion for postponing the Preamble. With regard to the principal provisions of this Bill, we are in a position of very considerable difficulty, and it is only by the disposition of the sections of the House to co-operate that we have any chance of getting out of that difficulty. I will endeavour to explain the difficulty. First, I may say, for myself and those with whom I have had the means of communicating, that no part of the difficulty arises from the conduct of the Boundary Commissioners. They had entrusted to them a difficult duty with regard to the alteration of the existing boundaries of boroughs, and with scanty guidance from the House. They were to inquire into the boundaries of all boroughs, subject to the condition that they were in no case to recommend the contraction of those boundaries; but the main object of their inquiry was to be to ascertain whether the boundaries should be enlarged so as to include within the limits of boroughs—

> "All premises which ought, due regard being had to situation or other local circumstances, to be included therein for the purpose of conferring upon the occupiers thereof the Parliamentary franchise."

We must all feel that the task imposed upon the Commissioners was a very arduous one; and there was no notification given to them on the part of Parliament of the principle on which they were to found their proceedings, beyond the general words, "All premises, due regard being had to situation and other local circumstances." With these disadvantages the

Commissioners have earned our obligations by the care, intelligence, and impartiality they have displayed. For my own part, I know of but one case in which there is, upon the face of circumstances, any appearance of a palpable departure from the intention of their Instructions, and that is saying a great deal when the cases to be dealt with were so numerous, the Commissioners having recommended the extension of the boundaries of about two-fifths of the boroughs of England. The exceptional case I refer to is that of Leamington and Warwick. So far as I can learn there is not the slightest imputation upon the Commissioners of any indirect aiming at augmenting the influence of one party or another by the recommendations they have made; nor is there, as far as I know, any such character even unintentionally attaching to those recommendations. There are however, points which it is absolutely necessary that we should take into view, not only without any disrespect to the Commissioners, but, on the contrary, with a strong feeling of gratitude for the way in which they have discharged a very difficult duty. I own that I have a prejudice in favour of the identity of Parliamentary and municipal boundaries. Obviously where the Parliamentary boundary is within the municipal boundary and covers a less area, there can be no difficulty about the extension to the frontier, so to speak, afforded by the municipal boundary; but the difficulty in departing from the identity of boundaries arises in this way—When we wish a town to be represented we must ask ourselves what we mean by a town? Do we mean an associated community having a common government? While very unwilling to admit of a wholesale departure from that principle, I do not ask the House to adopt it and deal with the recommendations of the Commissioners upon it, because the time to have done that was twelve months ago when the Commission was appointed. The point which I wish to bring fully into view is, that there is an element in this case which, in the absence of a clear principle like that of the identity of the Parliamentary and municipal boundaries, is the most important element of all, but which was not within the Instructions of the Commissioners—I mean the disposition of the parties, the disposition of a town to be extended, the disposition of a district to be annexed. The Commissioners have not considered that, and they were not appointed to inquire into the wishes of the inhabitants; but it is impossible we can exclude that element from our view. I will not say that the wish of the inhabitants ought to be conclusive with the House, and that there should be no extension, unless in cases where the town is willing to be enlarged, and the district is willing to be included; but this is a proposition for which I cannot help anticipating general if not universal assent—that where there is an unwillingness on the part of the town to be enlarged, and of the district to be included, that intelligence demands from this House in principle a fair consideration, and the time and opportunity necessary for such a purpose. Therefore I feel the greatest difficulty—nay, an impossibility, in adopting wholesale the recommendation of the Commissioners with respect to new boundaries for old boroughs, on the face of the evidence we have of a disinclination existing in many cases to its being done. That disinclination of the parties is not the only consideration we must take into view. There are others of a very serious nature. One is the effect which is produced by the extension of boundaries upon proprietary franchises. It is a portion of the Act of last year which I regret exceedingly, and I think we acted with great shortsightedness, at a period when we were so greatly multiplying the merely numerical force of the constituencies, in allowing so much extinction of proprietary franchises. In some cases it might almost be asserted that the effect of an extension of boundary as proposed will be simple disfranchisement; because there are cases in which the district proposed to be included is inhabited wholly by the middle class. The persons who constitute the population are men of business, having their places of business in the town, and having, in virtue of those offices, a vote for the borough, while their residences, being beyond the limits of the town, give them a vote for the county. I do not say this is a general rule; but where it is the case the effect of the extension of the boundary would be simple disfranchisement, because all those persons would lose votes for the county and they possess votes for the towns already. I mention this only as a reason for proceeding with deliberation in this matter. Another great reason is the effect of the extension of these boundaries with reference to compound-householders. With the sense of hardship and grievance that appears to prevail in many of the boroughs of the country in consequence of the provisions of the Act of last year, we ought to be very cautious about extending these provisions in cases where the inhabitants do not desire such extension. Further, I do not think that the Report of the Commissioners can be considered as final. I do not think we can conclude this from the Report of the Commissioners, because they themselves have brought into view the inconvenient effect of the regulation imposed on them, that in no case were they to recommend a contraction of the areas of existing boroughs. They refer to the case of Salisbury, and having some partial acquaintance with the borough, I can attest the truth of their remarks. Then I call the attention of the House to this fact, that the Commissioners, proceeding in this matter as they have done in all other matters, in a spirit of fairness and impartiality, report on the indisposition which they found in certain districts to be annexed to the neighbouring towns. I refer to the words of their Report—

> "We found, in some cases, a general indisposition on the part of persons residing in the neighbourhood of a borough to permit themselves to be included within the Parliamentary boundaries —an indisposition which, in almost every case, was attributed to the fear of an extended Parliamentary boundary being followed by a similar extension of the municipal area, and that they would then be liable for the borough rates."

Now, the fact is one thing, and the reason is another. The fact is one that requires our gravest consideration, and as for the reason I must say there is a good deal in it. I will not say that the extension of Parliamentary boundaries at all leads, as a necessary consequence, to the extension of municipal boundaries; but I think the plain tendency is in that direction, and if those who live within the Parliamentary and without the municipal boundaries feel that they are more likely to be drawn into the municipal net, they naturally object to being brought within the Parliamentary boundaries. But this frank declaration of the Parliamentary Commissioners as to the indisposition, is only to be drawn out of their Report. They tell us they have received all the memorials addressed to them through the Assistant Commissioners; but those memorials are not before us, and we cannot tell whether they include the whole or nearly the whole of the boroughs where an extension is recommended. [Mr. RUSSELL GURNEY made a gesture of dissent.] The right hon. and learned Gentleman says not the whole, and I was quite prepared for that statement, because I believe that in some cases there may be a great desire for annexation; but the other cases will require our serious consideration. As far as I am concerned, wherever there is a desire that the recommendations of the Commissioners should be carried into effect, or where there is a disposition to acquiesce in their recommendations, I think, in all such cases, we would do well at once to give effect to their recommendations. On the other hand, I own I, for one, am not prepared—I do not believe that this House is prepared—to over-ride, without any further examination the objections of the districts, where it may reasonably be presumed that there is a very divided state of opinion, or still more where there is positive aversion on the part of the inhabitants. To-day we have had some remarkable evidence before the House, in the shape of the various petitions and memorials that have been presented. I especially refer to the petition from Aston, in the neighbourhood of Birmingham, where it appears that out of 6,000 ratepayers nearly 5,000 have petitioned against being included in the Parliamentary boundaries of Birmingham. Now, it is impossible, I think, to refuse these parties a fair hearing of their case. That will not be acting against the judgment of the Commissioners; for the Commissioners have not heard them, not thinking themselves allowed to do so. I believe they were right, and that it was not the intention of Parliament that they should have any jurisdiction in the matter. The House, however, is entitled—nay, more, is bound to hear them. I may mention a case. My hon. Friend the Member for Derby (Mr. M. T. Bass) has put together, I have no doubt, with great dilligence, all the names, [Mr. M. T. BASS: No!]—well, nearly all the names which he can collect, in which there is a decided feeling on the part of the inhabitants, or in which there is the manifestations of a divided state of opinion; and I should require that all those cases shall be reserved for further consideration. Our general position with reference to this Bill is very much like that in which we were placed in a debate twenty-four hours ago, when a Member rose at 30 minutes past 5 to continue a debate which he well knew would, at 45 minutes past 5, by the rules of this House, settle itself. I do not say that position was at-all unreasonable; I use it merely for the purpose of illustration. If there be elaborate discussion and examination of details, followed by divisions, with reference to one by one of the towns the names of which are included in the Schedule, why the question will settle itself, for it will be totally impossible for the Bill to pass before the 10th of June, in which case I apprehend it will not, as the law stands, be available for the purpose of registration in the present year. Under these circumstances we find a very natural explanation of the proposal of my hon. Friend (Mr. Hibbert) to postpone the consideration of the Commissioners' recommendations to a time when we can view the whole matter deliberately, and can consider calmly upon what principle we shall proceed with respect to these very various and different cases. Undoubtedly, I for one, if I were driven, on the one hand, to postpone the consideration of the Report, or as the only other alternative, to go into these debates in the face of a strong opposition, or of a divided and conflicting state of opinion on the part of the inhabitants, I own it appears to me that the Motion of my hon. Friend the Member for Oldham offers the only solution the House can possibly have. It remains for us, however, to consider whether it may be possible by the use of any means which are at the command of the House, or whether the Government can suggest any method on which we can act, by which we may proceed without delay to adopt the recommendations of the Commissioners in those cases where no serious difference of opinion exists, holding over the other cases for further and careful consideration. The difficulty of course is in finding a criterion, and my hon. Friend (Mr. M. T. Bass) must have experienced that difficulty. He has embodied it in a more modest form ; but it is really the framing a schedule, or rather the dividing one schedule into two. Now, there is a very difficult operation, though I do not believe is any hon. Member more qualified than himself to do it, and I am satisfied that he has succeeded, to a considerable extent, in pointing out the cases which are required for exception. My principal object in rising was to do what may really save time, by bringing the attention of the Government, of the House, and of the Commissioners who sit in this House, without delay to the consideration of whether we can adopt any method by means of which we can at once with certainty and satisfaction act upon the recommendation of the Commissioners in regard to cases that are subject to no considerable doubt, leaving over for consideration such cases as are open to doubt so far as the will of the parties to be affected is concerned, for undoubtedly their opinion is worthy of consideration. An hon. Friend of mine (Mr. Monk) has given notice of a Motion that the first Schedule be referred to a Select Committee. I do not wish to prejudge that or any proposition by means of which we can avoid great entanglement and embarrassment ; but if a Select Committee be appointed, it must, I think, be subject to these limitations—It must be a small Committee ; it must be selected with great care ; its investigation must be carried on *de die in diem*, and it must confine itself to documentary evidence—namely, to the memorials that were brought before the Commissioners and the petitions that have been or may be addressed to this House. I do not undertake to make a Motion ; but I think under the circumstances, we are fairly entitled to appeal, in no hostile spirit, to Her Majesty's Government, who are of course immediately responsible for the Bill, to relieve us from the difficulty in which we are placed. I think there is no general desire on this side of the House to increase their difficulties by throwing over these recommendations in the mass, provided they can point out to us some fair means—and as to the fairness we shall not be very critical—for drawing a line between the cases that are clear and the cases that are not. Otherwise I should certainly feel that I had no option except to support the Motion of my hon. Friend (Mr. Hibbert). In a case like Aston—and there are many others approximating to it—I cannot think it possible the Government would ask the House to consent to throw these people who object to it into the borough Parliamentary community without giving them some opportunity of a hearing. The effect of this is that it separates them from the representatives for the county, who are their natural advocates in matters of taxation, and while they are separated from the county representation they will remain subjects for local taxation to the county authorities. I think it is not possible for us, in the face of an apparent indisposition on the part of the parties themselves, to adopt any such course. The only other explanation I need offer is this—I do not think it could be supposed to be the function of this Committee to decide finally upon any of these cases. I should not ask, after a Parliamentary Commission had been appointed, and after the manner in which the duties of that Commission had been charged, that its recommendations should be finally disposed of by the Committee. The only function of the Committee would be to indicate what are the cases in which, in point of fairness and policy, it would be expedient to hold over, and not to attempt to dispose of by legislation during the present year.

Mr. DISRAELI: The right hon. Gentleman has succeeded in pointing out a great many difficulties which we shall have to encounter in considering the Report of the Boundary Commissioners; and I apprehend that no Bill of this extent, scope, and dimensions can possibly be brought under the consideration of this House without such difficulties being experienced. But I am fain to believe that with patience and temper we shall encounter no difficulties that may not be settled in a manner satisfactory to the large majority of the House, and, I hope, entirely satisfactory to the country. I was very much pleased to hear the right hon. Gentleman take up a sound position with regard to the labours of the Commission—a position, indeed, which we should all expect from one of his ability and experience. I am glad that he did not impugn those labours. If we were to sanction the Motion of the hon. Member for Oldham (Mr. Hibbert) we should be taking a course which we should afterwards regret, and which would injure the character of Parliament. If we interfered in such a manner with the recommendations of eminent men, statutory Commissioners unanimously appointed by Parliament, whose duties were defined by Parliament, and who had fulfilled those duties most laboriously and conscientiously, it would be difficult to get any Gentlemen again to labour under such circumstances for great purposes of State. I was glad, therefore, to find that on this point the right hon. Gentleman took a position which one would expect from a Member of his standing and experience in this House. Then, let me say one word upon the nature of the Bill before us. It is really not in spirit a Government measure — that is, it is not a measure which has even been submitted to the Cabinet, because there was no question of policy upon which the opinion of the Cabinet was required. The Government have acted simply as the trustees of Parliament. They have taken the Report of the Commissioners, and have been careful to bring it under the consideration of the House in a businesslike and effectual manner. The House will recollect all the circumstances under which the Commission was appointed. It was a statutory Commission. I may say that virtually the chief Commissioners were named by this House. I certainly proposed some names, because it was well understood that unless some were proposed we should never arrive at any conclusion. But I said at the time that the feeling of the House was that which would influence the Government; and that there was nothing we more desired to avoid in a matter of such delicacy and importance than that the imputations should rest upon the Commissioners now that were freely thrown on the Commissioners of 1832. I believe that those imputations were unfounded; but we resolved to take such a course that there should be no ground for similar imputations in this case. I offered other names, some of which were not accepted, but they were names of hon. Gentlemen sitting on the opposite Benches, and distinguished not only for their abilities, but for their extreme Liberal opinions. Ultimately the five Commissioners were appointed by the House, and to the entire satisfaction of the House. ["No!"] All I can say is that I am in the recollection of those who took part in the proceedings of last year, and I think they will admit that the statement I have made is perfectly well founded. No objection was made to the five Gentlemen who were ultimately appointed; and the objections made to other individuals were immediately submitted to without any inquiry into their justice, because there was a general feeling that the Commissioners should be unanimously appointed. Then, with regard to the Assistant Commissioners, Her Majesty's Government had no connection at all with their appointment. It was at once announced, to prevent any misconception on that head, that the Assistant Commissioners should be appointed by the Chief Commissioners; and I only learnt the names of the Assistant Commissioners by reading the Report. It was therefore quite impossible that to fulfil these duties a Commission could be appointed which was more completely accepted by the House as its representative in this matter. The results of the Commission are now before us. I cannot for a moment maintain that the House has lost its power of revising the decision of the Commissioners. I do not suppose for a moment that the Commissioners consider that they have submitted to us a Report which could not be the subject of Parliamentary criticism and revision; and if, as we proceed, we find any case which merits our interference, I am sure that the good sense and the spirit of justice of the House will be applied to set right any matter requiring correction. All I can say is that I cannot consider this Bill as a party question under any circumstances. It is a measure with regard to which, so far as any influence I may possess, I shall consider that any Gentleman with whom I may be connected is perfectly at liberty to come to any decision which he thinks the justice of the case requires. I do not think that the interests of party are matters which ought to be introduced into these discussions; and I believe it would be very difficult to settle what political party will benefit by the recommendations of the Commissioners. The effect of the recommendations would be of a very mixed kind; but, at the same time, important principles may be involved, and therefore in that sense we should consider whether we believe the recommendations are just. The right hon. Gentleman seems to think that we are entering upon a subject of great difficulty, and that it will take a considerable time to arrive at a decision. No doubt, it is desirable that on an early day in June this Bill should pass; but if it is not then passed, we might by legislation still effect our purpose; and it is possible, if the course of business with regard to the supplemental Reform Bills requires it, I shall have to appeal to the House to support me in passing some Bill to shorten the time which, under the existing law, must intervene in the case of a dissolution. But having gone through this Bill with some pains in order to form some estimate of the time it would take to carry it through the Committee, I do not see that it is impossible to conclude it within the necessary time and without precipitateness. I may remind the House that there is an effective instrument in their own hands, which they may adopt, and which they did adopt last year—the practice of morning sittings; and I believe that if you resort to morning sittings upon the Boundary Bill you will avoid the difficulties which the right hon. Gentleman seemed to anticipate. The right hon. Gentleman says there may be cases which it may be desirable to refer to a Select Committee. If, as we go on, we find there are cases of that description, that is an instrument of which we ought to avail ourselves; but certainly on the condition that the Committee should sit *de die in diem*, and give us the result of their deliberations without unnecessary delay. There is another mode by which we might facilitate our labours and obviate some of these difficulties; we might refer a controverted case and a memorial to the Commissioners themselves. The dignity of the Commissioners, if we enter fairly into the discussion of their labours, would not be in any way diminished or injured by our asking them to re-consider any of the details. ["No!"] These are considerations for the House; they are not to be settled by any Gentleman giving an affirmative or a negative. If we determine on morning sittings, and if an impartial spirit pervades the House, I cannot doubt that, referring particular cases, if necessary, to a Select Committee or back to the Commissioners, we may get through this Bill in time to accomplish what we desire. All I can say is, that on the part of the Government there will be every effort to effect that object, and that so far as depends on them no spirit of party will be allowed to enter into any of the discussions.

MR. HIBBERT said, he hoped the House would allow him shortly to justify the course he had taken with respect to this Bill. There were three courses which any one might take who objected to the proposals of the Boundary Commissioners. One was the proposal of the counter-schedule against the schedule in the Bill; the second was to refer the Bill to a Select Committee; and the third was the course he had adopted in the Notice he had given. There were great objections to the proposal of a counter-schedule; for, as a private Member, it would have been very invidious indeed for him to undertake to say what places ought to be excluded and what included. He also felt that it might be imputed to him that he had prepared such a schedule for party purposes, leaving out places which were supposed to be favourable to his own party, and putting in others which were unfavourable. With regard to any reference to a Select Committee, he thought that there were great objections to any such course on account of time. One reason why he proposed to omit the clause altogether was that he saw a great difficulty in passing this Bill in time to be brought into operation for the purposes of the registration. The Registration Act required that on or before the 10th of June the clerks of the peace in counties and the town clerks in boroughs should give certain precepts to the different overseers of the various parishes. If therefore the Members of that House were to fight in detail all the points which were now on the Notice Paper, it would be quite impossible for the Bill to pass in time for the Registration precepts to be given this year. But there was another strong motive for his proceeding, and it was that it would be quite impossible to get proper consideration for the Amendments on the Notice Paper if they were to be taken in detail. However strong each case might be it would have no chance, or but very little chance, of being successfully brought before a Committee of the House. He had therefore come to the conclusion that the only course open to him was to move that the 4th clause be omitted, in order to give further time for its consideration. But, in giving notice to that effect, he had no desire whatever to prevent the extension of the boundaries of those towns to which no objection was taken. In his opinion, it was a matter rather for the Government than any individual Member to propose a plan which would get over the difficulties. With regard to the Commissioners, he must say that, as far as he was concerned, he had no wish to impugn their decisions in any manner. He believed that they had fairly and impartially considered everything that was brought before them; but the House had given them very large, vague, and indefinite Instructions last year, and it was because of that vagueness that he held the House was justified in reviewing the proposals in the Bill. Those proposals, he felt, were not the proposals of the Government. The right hon. Gentleman opposite (Mr. Disraeli) had very properly stated that this was the Bill of the House of Commons; and therefore he did not impute any motives to the Government in what they had done. The Bill re-produced the recommendations of the Commission, and he did not suppose they had been in any manner altered. He felt bound, however, in duty to his constituents, to ask the House to give a real consideration to the objections entertained. It was upon these grounds that he had placed his Notice upon the Paper. He certainly had no party object in view; he was not a party man at all, and when he should bring forward his Motion he would not deal with it in a party spirit. He did not think the proposal of the right hon. Gentleman at the head of the Government was at all satisfactory. He hoped the right hon. Gentleman and his Colleagues would see that there was a real necessity for considering the proposals which had been submitted to the House. He had looked into them, and he knew that the feeling of the people in many of the towns to which they referred was of the strongest nature. As they were about to legislate, he hoped not for a few years, but for many, he trusted they would not lay down boundaries which would give dissatisfaction for many years to come. Unless the Government proposed some plan for meeting the difficulty, he should feel compelled to proceed with the Notice which he had given.

Mr. GOLDNEY said, with regard to postponement, he wished to draw attention to what had occurred thirty-four years ago with respect to the Boundary Commission for municipal purposes. In that case the plans were prepared quite carefully for the enlargement of eighty-one boroughs, which was the exact number of boroughs which the Commissioners, in the present instance, recommended should be extended. The consideration of the Bill was postponed on the plea of want of time, and from that period to this no step whatever had been taken to carry out the Report of the Commissioners. One of the objections raised to the measure now before the House was that hon. Gentlemen would like to have the area of the Parliamentary borough extended, so that its limits and those of the municipality might be the same. But, inasmuch as the recommendations of the Commission on Municipal Boundaries had never been carried out, it would be impossible to adopt that course. He had endeavoured to gather from the petitions which had been presented, and the Notices placed on the Orders of the House, what the objections to the recommendations of the Commissioners were. In the discussion on the 31st clause of the Reform Bill, the question of Instructions to the Commissioners was very fully debated, and the right hon. Member for South Lancashire himself said that the municipal boundary ought not to be taken for the Parliamentary borough. Any one who had read the Report of the Commissioners would see that the Instructions given to the Assistant Commissioners had been most carefully prepared. They were to give notice in every town by advertisement, and they were not only to hear all the evidence brought before them, but to inspect in person the proposed boundaries. The Members of the House would probably be surprised to hear that out of eighty-four cases there were only four objections to the alterations proposed. With respect to the whole of the boroughs of Wales there were no objections at all; with regard to the whole of the new boroughs only two alterations had been suggested; and as for the counties no alteration of boundaries was proposed to be made. The only other objection was with regard to three boroughs which had been re-divided; so that the practical thing which the House had to grapple with was, four objections to alterations in the boundaries, which he looked upon as a question of simple detail, and the Notices of ten Gentlemen for the omission from the Bill of the additions proposed to be made to their boroughs. If the Bill were sent to a Select Committee, and the objections laid before it, his opinion was that they would be all disposed of in a day; and if the House was willing to go into the matter properly, two nights would be sufficient for the purpose.

Mr. M. T. BASS said, he desired to express complete satisfaction with all that had been done by the Commissioners. It appeared to him that while the Commissioners had examined the cases of 222 boroughs, 128 had not been touched at all, nine were new boroughs, and only eighty-one were dealt with. It seemed to him, therefore, very undesirable that 128 boroughs which had not been touched, and that large proportion of eighty-one which had been considered, should be deprived of the benefit of what the Commissioners had done, because there were some twelve or fifteen or twenty boroughs to the arrangements about which very strong objections had been taken in detail. He had been in hopes, after the speech of the right hon. Gentleman the Member for South Lancashire, that the right hon. Gentleman at the head of the Government would have said something more satisfactory than he had done. The right hon. Gentleman had admitted, provisionally, the force of many of the suggestions that had been made; but had declared himself in favour of none. He should be glad to know whether the Government would consent to the appointment of a Select Committee, if such a proposal were made by any hon. Member, under such conditions as they might think fit? Considering the grave objections which had been raised, he would be glad, if he were not taking too great a liberty, to invite the Commissioners to tell the House whether they had not met with some difficulties which they themselves thought entitled to re-consideration. He trusted that the Government would adopt the suggestion that had been thrown out of a small Select Committee to determine all the more important disputed questions.

Mr. GATHORNE HARDY: The right hon. Gentleman opposite (Mr. Gladstone), and my hon. Friend the Member for Derby (Mr. M. T. Bass), have both stated that great difficulties are about to arise with regard to the Bill, and that the Government ought to meet them by some preliminary step. But, in the first place, the Government are not prepared to admit that great difficulties will arise. I believe that my hon. Friend (Mr. Goldney) has overstated the case. There are certain cases in which, I believe, the House will come to an unanimous decision, in conjunction with the Commissioners—that certain things which they have recommended, on account of the terms to which they were bound down, might be set aside with great advantage both to the borough and to the county. In addition to this, there may be many other cases which are open to consideration; but at this moment I believe there are not more than seven or eight cases which will require the careful attention of the House. And if the Committee of this House is not able to deal with seven cases, in a very short time it will be giving itself a character which it does not deserve. The right hon. Gentleman opposite says he does not object to go into Committee. Well, let us go into Committee, and see whether any of these very great difficulties which have been specified will arise. If they do, then will be the time to consider them; and the Government will be prepared to do so.

Sir GEORGE GREY: If we go into Committee we shall soon come to the 4th clause; and the hon. Member for Oldham (Mr. Hibbert), unless he gets some assurance from the Government that due consideration will be given to a matter on which great local difference of opinion exists, must press his Motion. The object of my right hon. Friend (Mr. Gladstone) is that some means should be taken, with the general consent of the House and with the concurrence of the Government, to make progress with this Bill without being involved in a general discussion on the Motion of the hon. Member for Oldham on the one hand, and on the several places in schedules on the other. Now, we are quite incompetent to enter upon the merits of the particular cases in which strong objections are entertained to the recommendations of the Commissioners. In the majority of the cases there would be no difficulty in adopting the recommendations of the Commissioners; but in regard to the others, the House is not in possession of the objections that have been locally made before the Assistant Commissioners. I know cases in which memorials of the strongest character having been adopted unanimously, have been presented against the recommendations of the Commissioners. But these memorials are not before the House; and we are called upon to decide these cases without any knowledge whatever of the circumstances. The suggestion thrown out by my right hon. Friend is, not that the schedules should be referred to a Select Committee with a view to take further evidence and over-ride the decision of the Commissioners, but merely to report those cases in which time for further consideration ought to be given. The right hon. Gentleman (Mr. G. Hardy) says that there are but seven of such cases; but, judging from the Notices on the Paper, I should imagine that there are from twenty to thirty. I know cases in which memorials have been presented to the Commissioners urging grounds which are entitled to consideration, and which the House ought to be aware of. And if a Select Committee of six were appointed by the Committee of Selection, and if they have the memorials before them, they will be able to report whether there are any cases, and, if so, which they are, in which further time for consideration is required. Except in these cases the schedules might be passed, and the Bill proceed through Committee. The House is entitled to ask the Government to assist them in promoting this object, and in avoiding unnecessary discussion. It is desirable we should not take what will practically be the irrevocable step of extending the boundaries of these boroughs without any consideration of the grounds on which strong objections are made to the recommendations of the Commissioners.

Mr. BRIGHT: I shall not, in any observations I may make, complain of what the Commissioners have done. But the House will recollect that last year I objected to the Commission—I mean to the names as they stood on the Commission. I did not say that they were not all very honourable men; but I thought I should have liked to see the Commission formed in rather a different manner. And the right hon. Gentleman will recollect also that I moved an Amendment—at least I gave notice of it, and the right hon. Member for Morpeth (Sir George Grey) proposed it to the House—that words should be inserted, calling upon the Commissioners to have regard in their proceedings to the local circumstances of the boundaries of municipal government. Well, unfortunately, as I think, that Amendment was not accepted by the Government: these words were not introduced. The House will see that at least I am free to discuss this case without being influenced in any way by the notion that the House was unanimous. I am quite sure it was not. But though there was no division on it, there was a feeling on this side of the House against the course which the Government proposed. The fact is, that the House did make a mistake, as we now pretty nearly all feel; because, although we gave the Commissioners powers to extend—apparently without limit—we gave them no power to contract, which they themselves now regret. We permitted them to extend, without any regard whatsoever to the opinions of the populations that were affected by the extension. Now, I venture to say that nothing could be more contrary to the practice of Parliament than that of bringing in a people from one constituency to another without consulting the persons affected—bringing people to the amount of 400,000 from the county constituency to the borough constituencies. That is a thing which Parliament has never placed in the hands of a Commission without regard to the opinions of the people affected. Because, when you propose to grant a charter of incorporation for a borough, you require that a majority of the ratepayers should present a petition in favour of the measure, and the Queen in Council thereupon sends down an Inspector who makes an inquiry, and unless a majority of the inhabitants are in favour of incorporation the charter is not issued; and I argue that the House of Commons would act very differently from its ordinary course if they brought 20,000, 30,000, 40,000, or 50,000 persons outside of the borough within its limits, contrary to the wishes of that population, and contrary also to the wishes of the inhabitants of the borough to which it was proposed that they should be annexed. Local circumstances surely should weigh something in a matter of this kind. The cases brought before the House, such as Manchester and Birmingham, are really astounding. I know not how the candidates or committees for parties are to work the elections for these enormous constituencies. I know not, under the circumstances, who is to bear the expense that is to be incurred. [*A laugh.*] I see some Gentlemen smiling as if they thought I was interested in that matter; but I beg to assure them that through the kindness and generosity of my friends in Birmingham I have never yet paid, and in all probability never will be called upon to pay, a single sixpence for the cost of my election; but if I have not to pay in my own person, I am the more bound to see that nothing is done by Parliament in reference to the borough which is not required by the public interests, and which would involve it in grievous difficulty and cost. I believe that both sides of the House will admit that nothing could be more fair or reasonable than the observations of the right hon. Gentleman the Member for South Lancashire, and certainly there is no disposition on this side of the House to enter into any party wars on this matter. No doubt, out of the seventy or eighty boroughs dealt with, only a minority of them object to the recommendations of the Commissioners; but that minority comprises many of the largest boroughs in the kingdom. They comprise in the metropolis the boroughs of Lambeth, Marylebone, and Finsbury, as well as those of Lancashire and Warwickshire; and it affects, I think, very materially the county of Middlesex. In that minority we find Birmingham; and the recommendations of the Commissioners affect not only the town of Birmingham itself, but the county in which it is situated, and the adjoining county of Worcester. It comprises also the city of Manchester; and, if there had been no other boroughs in the county of Lancaster, the Commissioners, upon the principle they have acted upon there, might have taken in half the county. It affects also the city of Liverpool; and the hon. Gentleman (Mr. Horsfall) who sits opposite has given, I believe, some notice on that point. What, then, under the circumstances, are we to do? The main difficulty has arisen from the conduct of the right hon. Gentleman at the head of the Government. Not from what he has said to-day, because that was very fair, but from what he had said in past discussions. I appeal to hon. Gentlemen opposite whether the right hon. Gentleman has not taught them in his speeches for some years past that there was some vast secret underlying this boundary question; and whether he has not implied that if, in some manner, you could sweep into the boroughs what now forms a portion of the counties, great party results would ensue? I do not believe in the great party results; I rather believe in what the right hon. Gentleman has said to-day. And I think anybody who has examined the Report of the Commission must perceive that the party results will be of the very smallest character, and really not worth considering in the least as bearing either upon this side of the House or that. I regard the question as it affects particular interests, and disturbs the Parliamentary attachments of a very large population, from whom you are about to take a franchise which they much regard, giving them a franchise which they regard very much less. I do not believe that the House, if it could divest itself of the notion that there was any party gain in the matter, would agree to the recommendations of the Commissioners with regard to a certain number of boroughs—I am not sure of the number, but, as far as I have observed, I think it is between twelve and twenty—certainly more than the number stated by the right hon. Gentleman opposite (Mr. G. Hardy). In what position do we now find ourselves? My hon. Friend the Member for Derby (Mr. Bass), who, of all men, dislikes Parliamentary fighting — he has been a great fighter in that county at Parliamentary elections—but now, I suppose, like myself, finding the fire of youth partly suppressed, he comes forward to propose, in point of fact, a mediation between my hon. Friend the Member for Oldham (Mr. Hibbert) and the right hon. Gentleman at the head of the Government. Suppose we were to take the boroughs to which formidable objection is made, and refer them to a fair Committee of seven Members of this House, I believe that in the course of two or three days they would make a Report to the House, which the whole House would accept. I understand from the right hon. Gentleman's statement that he fears to throw any discredit on the proceedings of the Commission. Well, I see one of the Commissioners (Mr. Russell Gurney) sitting opposite to me, and from his character and professional training, I believe there is no person who would be more likely to wish to do what was proper in a matter of this kind. But I think the right hon. and learned Gentleman would admit that the course which I am recommending would enable proper consideration to be given to points which were shut out from the view of the Commissioners. For the Commissioners were not allowed to entertain the local circumstances of a borough or the feelings of the persons affected by their recommendations. That is quite clear from the terms of their Reference; and it is also clear that when their Report comes before the House, the House may deal with it, as it does with Reports of Select Committees. How often are Select Committees appointed and their recommendations overruled, sometimes passed by altogether? We do not want to overrule the main objects of the Commission; but we find that there are certain boroughs to which, acting under their instructions, they were not permitted to do what we believe to be perfect justice. In the borough which I represent there are 350,000 persons at least, who ask that the boundaries of their borough shall not be increased. They say that there is land within the boundary of the borough, even now, which will contain 40,000 more houses, and they do not wish, with an existing constituency of 50,000, or, as it will be next year, of 60,000, to have 30,000 additional persons brought in, a large number of whom belong to another county, and about whom there is this further peculiarity—that, while the 350,000 within the borough are almost unanimous apparently in asking the others not to come in, the 30,000 proposed to be added are absolutely unanimous in wishing to remain out. The Commission were quite unable to take cognizance of the wishes of those persons; they were only to take account of the geographical circumstances of the locality, and they acted upon their instructions. It is, however, not only within the power, but it is the duty of this House to take into consideration the feeling of the district. And therefore the right hon. Gentleman, without feeling that he is doing any wrong or throwing any slur upon the Commission, might fairly refer this matter to a Committee of the House. I understand the right hon. Gentleman would be willing to refer the whole matter of the disputed boroughs back to the Commissioners; but I believe the Commissioners would not like to have it so referred, because, after the decision to which they came, they would find much more difficulty in going into the question with dispassionate minds, and in recommending a different conclusion than a select and fairly appointed Committee of this House would have. Now, I put it to the right hon. Gentleman, and I put it to hon. Gentlemen opposite, whether we, who differ from some of you in this matter, have not behaved fairly and honourably. You could have no fairer speech than that from the right hon. Gentleman the Member for South Lancashire—no more honest exposition of motives than that of the hon. Member for Oldham—no more rational or moderate proposition than that of the hon. Member for Derby; and you would find it difficult to have any more judicious advice than that which I venture to offer. [*Laughter.*] I should not have made that observation if I were not sure that it would meet with general acceptance. Having said this, I abstain from going into the particulars of these boroughs, because I am sanguine that after what has been said the right hon. Gentleman will not refuse to refer the case of these boroughs to investigation in some such manner as will be acceptable to the House. And I can promise him that if that be so, he will find upon our part a great disposition to forward the matter with the least possible delay.

Mr. NEWDEGATE said, that as allusion had been made by the right hon. Member for South Lancashire (Mr. Gladstone) to the case of Aston Manor, which the Commissioners proposed should be joined to the borough of Birmingham, and as the hon. Member for Birmingham (Mr. Bright) had also expressed his views upon the subject, he was anxious to state some facts connected with it. It was impossible to consider this subject without a reference to the wider question, of which it formed a part. In 1854 Lord Russell's Government proposed to make a large addition to the county representation. That was a wise proposal, for it would have increased the general representation of the country. As Member for North Warwickshire, for instance, he shared in the representation of from 400,000 to 500,000 people through the freeholders. He shared in the representation of Coventry and of half Tamworth, while representing 2,000 freeholders in Birmingham. The extension of the county representation was the plan which he (Mr. Newdegate) had desired; he had supported the Motion of the hon. Member for the Wick burghs (Mr. Laing) last Session, by which ten additional seats had been given to the counties;

but Parliament unwisely, as he thought, refused to go further in that direction. In 1854 Earl Russell's Government had proposed to give an additional Member to North Warwickshire, with its population of from 400,000 to 500,000; but the House refused to assent to that proposal. Last year a proposal was made to give an additional representation to Birmingham, and he supported it on the clear understanding that the limits of the borough would be extended, and that the people of North Warwickshire would share the additional representation in that way. He afterwards supported the right hon. Member for Calne's (Mr. Lowe's) Motion, by which the minorities of large boroughs, Birmingham included, might obtain representation. The principle of this arrangement was not altogether the best, in his opinion, that might have been made, but it was that upon which the House had decided; and it was now law. It was true that some of the 20,000 inhabitants of the Manor of Aston wished not to be included in the borough of Birmingham; but that was because they thought that if the borough boundaries were extended the municipal boundaries would be extended also, and that the Manor of Aston would therefore become liable to the heavier rating incident to the borough of Birmingham. This dislike to increased rating was the real ground of the objection. A gross anomaly and some inconvenience had arisen from the fact that Aston was not included in Birmingham. He would give the House an illustration of this. Some years ago Her Majesty was graciously pleased to intimate her intention to visit Birmingham. The object of Her Majesty's visit was to open the park of Aston Manor for the recreation of the inhabitants of Birmingham. This Manor is beyond the municipal boundaries of the borough, and he (Mr. Newdegate) was called upon by the justices of the county to introduce a deputation to the Home Secretary, because it seemed unjust that the expense of the police regulations and other expenses of the Park, when made public, should fall upon the county ratepayers generally, while the benefit of the Park would be almost altogether derived by the inhabitants of Birmingham. The day for Her Majesty's visit was at hand, and there was no time for any extension of the municipal boundaries of the borough by law, though it was obvious that the Park ought to be included within them. The justices agreed, that come what might as to expense to the county, Her Majesty's gracious intentions should not be frustrated, provided the arrangement, by which the county, exclusive of Birmingham, was to bear the expense, was considered temporary; the whole regulation of Aston Park, so far as police goes, continued up to the present time on a temporary conventional arrangement between the justices of the county and the municipal authorities of Birmingham. The Park was opened for the recreation of the inhabitants of Birmingham, yet the whole of Warwickshire was liable to be taxed to maintain that Park. The influence of the then Home Secretary (Mr. Walpole) had been invoked. Under his sanction it was decided that any arrangements made upon this subject should be only temporary, until the Park could be placed within the municipal boundaries of Birmingham. If the proposal for giving a third Member to North Warwickshire had been carried out, there need have been no question about extending the Parliamentary boundaries of Birmingham; but the proposal to increase the representation of Birmingham had been preferred and had been supported in the belief that the boundaries of the borough would be made to include the Manor and Park of Aston. The 20,000 inhabitants of the Manor were almost all employed in Birmingham, or derived their resources from the trade within the borough. He (Mr. Newdegate) respectfully submitted to the House that, under such circumstances, the decision of the Commissioners to include the Manor of Aston within the borough of Birmingham was perfectly sound.

MR. MONK said, he had placed a Notice on the Paper for referring the first schedule of the Bill to a Select Committee. He could not support the Motion of the hon. Member for Oldham (Mr. Hibbert) for the omission of the 4th clause, because he thought it would be unfair towards the people in the suburbs of great towns who had been led to expect by the Bill of last year that they would have a share in the representation of the boroughs to which they must ultimately be attached. The omission of that clause would be tantamount to the postponement for some five or six years of the right of those persons to a voice in the choice of representatives. If, however, the suggestion to refer the Bill to a Select Committee were adopted he thought the result would be satisfactory, and that it would really occasion no delay.

Mr. ROEBUCK: What I want to do is to appeal to the Government, and ask them what possible mischief can arise from acceding to the request made to them from this side of the House. What we all want to do is to make a satisfactory settlement of this question, and to do it rapidly. Can we have an inquiry in this House? I think that is impossible, there is such a multitude of little places; but in respect of this matter, which will affect our representation, for, perhaps, centuries, I do not think there can be so much party spirit among us that we cannot find a satisfactory Committee. If we have a Committee a certain result will follow. We can do what we want by means of a Select Committee more rapidly than in any other way, and without casting a slur on the Commissioners. They were appointed to perform certain duties; they discharged those duties, and did not step beyond them, therefore no possible slur can be cast on them. I hope that the Government, in the large and generous spirit which ought to actuate the Government of this country on such an occasion, will accede to the fair, honest, plain, and simple proposition now made to them.

Mr. RUSSELL GURNEY: Sir, as a Member of the Boundary Commission, I think it is due to the House and to my brother Commissioners that I should say a few words as to the principles upon which we acted in doing our work, and on the proposition now before the House. The right hon. Gentleman the Member for South Lancashire has called attention to the instructions which we received from the House. It was from Parliament, and Parliament alone, that we received instructions. It gave us distinct instructions as to the course we were to pursue; and I believe we have acted faithfully up to them. I think I should bring under the notice of the House what were our instructions, not only in reference to the boroughs, the subject of discussion to-night, but also in reference to the boroughs to be created under the Reform Act. There is a remarkable difference in the language as regards those two different classes of boroughs. As regards the boroughs to be created, this is the language—

> "They shall, immediately, after the passing of this Act, proceed, by themselves, or by Assistant Commissioners appointed by them, to inquire into the temporary boundaries of every borough constituted by this Act, with power to suggest such alterations therein as they may deem expedient."

There was then no limitation of our powers whatever, either in regard to contracting or extending the temporary boundaries proposed by the Act. We were left to act perfectly as we thought right in the matter—to exercise our own discretion. But when we come to the other class of boroughs you will find that the instructions were very specific. The language is as follows:—

> "They shall also inquire into the boundaries of every other borough in England and Wales, except such boroughs as are wholly disfranchised by this Act, with a view to ascertain whether the boundaries should be enlarged, so as to include within the limits of the borough all premises which ought, due regard being had to situation or other local circumstances, to be included therein for the purpose of conferring upon the occupiers thereof the Parliamentary franchise for such borough."

We viewed this—and I believe we viewed it rightly—as an enfranchising provision. We looked outside the present boundaries of existing boroughs to see whether there were premises so situated that the occupiers ought to have a vote in the borough. We are told that is merely the transfer of a constituency from a county to a borough; but it is really a different matter. A large number of these persons would have no votes at all unless the borough boundaries were extended. What was the meaning of all we heard last year about the figures £6, £10, and £12, and what was the special charm found in the words "household franchise," if it is a matter of no importance whether a large number of the people outside the boundaries are included in the assessment, whether they have a £15 house or a mere cottage? We did not look to the matter merely as a transfer from county to borough. What we looked to was whether there was not in places now without the boundaries of boroughs a large number of people who would be altogether excluded from the franchise unless they were included in boroughs. That was the principle on which we thought we ought to act; that was the principle on which we did act; and I rather collected from the right hon. Gentleman the Member for South Lancashire that he thought it the correct principle to apply in respect of these boroughs, limited as we were by the instructions we received from the House itself. It is perfectly true that the matter being now before the House, the House is at liberty to take other matters into consideration which the terms of our instructions did not allow us to consider. It may take cognizance of matters which had not perhaps been brought under its attention at the time our instructions were framed. Means of inquiry have been proposed which, it has been suggested, might be deemed disrespectful to the Commission. I have had an opportunity of consulting with some of my brother Commissioners on this point, and they have the same feeling on the subject as I have myself. They entertain no such opinion. We are anxious that the House should adopt any mode which to its own judgment may seem best calculated for enabling Parliament to arrive at a satisfactory conclusion. There is just one course suggested which I think we should disapprove. We should object to have the question sent back to us. I know that suggestion had its origin in a feeling of kindness and respect for us; but after our very arduous labours, and after having given up a considerable portion of the vacation which we all so much covet, it may easily be imagined that we cannot have any wish to enter into this business again. I think it would be more satisfactory to the House and the country to have another tribunal. I would suggest, however, that the House ought not to order the Committee to enter into a general inquiry respecting all the boroughs. The Report of the Commission has been laid on the table of the House, and has been circulated about the country during the last three months, and there has been ample opportunity afforded for raising objections to any of the propositions it contains. Members have had time to communicate with their constituents, and constituencies to make their views known to their representatives. Therefore, instead of having a general inquiry into the eighty-one boroughs, I think it should be limited to those in respect of which petitions have been presented or Notices of Motion have been given. If, after this discussion, agitation should be got up in this House or out of it, by means of the Press or in any other way, and if complaints should be urged in respect of other boroughs, I think we may presume that there is no great force in objections taken after such a lapse of time and under such circumstances. Without the opportunity of referring to the Assistant Commissioners and obtaining information from them the effect of embarking in a general inquiry would be to preclude legislation.

SIR FRANCIS CROSSLEY, as one of the Commissioners, wished to express his thanks for the kind manner in which the labours and the Report of the Commission had been referred to, and to testify that he was never associated with Gentlemen more devoted to their duty and more desirous of serving their country without being influenced by party feeling. The Commissioners did not recommend the extension of boundaries in cases where a road stretched out from a borough with houses on one or both sides only; but if there were diverging streets on each side, making in the aggregate a town population, then the Commissioners did not see how they could carry out their instructions without including such a district in a borough. It should be remembered that thirty-six years had elapsed since the passing of the former Boundary Bill, and in a country like England, where there was so much progress, it was only natural that in that time boundaries should require enlargement so as to embrace town populations. Birmingham comprised an area of 8,400 acres, to which it was proposed to add 1,309 acres, containing a population of between 31 and 32 per acre. It was said, on undoubted authority, that the greater part of Birmingham proposed to be included was as much town as that within the Parliamentary boundary now. Complaint had been made that the larger provincial boroughs were getting unwieldy; and it might be very true, but still they were not so unwieldly and large as the metropolitan boroughs. They could overcome the difficulty by dividing the boroughs and letting each Member represent his own constituency. However well a man served his constituents, when he had two or three Colleagues and one did not satisfy them he had to bear the expense of a contested election without any fault of his own. It would be well to divide these large boroughs, and let every Member answer for his own conduct. The hon. Member for Birmingham (Mr. Bright) had said that his constituents would not allow him to be put to any expense for his election, and now that boroughs were to be so greatly enlarged this example ought to be generally followed. It was quite enough for Members to give their time and services to their constituencies, and it would be well if the choice of the constituencies was not restricted to men who could afford to pay large sums for the honour of sitting in Parliament. He had no objection, as a member of the Commission, to offer to the suggestion that those boroughs which had sent petitions to the House, and which were very few in number—they had on the preceding evening amounted, he believed, to only thirteen, and not more than seven of these were important — should have their cases investigated by a Select Committee.

MR. DISRAELI: I believe it will be for the convenience of the House that I should again address them, and I hope that they will favour me with their indulgence during a few moments for that purpose. The obligations of the House and of the country to the Commissioners appear to me to be so considerable and so incontestable that I refrained from responding to the invitation of hon. Gentlemen opposite that I should express the views of the Government upon this subject until the Commissioners had favoured us with their opinions with respect to it. A considerable majority of the Commissioners who could be communicated with have expressed opinions similar to those we have heard from my right hon. Friend (Mr. Russell Gurney), and from the hon. Baronet (Sir Francis Crossley), and I have therefore no hesitation in saying, on the part of the Government, we shall be most happy to meet the wishes expressed. I have noted some points of detail as the discussion proceeded; and what we propose is that there shall be a Committee of five, to be appointed by the Committee of Selection; that it shall sit from day to day; that its investigations shall be limited to places that have already petitioned; that it shall have power to confer with the Commissioners, and that the evidence shall be purely documentary. These five points embrace all that I believe the House seeks. On the understanding that we take early steps to carry this arrangement into effect, I conclude the House will have no objection to go into Committee.

MR. SERJEANT GASELEE said, he objected to the arrangement if it would exclude Portsmouth, which had not petitioned, although Gosport had, the public meeting of Portsmouth being held that very night.

MR. STONE also stated how Portsmouth and Gosport would be affected by the understanding come to.

SIR FRANCIS GOLDSMID said, that although the inhabitants of Reading had not presented a petition, they had held a meeting, and objected to the proposal by which they were to be affected, and he thought their case ought to undergo further investigation.

MR. OSBORNE: The Boundary Bill is, with the exception of the Reform Act, the most important measure that has for many years come under the consideration of Parliament, and yet we have not, down to this moment, had any discussion of its principles. My constituents have not addressed any memorial to the House, and I will not say anything about my individual seat. To the instructions which were given to the Commission, and to the principle on which it has reported, I altogether object. Before the House, in its haste for co-operation and legislation, consents to shuffle off this question, let us consider whether it is better not to pass any Bill at all than to pass a bad Bill, which will not give satisfaction, and which it will be one of the first Acts of the next Parliament to repeal. I want to know what we are going to refer to a Select Committee, and whether we are going to refer merely the petitions and memorials from large towns, or whether we are going to give it power to do what the Commissioners were debarred from doing — namely, to contract the areas of boroughs. They say that in some cases there are anomalies which cannot be rectified without reducing the areas of boroughs. I want to know whether the Select Committee is to have the power to reduce the area of boroughs, and to correct these anomalies. It is very material that that should be stated. If the Select Committee is merely to rectify the boundaries of Nottingham, Portsmouth, and other boroughs, it will be of no use whatever. I will say one word with regard to the constitution of the Commission. We have heard a statement this evening from the hon. Baronet the Member for the West Riding of Yorkshire (Sir Francis Crossley). I regard that hon. Member as a most excellent man; but I objected altogether to his being put upon the Commission, for reasons which I do not choose to give now. I cannot fall in with the excessive compliments which have been paid to that Commission. So far from its Report having given general satisfaction in the country, it has given great dissatisfaction. The Commission was appointed in a House of thirty Members at the fag end of a Session, completely worn out with passing the Reform Act; and I will venture to say that not thirty Members have gone through the voluminous Report of the Commission and the maps illustrating it. Before we appoint a Select Committee we ought to know exactly what that Select Committee is about to do. The whole tendency of the Report is to make constituencies which are already unwieldy more unwieldy still. Look at what the Commissioners have done in such places as Birmingham and Manchester, and look also at the metropolitan boroughs. My hon. Friend the Member for Marylebone (Mr. Harvey Lewis) will now be sent to canvass at the extremity of Highgate. The same remark applies to Lambeth and Finsbury. It will only come to this—that you will have a Reform Bill of a Reform Bill, and a reform of this Boundary Bill. Now, I wish to co-operate with hon. Gentlemen opposite in making an end of this Parliament, because I am aware that, like a second Guy Faux, the right hon. Gentleman (Mr. Disraeli) has in his pockets materials with which he can blow us to the winds. I have no objection to that process, and, indeed, the sooner it is done the better. But I say, before a Select Committee is appointed, let us know what it is about to do, and, among other things, whether it has power to contract the boundaries of boroughs as well as to enlarge them.

Mr. PEASE asked, whether the reference to the Select Committee would include the new boroughs mentioned in Schedule 5, and would also include the Notices of Motion as well as petitions lodged at the Home Office against the boundaries proposed?

Mr. W. P. PRICE said, he hoped that the inquiry of the Select Committee would not be limited to cases of boroughs respecting which petitions had been presented, but would include cases in respect of which Notices of Amendment had been given.

Lord HOTHAM said, he was anxious to say a few words with respect to the proposal that the Select Committee should be appointed by the Committee of Selection. He was one of those the habits of whose life had been not to shirk duties properly placed upon them, and he had performed the duties devolving upon him as Chairman of the Standing Orders Committee and Committee of Selection to the best of his ability. It was not therefore to avoid any trouble in that capacity that he now asked the House not to cast upon the Committee of Selection the duty of choosing the members of the Committee now to be appointed. Such a task was quite foreign to its duties and its habits. The duty of the Committee of Selection was to choose Members to serve on Private Bills who should be, as far as possible, unconnected, directly or indirectly, with the subjects of these Bills, and not liable to the imputation of bias. In the case of Hybrid Bills the Committee of Selection chose a certain number of Members to serve, the rest being appointed by the House. But the Committee on the Boundary Bill would be essentially a public Committee, and he suggested that it should be appointed by the House in the usual way.

Mr. BONHAM-CARTER also thought that to cast this duty upon the Committee of Selection and Standing Orders Committee would be to place these Committees in a very invidious position. He hoped the right hon. Gentleman (Mr. Disraeli) would take the ordinary course with respect to the appointment of the Committee.

Mr. DISRAELI: My only reason for naming the Committee of Selection was in consequence of a suggestion made by the right hon. Gentleman the Member for Morpeth (Sir George Grey), which seemed to be accepted by the House. But I have no particular predilection for that mode of appointment, and, indeed, would rather follow the usual course, and leave it to the House to appoint the Committee.

Mr. HARVEY LEWIS said, he hoped that the case of Marylebone would be referred to the Committee. The inhabitants of Marylebone had not complained of the arrangement proposed for their borough; but the inhabitants of Hampstead — the district to be annexed to Marylebone—had made a complaint upon the subject.

Mr. W. E. FORSTER said, he understood that upon the appointment of the Committee they would examine into the cases of boroughs where petitions and memorials had been presented. ["No, no!"] That was what he had understood, at all events. He was sorry if he had been mistaken, because he had thought that the House would certainly agree that the cases of those boroughs which had presented memorials to the Boundary Commissioners ought to be considered, as well as the cases of those boroughs which had not thought it necessary to send petitions to that House, in consequence of their believing that their Members would take steps to bring their cases forward. The fact should not be lost sight of that many boroughs which were affected by the Report had not petitioned, simply because they had relied upon their Members taking their cases up. He did not make this observation with the idea that the House should hold out any inducement to the boroughs which were affected by the Report to send up petitions, but because he thought that their cases should not be determined without their being heard upon the subject. He presumed he was correct in understanding the right hon. Gentleman to consent that all boroughs which sent up petitions up to the day of the appointment of the Committee should be heard. [Mr. DISRAELI: No!] He could not suppose that the right hon. Gentleman intended to steal a march upon those boroughs which had not sent up petitions by deciding that night that they should be excluded.

SIR JAMES SIMEON asked, whether the Committee would have the power of considering questions such as limiting boundaries, on the application of petitioning boroughs, which the Commissioners had?

MR. DISRAELI: They will have that power; but I may state that if the House would allow us to go into Committee I should not be forced constantly to break our rules by answering questions, because I could then answer every question put to me.

MR. GLADSTONE: I should prefer that we should wind-up this conversation at once, rather than that we should commence another debate. ["Order, order!"] If the House would indulge me for a few moments, perhaps the discussion might be shortened. ["Order, order!"]

MR. SPEAKER: I wish to consult the House as to the order of our proceedings. The right hon. Gentleman the Prime Minister made a speech in which he introduced a proposal of an entirely new character—namely, the question of referring the matter to a Select Committee. It may be the opinion of the House that the right hon. Gentleman, having already had an opportunity of expressing his opinion upon that question, other hon. Gentlemen who feel an interest in it shall also have the opportunity of speaking upon it?

MR. GLADSTONE: I am anxious that we should arrive at a clear understanding upon this subject as soon as possible. My distinct opinion is that there is so great a disposition in all quarters of the House to come to an agreement upon this matter, that nothing but a little time and consideration are necessary to enable us to arrive at a satisfactory conclusion with regard to it; but, at the same time, we must not come to a premature decision upon it. The general sense of the House appears to be in favour of the appointment of a Committee. I do not quite understand from the right hon. Gentleman whether he intends that that Committee shall decide what cases shall be reserved for further inquiry, or whether the Committee shall finally dispose of all the cases which may come before them. My own opinion is that the Committee should report what cases should be reserved for further consideration. ["No, no!"] I do not make this proposition as one by which I should wish to be finally bound; but my object is to prevent the Committee being deluged with endless details, while at the same time I think an inquiry should be made in *bonâ fide* cases. In the first place, I think that all petitions which have been already laid before the House should be referred to the Committee, and it appears to me quite necessary, in the interest of all parties, that those boroughs which have presented memorials to the Commissioners should likewise go before the Committee. In point of fact, the memorials would be far more likely to represent the general diversity of opinion than the petitions to Parliament, and there can be no difficulty in receiving them as long as we keep to documentary evidence. Another point to which I desire to draw attention is this:—Some communities, instead of exercising their right of petitioning, have relied upon their Members to bring their cases before Parliament, and in several instances Notices of Motion have been given with that object. I think it is impossible to exclude such cases from consideration, even although neither petition nor memorial has been presented. In such cases a Member ought surely to be allowed to present such documentary evidence to the Committee as might have been laid before the Commission.

MR. GATHORNE HARDY: I admit that it is very desirable that we should arrive at a fair understanding as to what has been settled. As I understand, the majority of the House has agreed that a Committee shall be appointed, and that that Committee shall be chosen by the Committee of Selection. ["No, no!"] Then, I will only say that it has been agreed that a Committee consisting of a small number of Members—say, of five—shall be appointed, which shall have referred to it all cases in which petitions have been presented to the House and are now on the table. It must be remembered that the memorials have not been presented to the House, but to the Commissioners, who have reported on those documents, and their Report has been on the table of the House for nearly three months, during which period there has been ample opportunity for Members to move that it should be amended. Several memorials have, in fact, been sent to the Home Office; but I have invariably informed those who sent them that the proper mode of proceeding was to petition the House. With respect to other cases, the Committee will have to take into consideration all those cases in respect of which Notices have been given, including those given to-night. I do not think that the House can go further than that, for if it did it is obvious that questions would be raised day by day for the purpose of referring them to the Committee. I must also remind hon. Members that a Committee of this House will not be bound by the instructions given to the Commissioners, but will report on the merits of each case submitted to them, whether the claim be for contraction or extension. If the Committee commence at once to sit day by day, it will not be long before the inquiry is brought to a conclusion.

Mr. CARDWELL: I am anxious to promote the end which appears almost to be attained—namely, the satisfactory and friendly settlement of this question. In general I agree with the statement of the right hon. Gentleman opposite; but I am quite sure he would be as sorry as we should be if any substantial case should be excluded from consideration in consequence of a technical rule. I wish, therefore, to be at liberty, when the Motion is made for the appointment of the Committee, to move that the Committee be free to entertain any memorial from the inhabitants of a borough which it could have presented to the Commissioners had it not been determined to leave the matter in the hands of their Members.

Mr. BRIGHT: I presume there will be some notice given before the Committee is appointed; but I wish now to ask the right hon. Gentleman whether he thinks it right that the Committee should consist of so small a number as five Members, instead of the number being extended to seven. Upon another point I may add that in many boroughs by which no petitions have been presented an idea prevailed that there would be an appeal from the Report of the Boundary Commission to that House, and, except for the course which has been taken to-night, they would not have been altogether mistaken. I wish to say that there are several places which would like to have their cases come before the Committee. ["Oh!"] Every Member must be conscious of that. I say this, that we ought to be very careful that the discussion to-night and the appointment of the Select Committee should not prejudice any case which, not being able to come before that Committee, should afterwards be brought before the Committee of the Whole House. I presume that we cannot go into that long schedule to-night. There may be twenty or thirty or any number of those boroughs which will come before the Select Committee, while others may not do so; and therefore I say that the Committee of the Whole House ought to give the latter as fair an opportunity of having their claims discussed before it as if the Select Committee had never been appointed.

Mr. LOWE: I wish to add one word by way of supplement to what has been said by the hon. Member for Birmingham. What he said was, I think, perfectly true, when he laid it down that if you shut out any persons who are anxious to appear before this Committee, it will be impossible for you to object to hear them before the Committee of the Whole House. I would take the opportunity to remind the House that the reason for appointing this Committee is to save the time of the full House; and if you make any strict technical rule by which to exclude persons who are really and *bonâ fide* anxious to bring their cases before the House, because they have not petitioned, or because Notices have not been given, you will, in fact, save the time of the Committee, but waste the time of the full House; because the effect of such a rule must necessarily be that hon. Members will be pressed on by their constituents to move the House to refer their cases specially to the Committee, and the points will be argued on their merits, not with a view to their final settlement, but as to whether they shall or shall not be referred. I do not ask the House to come to any decision upon this point to-night; but between this time and the time when the Committee is appointed hon. Gentlemen will consider the matter, and take steps which will enable persons to be heard before this Committee, although they may have taken none of the steps mentioned by the right hon. Gentleman the Secretary of State for the Home Department.

Mr. DARBY GRIFFITH said, he thought it would be unfair to refer one borough in the Isle of Wight which had applied for restriction of its boundaries without referring others which had not made similar applications, in the belief that the Boundary Commissioners had refused to consider them.

VISCOUNT AMBERLEY said, that inasmuch as the evidence before the Select Committee was to be of a documentary character only, it would be only fair that Members representing a borough that considered itself aggrieved by the Bill should have the opportunity of making a statement in writing to the Committee, for it was quite possible that the matter could be brought forward more clearly and fully in that way than by memorials and petitions, and the Committee enabled to decide in a more satisfactory manner.

Bill *considered* in Committee.

(In the Committee.)

MR. GATHORNE HARDY: Upon consideration, inasmuch as there are a great many questions which will arise and must be discussed, which will have to be discussed again after the Report of the Select Committee, I believe that the best course for the Committee would be immediately to report Progress. I do not think it would save any time if we were to attempt to go on at present. I only wish to say that the proposal we shall make to the House will be this, that in naming the Select Committee we shall also name the places we propose for their consideration. We shall put the names on the Paper, and if any hon. Member should wish to add to the list he will have an opportunity of stating his case to the House. [*Cries of* "What time?"] I hope to give Notice to-morrow, and to move on Monday.

SIR GEORGE GREY: If we had before us the memorials presented to the Commissioners it might be of advantage in guiding us as to the cases to be sent to the Committee. The Commissioners state in their Report that those memorials were in their hands.

MR. GATHORNE HARDY: My right hon. Friend must understand that we object to go into all the cases upon which memorials were presented. But we will go into cases as to which petitions have been presented to the House, and it will be in the option of any hon. Member who thinks any borough improperly excluded to move that it should also be referred to the Select Committee. The memorials to the Commissioners are of the most bulky character, and it would be an extravagant use of public money to print them.

MR. WALDEGRAVE-LESLIE inquired, whether the right hon. Gentleman's list would include the boroughs the petitions of which had been presented that evening?

MR. GATHORNE HARDY: What I propose is that all boroughs from which petitions were presented before the discussion began to-night should be put on the same footing as those from which petitions were previously received.

MR. PEASE asked, whether the Notices of Motion already made will be included in the same category?

MR. GATHORNE HARDY replied in the affirmative.

MR. POWELL said, that memorials and petitions presented up to this time would probably contain *ex parte* statements, and to make the documentary evidence complete there ought to be an opportunity for the boroughs affected to put in counter memorials.

SIR GEORGE GREY: What the hon. Gentleman says is perfectly true. Memorials have been presented on one side, and unless memorials be received on the other the Committee will have but an *ex parte* statement before them. But if the memorials from both sides are presented, then the views of those who assent as well as of those who dissent will be known.

MR. GLADSTONE: I would like to present a point of some weight. Is the Report of the Committee to be final on the question of boundary, or only on the question of postponement? If the Report is to be final with respect to boundary, then its task will be much more formidable than if it was to report only on postponement. A serious difference of opinion will often justify postponement, but not a final decision.

MR. GATHORNE HARDY: My proposition is that the Committee should report to the House the final decision, and that the House should take such course upon it as it may deem expedient. If they thought proper the Committee might receive documentary evidence on both sides, but not call witnesses.

MR. ROEBUCK suggested that the Committee should report to the House on what evidence it arrived at its conclusions.

MR. WALPOLE said, that he did not see how the Committee could have the full materials for forming a proper judgment before it. It should be clearly understood what would be the means at the service of the Committee to enable them to decide these questions if they were not to hear arguments on both sides. He was afraid, unless the Committee were furnished with sufficient information, that when they had concluded their labours, Member after Member would complain that in certain cases they decided in the absence of material evidence.

SIR ROBERT COLLIER recognized the difficulty suggested by the right hon. Gentleman (Mr. Walpole). It was extremely difficult to say how the Committee could come, upon merely documentary evidence, to a final decision, which should have the effect of annexing one district to another for an indefinite period; but what was proposed was that, in order to save the time of the House, cases which were very doubtful and required further inquiry, should be referred to a Select Committee. But the Committee might report that they could not decide in particular cases upon mere documentary evidence, and that those cases ought to stand over for further consideration. When they came to discuss the terms of the appointment of the Committee, he thought it would be more convenient and more consonant with the general wish of the House that the Committee should be directed to report cases which, in their opinion, required further consideration, and which the House was not in a condition to deal with during the present Session.

SIR GEORGE BOWYER said, he did not understand precisely what was meant by documentary evidence, because the petitions and memorials were more in the nature of pleadings than evidence. Supposing the statements of a petition were impugned, how could the Committee decide as to the matters of fact unless they were empowered to call witnesses? It was not possible to postpone questions with regard to boundaries until next Session, because if they did so the wrong man might be returned at the next General Election, and it would be necessary for Members returned for boroughs the boundaries of which had not been decided to go back to their constituents as soon as the decision had been given.

MR. RUSSELL GURNEY: I quite agree with the hon. and learned Baronet (Sir George Bowyer) that it is absolutely necessary to settle the boundaries in the present Session, for it would scarcely be proper after a General Election to consider what a constituency ought to have been. To obviate the objection of my right hon. Friend (Mr. Walpole), I would suggest that the Committee should have the power of calling before them the Assistant Commissioners, in order to inquire into particular boroughs. They would be able to furnish all the evidence that was given before them, and to offer useful suggestions. I say this the more freely because, having seen a great deal of the Assistant Commissioners, I can speak in the highest terms of the fairness with which they conducted their inquiries, and of the general intelligence which they displayed. They would be able to supply the Committee with all the necessary information.

MR. LABOUCHERE said, he wished to mention a case which showed the force of the objection of the right hon. Gentleman (Mr. Walpole). The inhabitants of Chiswick had petitioned against being united with Kensington and Chelsea, preferring to remain in the county; but if the Committee were only to look into the matter with that petition before them, they would not be able to see the force of the case, because there was a compact entered into last year that Fulham should be added to Kensington and Chelsea, and that in that case Chiswick should be left out. There should be some supplementary evidence given to the Committee in addition to the petitions, which did not enter into the merits of the case.

MR. DARBY GRIFFITH recalled the attention of the Committee to the fact that one of the conditions on which the Commissioners were appointed was, that they should not have power to contract boundaries; and suggested that if certain boroughs were allowed to come forward with claims to have their limits restricted the same liberty should be given to all.

MR. MORRISON inquired, whether it was intended to give any instructions to the Committee as to the principle on which they would make the selection of cases to be investigated? He could not see how such instructions could be given, because that was the very point at issue which the House was going to refer to the Committee to decide.

MR. HORSMAN reminded hon. Members that the proper time to discuss the matter was when they had the terms of the Reference before them, and when the Motion was made for the appointment of the Committee.

House *resumed.*

Committee report Progress; to sit again upon *Monday* next.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SEA FISHERIES BILL.—QUESTION.

General DUNNE said, he wished to ask a Question of the Vice President of the Board of Trade, or the noble Lord the Secretary for Ireland, in regard to this Bill. The Bill was very much objected to in Ireland, because it would leave the oyster fisheries on the Arklow coast, beyond three miles from the shore, exposed to the incursions and depredations of French and other fishermen during close time. Something ought to be done; and he wished to know what was proposed to alleviate the grievance, which was felt very strongly, upon this subject? He hoped he should receive a satisfactory answer.

The Earl of MAYO said, the subject had occasioned very considerable discussion in the course of the evening in the other House of Parliament, where the Bill was in Committee. The result had been that the Chairman reported Progress, and the Department of the Government responsible for the conduct of the Bill having had their attention called to the subject, he would state their determination on a future occasion.

NEW COURTS OF JUSTICE.—QUESTION.

Mr. Alderman LAWRENCE observed that an Estimate had been given of the amount of money required for the purchase of the site and other expenses for the new Courts of Law; and he wished to call attention, in connection with this subject, to the importance of providing suitable and convenient approaches to the New Palace of Justice. The Estimate for the site was £1,000,000, and for the buildings £2,000,000. Here was an outlay of £3,000,000; but what provision had been made for the approaches? None. The Courts of Law at Westminster and in the City of London would eventually be concentrated on this spot; and the amount of traffic when the new Courts were in action would be immense. It was therefore the duty of the Government, who had the management of this affair, to see that, if these magnificent buildings were placed in the centre of London, sufficient approaches were provided. There was a sort of Middle Row in the Strand between the two churches east of Somerset House. That block of buildings ought to be removed. Again, from the north and north-east the whole traffic must come through Chancery Lane. The gentlemen of the law had drawn a sort of cordon across London which much impeded the traffic of the metropolis; for the Temple, Lincoln's Inn, and Gray's Inn, occupied nearly the whole space from the River Thames to the King's Road, the only openings for traffic east and west being Holborn and Fleet Street. No doubt it was said it would be time enough to make suitable approaches when the Courts were completed; but the buildings required to be pulled down would be trebled in value by that time. The House could not too soon admit the fact that it would be necessary to make large and wide approaches to these Courts. The only approach to the building that would be adequate would be from the Strand; but even this approach could not be reached from the west without passing through the narrow portion of the street caused by the encroachment of Holywell Street. A wide street ought to be made on the west side of the new Courts from the Strand to Lincoln's Inn Fields, and continued to Holborn through Gate Street and Little Turnstile; and another street formed into Holborn through Great Turnstile. He trusted that the Government would not leave these approaches to be considered at the last moment. A comparatively small expenditure now would save a large outlay hereafter; for the public would not be satisfied that the new Courts of Justice, erected at an outlay of between £3,000,000 and £4,000,000, should be surrounded with narrow lanes and impassable streets.

Mr. M. CHAMBERS said, he quite agreed with his hon. Friend the Member for London. In compensation cases for improvements where railways or new streets had been made, the owners of houses always expected three, four, or five times as much as they would previously have been glad to accept. He thought at first that the site of the new Courts of Justice was admirably chosen; but this advantage was now likely to be more than counter-balanced by the difficulty of access to the Courts. When it was proposed to put these Courts in a given position, one of the first questions should have been—How are you to get at them? Parliament should not only have provided for the construction of the Courts, but should also have given powers to purchase houses and land so as to make streets by which they would have been approachable. But when anything in the nature of a national improvement was proposed the Legislature of this country had never yet perceived the wisdom of doing the thing all at once. A truly honest Report had been drawn up by two well-known and eminent surveyors — Mr. Pownall and Mr. Shaw — who showed that they were determined to do their duty—and in that Report it was stated that there was not one plan for the New Courts which they could approve. From what he had heard from competent authorities he should say that the site was decidedly ill-chosen. As all the competing architects also were invited to send in plans combining a handsome external appearance with proper internal accommodation, it seemed to be an unfair proceeding towards the unsuccessful competitors to club together two plans—one selected on account of its external appearance, and the other for its internal arrangements. He was further informed that, in order to provide sufficient accommodation, light, and air on the site which had been chosen, it would be necessary to take down one side of Chancery Lane. He wished, before any further expense was incurred, that a full inquiry should be made into these matters; and he believed it would be found that the increased expenditure would as much exceed the Estimate as that for the new Houses of Parliament, unless in the first instance they grappled fairly with the question. The completion of the building without proper approaches would remind every one of the story of an amateur gentleman who built a fine house, but forgot to make a staircase in it; and he would suggest whether it might not be advisable to reconsider the project originally entertained in that House, of having a magnificent Palace of Justice erected on the side of the Thames Embankment, to which there would be easy access both by land and water. In making this suggestion, he did not propose anything which would put the country to great expense, for he was told that the site at present selected had been purchased at a comparatively small price, and might be sold at a profit. The Government ought to ascertain from the Metropolitan Board of Works upon what terms they would accommodate the community with space for the erection of the Law Courts facing the river. He had reason for surmising that, if the Government communicated with that Board, they might, within a short period, obtain a most admirable site for that purpose; and, in that case, he trusted that English architects would be found capable of producing a building which, both in respect to its interior arrangements and its external appearance would be worthy of this great nation.

Mr. Alderman LUSK said, he was not quite sure that it was so very desirable to facilitate access to the Courts of Law, as, generally speaking, the less people had to do with them the better. He urged on the Government the necessity of their endeavouring to keep some faith with the public as to the expense of the proposed Palace of Justice, and for that purpose care should be taken that the estimates were not exceeded.

Motion, "That Mr. Speaker do now leave the Chair," *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

(1.) £106,000, Site and other Expenses of New Courts of Justice and Offices.

Mr. BENTINCK regarded the discussion that had just occurred very much in the light of one for locking the stable door after the animal had been abstracted. With respect to what had fallen from the hon. Member for the City of London (Mr. Alderman Lawrence), he thought the expenditure of money already contemplated for the new Courts was so large that it would not be fair towards the public to increase it to any great extent. The Committee appointed last year had come to the conclusion that no one of the competing architects had produced a design that was fit to be executed. In answer to an inquiry that he had made in the House on the subject, he had been informed that the question had been remitted to the Law Officers of the Crown to ascertain whether it was competent for the Committee to appoint two architects or only one. He wished now to ask the Chancellor of the Exchequer whether, before requiring them to agree to the present Vote, he would not explain to them the position in which that question now stood; whether the dead-lock that had existed still continued; and whether there was any prospect of their being called on to decide upon the design which he had understood was to be submitted to the House before its final adoption?

THE CHANCELLOR OF THE EXCHEQUER said, he had not made any explanation in moving the Vote, because it was really almost a matter of form after the Act that was passed in 1865. That Act provided that certain sums of money, which should ultimately come out of the Suitors' Fund in the Court of Chancery, should be temporarily advanced from the Exchequer, and be re-paid from the interest of that Fund. Authority had also been given by the Act to purchase what was known as the Carey Street site; accordingly, the properties there were being gradually bought up; and each Session a Vote was proposed to enable the Treasury to advance the money, which was to be re-paid in the manner he had described. His hon. and learned Friend (Mr. Bentinck) had correctly stated what had previously occurred in the House on that subject. In answer to a question put to him, he had said that the Treasury having great doubts whether the decision of the Judges of the Designs could be held to be an award in any sense, the matter had been referred to the Attorney General. All the parties had received notice of that fact, and had an opportunity of representing their case to the Attorney General. He understood from the Attorney General that he had given his opinion on the point within the last day or two; but he (the Chancellor of the Exchequer) was not aware that it had yet reached the Treasury. As soon as they became acquainted with his hon. and learned Colleague's opinion, it would be the duty of the Government to consider what course should be taken in the matter, and then the House should be duly informed on the subject. In reference to the subject named by the hon. Gentleman opposite (Mr. Alderman Lawrence) before the House went into Committee, he begged to say that the importance of it was recognized by the Government, and it should receive every consideration.

MR. PEASE said, that in August last he put to the noble Lord the First Commissioner of Works, without receiving any very satisfactory reply, the question, whether the Judges of Designs had made a Report to the Treasury without waiting for the Report of the gentleman to whom a fee of 500 guineas had been paid for investigating the estimates? He afterwards heard that this gentleman's Report, with reference to the two designs most highly thought of, showed that in one case the architect had under-estimated the probable cost of his building by £400,000, and in the other that the discrepancy amounted to £300,000. Under these circumstances, the whole thing was now at a dead-lock—not a very creditable position for all parties concerned.

Vote *agreed to.*

(2.) £3,000,000, Abyssinian Expedition (beyond ordinary Grants of 1868-9).

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £102,905, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for the Maintenance and Repair of Public Buildings; for providing the necessary supply of Water for the same; for Rents of Houses for the temporary accommodation of Public Departments, and Charges attendant thereon."

SIR COLMAN O'LOGHLEN observed that there was in the Vote an item of £1,470 for the erection of a house for the Professor of Theology in King's College, Aberdeen, and for the rent of a house during the erection of the new house. He regretted the absence of the hon. Member for Kirkcaldy (Mr. Aytoun), and of the hon. Member for Buteshire (Mr. Lamont), who had lately expressed so much hostility to the granting of money out of the public funds for theological purposes. He certainly thought they would have watched this Vote, and saved him from the necessity of asking for any explanation with regard to it. He wished the Government to inform him, whether it was the fact that the Committee were now asked to grant money out of the public purse for the support of a Professor of Theology in the University of Aberdeen, and for the building of a house for that professor, and for the rent of a house until the new house was built?

LORD JOHN MANNERS said, that a sum of £1,885 was granted last year for the same purpose, and the present Vote was required to complete the undertaking, to which the sanction of the House had already been given.

MR. POWELL, remembering what had been said in the course of Wednesday's debate (upon the Oxford and Cambridge Universities Bill) about Jewish, Parsee, and Roman Catholic theology, said it would be interesting to ascertain what kind of theology was taught by the Professor at the University of Aberdeen. It was the common boast that was thrown at the heads of the friends of the old Universities that those in Scotland were altogether unsectarian.

LORD JOHN MANNERS said, that the Department which he represented had nothing to do with theology, but was concerned in maintaining in a proper and decent state the fabrics of the Scotch Universities.

MR. M'LAREN said, the hon. Member for Cambridge (Mr. Powell) had asked what kind of theology was taught in the University of Aberdeen. He believed he could tell the hon. Gentleman. A distinguished foreigner described the Church of England during the last century thus:—It had an Arminian clergy, a Popish liturgy, and Calvinistic Articles. Well the Calvinistic Articles of the Church of England were the theology taught in the Universities of Scotland; but the other part of the description did not apply. Objection had been made by the hon. Baronet (Sir Colman O'Loghlen) to spending public money for any theological purposes. In that he entirely agreed, and if the hon. Baronet chose to divide the Committee he would cordially vote with him.

MR. BAXTER said, when he attempted to put an end to Votes for Professors of Theology he received no support from either side of the House. The whole Conservative party strongly opposed him eight or ten years ago, when he objected to a further endowment of this Theological Professorship. If the hon. Gentleman (Sir Colman O'Loghlen) would choose to divide on this Vote he certainly should have the greatest pleasure in voting with him. He was glad that hon. Gentlemen had their attention directed to these Votes more than they had formerly. He hoped the day would come when no Grant would be made by the House for religious purposes, especially for the Theological Chairs.

MR. ALDERMAN LUSK complained that this Vote had increased by £6,352, and he should like to know how it was occasioned. There was an item of £1,900 for a Jewel House for the Tower. Last year £3,200 had been granted for the same purpose; but he objected to the system of dividing Votes in this way, and obtaining the sanction of the House to a scheme in fragments, which would be sure to be rejected if it was proposed *in toto.* There were also many items in the Vote which had no connection with its proper object, and the classification of subjects ought to be amended.

MR. CANDLISH said, that encouraged by the observations of the hon. Member for Cambridge (Mr. Powell), as to the sum sought for the erection of a house for the Professor of Theology in the Aberdeen University, he should move the reduction of the Vote by a sum of £1,470.

MR. M. CHAMBERS seconded the Motion.

Motion made, and Question proposed,

"That the Item of £1,470, for the erection of a House for the Professor of Theology of King's College, Aberdeen, and for Rent of House during such erection, be omitted from the proposed Vote." —(*Mr. Candlish.*)

MR. CRAWFORD asked what would be the consequence if this Vote were refused? Would the Professor's House then become one of the interesting ruins of Scotland?

LORD JOHN MANNERS said, the hon. Member for the City of London (Mr. Crawford) had just suggested the real question which the Committee had to consider. In consequence of a Vote agreed to last year a contract had been taken for the house, and the work had made some progress. As, however, it had not been finished before the termination of the financial year, he was obliged to ask the Committee to re-Vote a certain amount of the money. If the Committee refused to do this it would be adopting a course for which, he believed, there was no precedent.

MR. BENTINCK opposed the Motion, on the ground that he was not friendly to disendowment either in England or Ireland, in Scotland or Wales.

MR. LABOUCHERE said, he could not conceive himself voting for the endowment of any Professor of Theology; but in this case the house had been begun, and therefore he did not see how the Committee could refuse to agree to the Motion.

MR. ALDERMAN LUSK asked the hon. Member for Sunderland (Mr. Candlish) to withdraw his Motion.

Motion, by leave, *withdrawn.*

MR. M. CHAMBERS drew attention to the inconveniences that arose from the way in which the different offices of one Department were scattered about London, instead of being concentrated in one quarter. He wanted some information recently about the Greenwich pensioners, and he went to Somerset House, but he was told by a gentleman there that he must go to the War Office; and he had never since been able to get the information he required. The separation of these Offices was not only productive of inconvenience to Members, but of great expense to the public. He knew these complaints had often been made before, but they did not appear to produce any effect.

LORD JOHN MANNERS said, that this matter had engaged the earnest attention of the present Government, as well as that of their immediate predecessors. The late Government appointed a Treasury Commission to consider how all the great public Offices might best be concentrated in the neighbourhood of Whitehall and the Houses of Parliament; and since the present Government came into power its investigations had been continued. Three or four days ago his hon. Friend the Secretary to the Treasury laid that Report on the table; and when it was printed—which it would be in a few days—the Committee would see that it had entered most fully and minutely into the question. The House of Commons had yet to consider whether it would sanction the recommendations of the Commission for the concentration, in the most convenient manner, of all the public Departments and their subordinate Offices. In answer to the hon. Member for Finsbury (Mr. Alderman Lusk), he stated that £1,500 of the increase arose from the necessity of providing increased accommodation for the Poor Law Board; two other items, formerly placed under another head, amounted to over £1,000; and the charge for Westminster Bridge was this year increased by £2,500 to provide for its being re-painted and gilded. These sums would account for the excess referred to by the hon. Member.

MR. ALDERMAN LAWRENCE suggested to the noble Lord the Chief Commissioner of Works, that Glasgow Cathedral should be thrown open to the public; the last year's fees for admission amounting only to £106 17*s.* 10*d.*, as against £256 1*s.* for the staff of attendants.

Original Question put, and *agreed to.*

(4.) £13,000, to complete the sum for Furniture in Public Departments.

MR. ALDERMAN LUSK complained that the Vote had increased £1,500. He contended that the head of each Department should make his own expenditure on this account, and be responsible for it; if a Minister could not undertake the duty he was not fit for the place.

LORD JOHN MANNERS said, that past experience had shown that it was better to place the furnishing of the public Offices under a responsible Minister, rather than leave it to the heads of the various Departments. The increase in this year's Vote, he added, was occasioned by the contemplated removal of the Board of Trade to the temporary Foreign Office, which would be vacated in a few days.

Vote *agreed to.*

(5.) £122,524, to complete the sum for Royal Parks and Pleasure Gardens.

SIR COLMAN O'LOGHLEN asked if steps had been taken, as proposed last year, to throw open Constitution Hill to the public, especially when the Queen was absent from town?

LORD JOHN MANNERS, in the absence of the Home Secretary, said he was not aware that any change had been made in that way.

MR. LABOUCHERE observed that there was a sum of £49.000 included in this Vote for St. James's Park, the Green Park, and Hyde Park. Now, there was a good deal of discussion last year about the Parks, and it was then stated that these Parks belonged exclusively to the Sovereign and not to the nation. If that were so, he should like to know why the nation was called upon to pay £49,000 for them. There were a great many items in the Vote referring to money expended on Hyde Park. Though they talked a good deal about liberty in this country, it was almost the only country, he believed, in which cabs were not allowed to enter the public Parks. If they went to Vienna or Paris they found that the inhabitants of those cities were permitted to drive in cabs in the Parks there. The noble Lord might say that the roads in Hyde Park were not wide enough to admit of cabs and carriages together travelling upon them. But the Champs Elysées was not so large as Hyde Park, and yet the road was made sufficiently wide to admit cabs as well as carriages to travel upon it. They were advancing, he would not say in democratic views, but in independent views and in common sense—as the hon. Member for Nottingham (Mr. Osborne) had just said—both in that House and the country; and it was time that a person who had not a carriage should be allowed to go into Hyde Park in a cab. To prevent persons driving in the Park who could not ride in their own carriages was to restrict its use to some 10,000 persons. He had received a good many representations on this subject from his constituents, who lived in the neighbourhood of London, and who, when they came up to London, were often anxious to enjoy, with their wives and daughters, a drive round Hyde Park, but who were unable to do so in consequence of the exclusive system which now prevailed. He himself would often take a drive in the Park if only he were allowed to go in a cab. It was an injustice to tax people for the maintenance of the Park, and to allow them only to walk in it unless they could ride in their own carriages.

MR. ALDERMAN LUSK reminded the House that on a former occasion a Vote of £9,000 was taken for Hampton Court, because it was said it was for the benefit of the public. It turned out, however, to be no such thing, but for the stables, vineries, and the Hampton stud, of which the people knew little, and in which they had no interest. He did not find fault with the charge of £3,700 in this Vote for keeping in order the grounds of Hampton Court, because it was for the benefit of the public. He complained that the First Commissioner of Works did not do his duty so well on the West side of Hyde Park as he did on the East side. On the East he had planted a large quantity of beautiful flowers; but on the other side, near Kensington Gardens, the only place near London to remind one of Paradise, and a place where quiet thinking men and philosophers could walk, there were only a few common flowers, such as candytuft. [An hon. MEMBER: And pennyroyal.] Yes; and pennyroyal and Virginia stock. He thought it was too bad that in the part to which quiet pedestrians resorted there were few floral decorations.

SIR PATRICK O'BRIEN inquired, whether it was intended that the large sum—£4,800 odd—which appeared in the Vote for the maintenance of Battersea Park, should be continuous? They were told some years ago that that Park would eventually be self-supporting, and he wished to know whether there was any prospect, through the realization of sales of land in that neighbourhood, that the country would not be called upon to vote year after year the large sum that now appeared in the Estimates for the maintenance of Battersea Park.

MR. ALDERMAN LAWRENCE asked, why the receipt for grazing-rents in Hyde Park was not to be found in the Estimate, and why there were two charges for police in the Parks—one to the Ranger and the other to the Commissioner of Works? He also asked why facility was given to the owner of private property outside Roehampton Gate, Richmond Park, to enter the Park by that gate, whilst he refused to allow the public either to enter or leave the Park by that gate over his private road? He would suggest to the noble Lord the First Commissioner of Works the desirability of closing the Roehampton Gate.

MR. PEASE would like to know whether there was any reason why the present temporary road from the North end of Exhibition Road into the Queen's Drive, could not be made a permanent road?

MR. M. CHAMBERS said, if the proprietors of the property outside the Roehampton Gate had the privilege of using the Gate, they ought to be asked to let the public use their road as an equivalent.

LORD JOHN MANNERS said, that although Hyde Park was Royal property, Her Majesty graciously permitted the public to use it, and hence the public paid for its maintenance and improvement. With reference to the questions put as to permission being given for cabs to use the parks, one reason why it might be thought impolitic to grant such permission would be that the owners of omnibuses and other vehicles would make the same demand; and if these were admitted the roads would be inconveniently crowded, and drivers might experience the blocks that were too common in the City. He did not doubt that if, in any particular instance, a strong case were made out in favour of such a course, cabs might be admitted. [Mr. LABOUCHERE: Omnibuses also?] Not omnibuses. At the time the traffic in St. James's Park was under consideration, when the convenient access between St. James's Palace and Buckingham Palace was thrown open to the public cabs, it was at the same time decided that it would not be advisable to extend the privilege further. Cabs were also permitted in Hyde Park in the road between Bayswater to Kensington. These facts were sufficient to show that there was no disposition to ignore the interests of the public; but he trusted that the Committee would hesitate before they sanctioned such general proposals as those which had been made by the hon. Member (Mr. Labouchere). The hon. Member for Finsbury (Mr. Alderman Lusk) had complained of the increase in the Estimates; but there were in the proposed expenditure of the year several items which would probably never appear again.

In Regent's Park, for instance, there was an expenditure of £8,000 or £9,000, which was to be incurred in consequence of the deplorable accident that took place there the year before last. Those works were now being pushed forward with great rapidity, and would, of course, be made once for all. He might congratulate the Committee that this would be the last year that a Vote would be proposed for the Chelsea Hospital. The charge for the maintenance and watching the Hospital grounds would be transferred to the Hospital, whose estate had lately sufficiently improved to allow of the transfer being made. £700 was to be spent in connection with the old wall in Kensington Gardens, which had to be removed to prevent its falling down, and that, together with £300 for painting, might be regarded as exceptional. An expenditure of £700 had resulted from placing the watching of Hyde Park under the direction of the police, and though the change had resulted in a larger expenditure, it had, he believed, given general satisfaction. An hon. Gentleman (Mr. Pease) had expressed a hope that the temporary road in the neighbourhood of Prince Albert's Memorial would be converted into a permanent road. It would be seen from the Estimates that the formation of a carriage road was proposed, and if the Vote were sanctioned by the Committee, it would be at once commenced. His attention had been directed to the subject of the road at the Roehampton Gate, and he had been in communication with the joint-stock Company to whom the road belonged. He had every reason to believe that, either by some such suggestion as had been made that evening, or by some other plan, a result might be attained which would be satisfactory to those who desired an alteration in the present condition of those roads. As to the grazing in Hyde Park, he did not see any reference to a particular item of that nature; and, with respect to Battersea Park, he might say that property in the neighbourhood was increasing in value, and there was reason to believe that the original Estimate would be borne out.

Mr. Alderman LUSK wanted to know if the Estimates were to go on increasing from year to year; because, if so, where are we to stop? Since 1866 there had been an increase of £40,000; and last year, as now, the Committee were told that many of the items were exceptional, and would never occur again.

Lord John Manners

Lord JOHN MANNERS remarked that there was always a tendency to increase in the sums required for the parks. Claims for additional public accommodation, and additional public enjoyment, were continually being made, and such claims could not be met without increased expenditure. The hon. Member, while complaining of the increase in the expenditure, had at the same time appealed to him for more attention to the flowers—a matter that would, of course, involve the outlay of more money. The mere fact of placing Hyde Park under the control of the police had led to a considerable increase; but a far greater expense had been incurred in connection with the railings which had been torn down.

Sir GEORGE BOWYER expressed a hope that the gates of the Marble Arch at the end of Oxford Street would be thrown open, instead of being kept closed, as they were now.

Mr. M. CHAMBERS trusted the noble Lord would not sacrifice, by hasty leasing or sale, the surplus lands of Battersea Park.

In reply to Mr. Sandford,

Lord JOHN MANNERS said, that if the public were not allowed to have access to Richmond Park, through the private road alluded to, it would be for the Department to consider whether they would not recommend the closing the gate altogether.

Vote *agreed to.*

(6.) Motion made, and Question proposed,

"That a sum, not exceeding £47,936, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for the Buildings of the Houses of Parliament."

Colonel FRENCH said, it would be in the recollection of hon. Members that the original Estimate for building the Houses of Parliament was £750,000; and up to this time they had voted £2,250,000, and after all this expenditure there was not, in the entire building, one good room. As a Member of the Refreshment Committee, he called attention to the narrow, low, ill-ventilated dining-room, and to the necessity of providing better accommodation. A common dining-room for Lords and Commons had been proposed, and some Peers to whom he spoke rather approved the project, but it was not acceded to. The average number of those who dined in the House of Commons in the course of a Session was 8,000. At the time the union of the two dining-rooms was talked of there had been 4,000 dinners in the Commons, and not one in the Lords; but, notwithstanding this, two kitchens and two establishments were to be kept up. It was now proposed that the dining-room should be brought down to the level of the Thames, and the kitchen was to be in the damp vaults below. He did not think that such an arrangement could possibly be submitted to; nor did he think there was much chance at present of getting the money for the extensive changes that were suggested in the House. Under these circumstances, he asked the noble Lord (Lord John Manners) to consider whether it would not be well to increase the height and width of the present dining-room?

Mr. OSBORNE said, the view he took of this Vote was that, after the Vote for Fortifications, it was the most objectionable—indeed in some respects it resembled the Fortifications Vote. The hon. and gallant Member below him (Colonel French) who so well represented the kitchen Department, and to whom they all owed a debt of gratitude for his great exertions, had properly called attention to the bad accommodation of the Commons dining-room. One reason given, indeed, for the longer life of the Lords was that they so seldom dined in the House; and to condemn Members to what was ironically called the refreshment-room was exacting from them a severe penalty indeed. But he had not risen for the purpose of going into the kitchen Department. The sum originally voted for the building of that House was £750,000, and the country had expended on it, not £2,250,000, but upwards of £3,000,000. And what had they got? He wondered why Sir Charles Barry's and Mr. Pugin's descendants, intead of quarrelling as to who was the architect of the building, had not endeavoured to push the question altogether aside. Why, there was no country in the world with a Constitutional Assembly that had it housed in so uncomfortable and unhealthy a place. Here was a Vote for completing the Clock Tower, and for works in New Palace Yard and its approaches, including the erection of an arcade and the formation of a subway, upwards of £13,600. What he wanted to know was by whose orders was this arcade, which was ruining the façade of the building, erected? It was not in the original Estimate, and the effect of it was to dwarf the building, already placed in a hole, and to darken the rooms of the officers who lived in that part of it. Here also was a small item for pedestals for statues in Westminster Hall, and for a drinking fountain in Palace Yard, £330. Now, if it were competent for him to move that those statues, which disfigured Westminster Hall altogether, should be taken away he would move it. He could little have foreseen that a man with a taste for Gothic architecture like his noble Friend (Lord John Manners) would have consented to have those statues placed in a Gothic hall like that; and yet they were to have a Gentleman coming forward with an Amendment to-night to stick up Oliver Cromwell among them also. Now, he (Mr. Osborne) had as great a respect as any man for the memory of Oliver Cromwell, but he thought his statue should be in its proper place. He was of opinion that all these statues, not only of Oliver Cromwell; but those of the House of Brunswick, and that even of "the glorious, pious, and immortal" William III. should be deposed and turned out, for it was a prostitution of art to place those statues in Westminster Hall. There was another item of £4,000, for warming, lighting, and ventilating the House. He would ask any Gentleman was there ever such warming and ventilation as they had to undergo in that House. That evening, when they came into the House, though an important debate was coming on, there was not a single window open, and it was owing to the courtesy which distinguished the Serjeant-at-Arms who, when applied to, took it upon himself to order the windows to be opened that some air at last was admitted. Why, the ventilation of that House was simply disgraceful. Here was also a Vote for Works of Art for the decoration of the Palace of Westminster, for which he should like some explanation. There was a considerable sum in that Vote for frescoes, and he would like to know the state of the account with Mr. Maclise, who, he believed, had been very ill-used in the Votes of that House. Mr. Herbert, for his great work of art in the Council Chamber, had had an addition made to the sum he was to receive; but Mr. Maclise, who had no one to bring forward his case, and who had not only proved his greatness as an artist but his disinterested conduct as a man, had been most unfairly treated, and had never any additional sum given him. He should like to receive some explanation upon that point, and also some information with regard to what was put down in the Estimates as "the balance of the contract for one statue for the chronological series of statues of British Sovereigns now in course of execution."

Mr. LAYARD said, his hon. Friend (Mr. Osborne) was not quite correct as to the case of Mr. Maclise, for he (Mr. Layard) had the honour of bringing his claims before the Committee on a previous occasion. He quite agreed with his hon. Friend that Mr. Maclise had not been fairly treated. Mr. Maclise, with a delicate sense of honour, made no application, but left his case in the hands of the Commissioners; but that was not the way that others had acted. Other artists had not completed their work, and a recommendation was made that they should get an increased sum, and it was voted to them; but it was not voted to Mr. Maclise, on the ground that he had completed his work, which was as much as to say that because he had done his duty he should get nothing additional, while others who had not done their duty should have additional pay. He regretted that Mr. Maclise had never been authorized to carry out the series of frescoes for which he had been directed to make designs. Now, he affirmed that there were no frescoes so remarkable, so important, and so likely to be interesting to future generations as those of Mr. Maclise; they had been executed with the greatest possible care, and they were a faithful record of two great events in English history. Therefore they were far more important and interesting than mere works of imagination. Mr. Maclise, however, did receive some extra sum; but he (Mr. Layard) would cordially support a farther grant to him in order to continue his frescoes.

Sir GEORGE BOWYER said, he agreed with the hon. Member for Nottingham (Mr. Osborne) in what he had said about the statues in Westminster Hall. He would venture to say that anything more incongruous than to put into a hall of the reign of Richard II. statues which were in the worst style of art of George III. could not be imagined. He was sure the noble Lord (Lord John Manners) would not allow them to remain there; but he should like to hear him say so. As a matter of art he should be sorry to see the statue of Oliver Cromwell placed there, though irrespective of that he should have a word to say against such a proposal. So also would the Irish Members, for if ever there was a tyrant and oppressor in regard to Ireland it was Oliver Cromwell. With respect to the House itself he did not think they could find in Europe a building worse adapted to the purposes for which it was required. There was at the back of the House of Lords a space about four times the size of that House, which was entirely wasted. He could not agree with the hon. Member for Southwark (Mr. Layard) as to what he had said about Mr. Maclise's frescoes. They were too crowded. He did not believe that when Wellington and Blucher met they had to walk their horses over dead bodies. [Mr. Osborne: They never met at Waterloo at all.] Then that disposed altogether of the remark of the hon. Member for Southwark as to the value of the frescoes in an historical point of view. The Speaker's house was most inconvenient, all the rooms being too small, while there were no rooms attached to the House of Lords for consultation, for counsel, or for witnesses in attendance upon a great Court of Appeal. Then, again, where was there another Assembly in the world the Members of which were unable to properly perform their duties because they were not provided with seats in their Chamber? What was the use of electing Members of Parliament if sufficient accommodation was not afforded them for the performance of their duties? It was absolutely necessary that the House of Commons should be enlarged. Then there was that miserable "cage" in which the ladies were placed. The accommodation afforded them was most discreditable to that House. The ladies should have a decent refreshment-room provided for them; the place now placed at their disposal would not hold more than two persons at a time. It was most disgraceful that the ladies should be cooped up behind a grating which ought to be removed. A grating was not found to be necessary in the House of Lords, and why should it be required in that House? The question of the enlargement of the sitting accommodation of that House was a most serious one. It was probable that when they were returned by the reformed constituencies hon. Members would be more regular in their attendance and more zealous in the discharge of their duties, and then it would be impossible to attempt to squeeze 658 Members into a room that was only calculated to hold about 350. Even now it was frequently impossible for Members to hear a debate or even the question put, and they had to run from the smoking, the tea, or the dining-rooms when the bell rang for a division, and had to ask everybody which way they were to vote.

Mr. BENTINCK wished to make one or two observations upon the statues in Westminster Hall. In the first place, he wanted to know why they had been placed there? [Mr. Osborne: Where do they come from?] He believed they were originally intended for the Royal Gallery; but that place not being adapted to receive them they had been wandering about under the guidance of the First Commissioner of Works. When the subject was discussed last year, nothing was said as to where the statues were to be placed, and it was therefore rather a surprise to hon. Members, when they returned after the Recess this year, to find in Westminster Hall five of these statues in marble placed upon permanent pedestals, and one of Charles II., with his favourite spaniel, in plaster on a temporary pedestal. No doubt the transporting of those statues to Westminster Hall must have been attended with considerable expense. It was not right that the First Commissioner of Works should have the power of moving these statues about without previously asking permission to do so from the Committee. He wished to have some information about the drinking fountains in Palace Yard. Was the extraordinary erection at the corner of Great George Street one of them? [A Voice: It's Buxton's.] It resembled a Chinese extinguisher, and was copied, no doubt, from something taken in the Chinese war. As to Mr. Maclise's frescoes he believed that the Fine Arts Committee of 1864 heard the evidence, and that three or four years afterwards they were called upon to vote an additional sum of money to that gentleman, and it was a matter of doubt whether they should now embark in any fresh expenditure. The water glass pictures were fading away, and would soon present an appearance equally deplorable with that of Mr. Dyce's pictures.

Mr. CLAY thought that whatever the opinion might be as to the expense of moving the statues into Westminster Hall, he hoped that no one would object to the expense of taking them away.

Mr. BAILLIE COCHRANE hoped that as the hon. Baronet opposite (Sir George Bowyer) had so strong an objection to the present House of Commons, he would give his assent to the plan that was about to be introduced, by which ample accommodation would be afforded to every Member, and more especially to the ladies.

Colonel SYKES said, the House was sufficiently large for the ordinary attendances of Members. ["No, no!"] He said, "Yes!" Only sixteen Members were present the other day when the question of the fortifications was being discussed, involving an outlay of millions of money. He had been a pretty constant attendant in the House, and he knew that, except on party occasions, not only was the House large enough for the Members, but scores of seats were always vacant. £3,000,000 had been already expended on the House, and he protested against the building of another House. He wished the noble Lord to state whether the operation for the preservation of the exterior of the House from decay was successful and was continued from year to year. He observed there was an item of £4,500 for furniture and the repair of furniture in the House. He had been a good deal about the House, and had not seen any new furniture. Then there was an item of £1,150 for sweeping the House. That amount seemed to be extravagant.

Mr. GORE LANGTON protested against the erection of a new House. The sums that had been wasted on the House were perfectly scandalous. The inconvenience of the House had been very much exaggerated. Moreover, the ablest architect having been employed, there was no guarantee that an untried man would furnish better accommodation.

Sir ANDREW AGNEW asked for definite information whether a new building was in contemplation?

Mr. Alderman LUSK complained of the accommodation provided for this House when summoned to the House of Lords, Members being penned in, and the Speaker having to stand like a prisoner in a dock. He did not care for himself, but proper respect should be paid to the Head of this House—the Speaker. Why should he not have a seat and be treated like a gentleman, for he was one?

Lord JOHN MANNERS said, as to the dining-room accommodation, that last year a proposal was made by him which found favour in the eyes of the hon. and gallant Member (Colonel French), and the other Members of his Committee, that there should be joint Dining-rooms for the Members of both Houses, and that the Tea-room, the Conference-room, and the adjoining House of Lords' Committee-room should be appropriated to that object. Mr. Barry was requested to draw out a plan, and the Kitchen Committee approved of the plan; but the corresponding Committee of the Lords objected they could not afford to lose the Committee accommodation which it would entail. The Lords having thus put their veto upon the scheme, it fell through. The right hon. Member for Newcastle (Mr. Headlam) proposed, about that time, the appointment of a Select Committee to inquire into the entire arrangement of the House of Commons. That Committee, after sitting the whole of last Session, were re-appointed early this Session, and had just concluded their labours—their Report, he believed, being now on the table. It was therefore inexpedient to go into the question raised by them until the Chairman of that Committee had had an opportunity of calling attention to their recommendations. The hon. Member for Nottingham (Mr. Osborne), in one of those facetious speeches with which he often amused, and perhaps instructed, the House, had asked what was the history of the arcade which was about being completed in Palace Yard. Now, he believed it originated in the desire of a considerable number of Members that when the railway works had been completed they should be able to get to the station and to the Thames Embankment without crossing Westminster Bridge Road. The Vote for that purpose had been sanctioned in former years, he himself having no responsibility for the work. It was now nearly completed; and, when the difficulties which had impeded the railway company were removed, he had no doubt the arcade and subway would be found a great convenience. The hon. Gentleman had also criticized the Vote of £4,000 for warming and ventilation, and had complained that the result was not at all satisfactory. He, however, could not see how it could have been more satisfactory had the £4,000 not been expended. [Mr. OSBORNE: The thing was badly done.] He did not agree that this was the case. One of the most eminent men connected with this class of subjects had given his unremitting attention to this extremely difficult duty, and as a more frequent attendant than the hon. Gentleman, he was bound to say that he did not think the ventilation and warming of the House, or of its rooms and corridors, was such as had been described. With regard to Mr. Maclise's claims, they had been considered by the Treasury Commission appointed by the right hon. Gentleman (Mr. Gladstone) two or three years ago, and if they had not been fairly dealt with he was very sorry for it; but this was the first complaint he had heard on the subject. The hon. Gentleman had also referred to the experimental position of the statues in Westminster Hall, and the hon. Baronet (Sir George Bowyer) had urged that it was quite incongruous to place in a Gothic hall, erected in the time of Richard II., statues which would disgrace the reign of George III. Now, the discussion of statues or pictures always led to unlimited controversy; but, if it were true that these statues represented the worst style of art in the reign of George III., the artistic taste of the present reign must be in a very melancholy condition, for they had been committed to the most distinguished sculptors of the day. He, however, did not concur in the criticisms which had been levelled at them. Whether they were properly placed in Westminster Hall or no was a different question. The fact was this — When some of the statues were placed in the Royal Gallery, it struck everybody who saw them that they were too large for the site for which they were intended. His right hon. Predecessor entered into communication with the architect of the Palace upon the subject, and called on him to suggest some site where they would not be out of proportion. The architect suggested, as an experiment, that some should be placed in Westminster Hall, in order that the public and the House of Commons might be enabled to form some opinion respecting them. Temporary pedestals were therefore prepared, and the statues were placed in the Hall. He believed public opinion was extremely divided on the subject; but he was bound to say that if those statues, which were the property of the public and had been paid for, were to be removed, he, for one, should be sorry to see them re-placed in the Royal Gallery, for they would certainly have to be moved away again. This was a question on which the fullest expression of opinion should be given; and he hoped no hasty decision would be arrived at respecting them. With respect to the erection of a drinking-fountain in Palace Yard, to which his hon. Friend the Member for Whitehaven (Mr. Bentinck) had referred, he had only to state that, as a considerable number of cabmen frequented that spot, it was considered advisable that they should have ready access to the most natural and most healthy of drinks; and accordingly it was proposed that a Vote should be taken for that purpose. The hon. and gallant Member for Aberdeen (Colonel Sykes) had put a Question with respect to the state of the exterior walls of the Houses of Parliament; and he (Lord John Manners) was happy to be able to state in reply that he had every reason to believe that the application made use of a few years ago for the preservation of the stone had answered its purpose, and that the fears expressed by the hon. and gallant Member upon the subject would not be realized.

MR. STACPOOLE asked, if there would be any objection to establish a communication by speaking-tubes between the door-keepers and the various apartments about the House to which Members retired, so that they might learn with facility what was going on in the House?

LORD JOHN MANNERS: That question had better be postponed to see whether we are in future to meet permanently in this House or in another place.

MR. OSBORNE said, he did not think the explanations given by the noble Lord with respect to the mode in which the public money was expended were at all satisfactory. The noble Lord had told them that certain Members of the House had suggested the erection of the arcade; but why should the noble Lord listen to suggestions of private Members which incurred an outlay of not less than £14,000? He should like the noble Lord to inform them whether it was proposed that any more of those statutes should be placed in Westminster Hall? For his part he believed that they were entirely unfitted for such a site. Westminster Hall was, in fact, used as a lumber-room for those statutes, and if the noble Lord did not know where else to put them, he (Mr. Osborne) would recommend that they should be sent to that refuge of the destitute the Kensington Museum. With regard to the ventilation of the House, he would observe that he ought to be qualified to give an opinion upon the subject, for he had sat in that House as much as the noble Lord, and he hoped to relieve the noble Lord of the duty of occupying a place upon that Bench. He was surprised to hear his hon. and gallant Friend the Member for Aberdeen (Colonel Sykes) making any objection to the enlargement of the House, because they all knew that his hon. and gallant Friend was constantly in the habit of taking the seats of other Members.

SIR GEORGE BOWYER explained that he had not said the statues were a disgrace to the reign of George III., nor did he say anything to be painful to the artists. What he said was that, being costumed in the style of the reign of George III., the statues were out of place in a hall built by Richard II.

COLONEL SYKES said, he must in justice insist on his hon. Friend the Member for Nottingham (Mr. Osborne) recalling his statement that he (Colonel Sykes) was in the habit of occupying the seats of other Members. During the eleven years he had been in Parliament no question had arisen between him and another Member, except on one occasion in the present Session, and then his usual seat had been taken by another Member; and he had always occupied the same seat, or a corresponding seat on the opposite side of the House.

MR. LOCKE said, he could not agree with the hon. Member for Nottingham (Mr. Osborne) about the statues, which were quite as great an ornament to Westminster Hall as the doorways on the opposite side. There were two things in the Hall to attract attention, the statues and the apple stall, and the attention of the public was divided between them. The hon. and learned Baronet the Member for Dundalk (Sir George Bowyer) had told them that it was a monstrous thing to put up statues dressed in the costume of the reign of George III. in a hall built by William Rufus. [SIR GEORGE BOWYER: Richard II.] He took issue with the hon. Baronet, for he believed the hall was built by William Rufus. But at all events, it was a Gothic hall, and they were then sitting in a Gothic building; so that if the doctrine of the hon. Baronet were to prevail, they could place no statue in that building unless they covered it in a Gothic costume, and they ought themselves to dress in the same style. They could not alter the building according to the people who sat in it, and if they wished to erect statues of great men they must represent them in the dress they wore in their time. All these objections were futile, and as the statues had been shown to be too big for any other place, they could not do better than leave them in Westminster Hall, for which they could not be too big. He hoped the public at large would express their opinion upon the subject instead of the decision being left to dillettante Members of that House who did not know what they liked.

Mr. THOMSON HANKEY challenged the hon. Member for Nottingham (Mr. Osborne) to take a division on the item, for he believed that a very large majority of the Committee would be in favour of leaving the statues where they now stood. Though they might not be so fine as the statues in the corridor leading to the House of Lords, they were extremely well placed, and the public received pleasure from viewing them.

Mr. OSBORNE accepted the challenge of the hon. Member (Mr. T. Hankey), and moved the omission of the item of £330 for pedestals for statues in Westminster Hall, for iron gates to the Royal Court, and for a drinking fountain in New Palace Yard.

Colonel W. STUART asked the hon. Member for Nottingham whether he objected to the drinking fountain?

Mr. OSBORNE: I leave the drinking to you.

Motion made, and Question put,

"That the Item of £330 for Pedestals to Statues in Westminster Hall, for Iron Gates to Royal Court, and for a Drinking Fountain in New Palace Yard, be omitted from the proposed Vote." —(*Mr. Osborne.*)

The Committee *divided:*—Ayes 76; Noes 234: Majority 158.

Mr. LAYARD said, he understood that there was an intention to place the statue of Lord Palmerston at the back of the statue of Sir Robert Peel in New Palace Yard, so that the two statues would be back to back. He wished to know whether there was any such intention. With regard to the statue of Sir Robert Peel he would venture to say that any statue so discreditable to the art of this country had never been raised, and that something ought to be done either to improve the statue or remove it.

Mr. BENTINCK said, that the hon. Gentleman would find on the Votes of to-morrow night a Motion for the removal of the statue of Sir Robert Peel.

Original Question put, and *agreed to.*

Sir COLMAN O'LOGHLEN said, that business of great importance remained to be transacted, especially the Motion of the right hon. Gentleman (Mr. Gladstone) for the introduction of a Bill on the subject of the Irish Church. He therefore moved that the Chairman report Progress.

Mr. Locke

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."

Mr. SCLATER-BOOTH said, there were several Votes which would be agreed to without discussion, and after they were gone through there would be no objection to report Progress.

Mr. OSBORNE said, the hon. Gentleman might withdraw his Motion, for he believed the right hon. Gentleman (Mr. Gladstone) was not in the House to move for the introduction of his Bill.

Motion, by leave, *withdrawn.*

(7.) Motion made, and Question proposed,

"That a sum, not exceeding £1,135, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for the Maintenance and Repairs of Embassy Houses Abroad."

Mr. LABOUCHERE objected to the Vote, and asked, whether it was intended to re-furnish the Embassy House at Paris, on which a very considerable sum had been expended?

Lord JOHN MANNERS said, that when Lord Lyons went to Paris there were some necessary changes in the furniture at the Embassy which had occasioned some expenditure.

Mr. LABOUCHERE understood that when Lord Lyons went to Paris he received a sum of £2,000, a portion of which was to be devoted to the re-placing of furniture at the Embassy. He moved to reduce the Vote by £1,000.

Motion made, and Question proposed,

"That a sum, not exceeding £135, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for the Maintenance and Repairs of Embassy Houses Abroad."—(*Mr. Labouchere.*)

Mr. SCLATER-BOOTH explained that the Embassy House at Paris was the property of the Crown. The furniture was very dilapidated and absolutely required replacing. Lord Lyons received no such sum as that stated by the hon. Member for any such purpose.

Mr. LABOUCHERE asked the noble Lord the Secretary for Foreign Affairs, if he could confirm that statement?

Lord STANLEY said, an Ambassador on going to his post received an allowance for personal outfit; but this was apart from the cost of maintenance and repair of Embassies.

Mr. Serjeant GASELEE thought it high time these Royal palaces should be diminished. They must begin by cutting down these Votes, or they would leave nothing for the new Parliament to do.

Mr. LABOUCHERE thought it would be useless in the present state of the House to press his Amendment. He begged to withdraw it.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(8.) £19,512, New Foreign Office.

Mr. Alderman LUSK said, they were asked to pay last year £40,000, this year £22,000, making £62,000 for fittings and furniture for the Foreign Office, and thought it was time to inquire when that expenditure would end?

Lord JOHN MANNERS said, he believed no further Vote would be required for the internal fittings and furniture of the new Foreign Office; but if the external elevation was to be carried out as originally intended by the architect, so as to harmonize with the India Office, a further sum would probably be necessary for statues.

Colonel GREVILLE-NUGENT moved that the Chairman report Progress.

Lord JOHN MANNERS said, that the only Votes which would now be asked for were those to complete Votes already sanctioned by Parliament.

Mr. GOLDNEY said, he did not wish to interfere with the Motion which the right hon. Member for South Lancashire was about to bring forward; but before Progress was reported he wished to ask the Committee to consider the principle on which Votes should be taken.

Mr. Serjeant GASELEE appealed to the Chairman whether the hon. Gentleman was not out of order?

The CHAIRMAN said, the Question before the Committee was that he should report Progress; and on that Motion it was not competent for an hon. Member to discuss the Votes.

Mr. GOLDNEY said, he did not propose to discuss the Votes, but to raise a question as to the principle on which the Votes should proceed. The hon. Member was about to explain this principle, when—

Mr. CLAY appealed to the Chairman, whether he was not persisting, in spite of the intimation which had been given from the Chair, in discussing a general principle which was applicable to a Vote not before the Committee.

Lord JOHN MANNERS said, his hon. Friend desired to raise a question of some public importance. He had privately explained to him the position he was about to take, and it was one which deserved the serious attention of the House. At that late hour it was not likely that such attention could be secured for it; and therefore he asked his hon. Friend to postpone raising the question until the House next went into Committee.

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow;*

ESTABLISHED CHURCH (IRELAND) BILL.

LEAVE. FIRST READING.

Mr. GLADSTONE moved for leave to bring in a Bill to prevent, for a limited time, new appointments in the Church of Ireland, and to restrain, for the same period, in certain respects, the proceedings of the Ecclesiastical Commissioners for Ireland.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to prevent, for a limited time, new appointments in the Church of Ireland, and to restrain, for the same period, in certain respects, the proceedings of the Ecclesiastical Commissioners for Ireland."—(*Mr. Gladstone.*)

Colonel STUART KNOX opposed the introduction of the Bill, and considered that he was perfectly justified in so doing after the opinion freely expressed by Members opposite that it was too late to proceed with Public Business. It was his full intention to oppose this Bill at every stage, upon the same grounds that had been put forward by a Gentleman long holding a great position in that House, and he could not do better than read these opinions, which were given many years ago—

> "One great part of the mission of the Irish Church was the instruction of those who belonged to it in the maxims of religion, loyalty, and truth. Has it failed in that respect; or are they not, on the contrary, to be reckoned among the most loyal and devoted subjects of the Crown? England is a Protestant State; it ought, therefore, to uphold the Protestant religion. What does that mean? That while we respect the antiquity and the practices of the Church of Rome, we also assert the right of private judgment and the independence of the human mind. I trust that a Church which retains the just authority of a Christian Church, which teaches the Scriptures and the unadulter-

ated truths of the Church of England, will never be overthrown by a House of Commons. It cannot be destroyed, except by the vote of a recreant senate and an apostate nation."

MR. GLADSTONE: What is the hon. Member quoting from?

COLONEL STUART KNOX: I am quoting from the right hon. Gentleman himself in 1835, speaking in the House of Commons upon the question of the Irish Church, in opposition to its persistent foe, Lord Russell. I move, Sir, that the debate be adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Colonel Stuart Knox.*)

MR. NEWDEGATE said, that, when on the previous day he had called the attention of the House to the fact, that it wanted less than ten minutes to six o'clock, and that no time consequently remained for the right hon. Gentleman (Mr. Gladstone) to give any explanation of the contents of this Bill, he pursued no unusual course. There was an analogy between the manner in which what was termed the private business of the House—that which related to matters of detail, to personal or local matters—was conducted, and the practice of the House in Bills of the most important character. The 26th Standing Order related to matters touching such property as that affected by the Bill, when affected in detail by Private Bills. The 26th Standing Order directed that—

> "Previously to the deposit of a petition for leave to bring in a Bill relating to the Crown, Church, or corporation property, or property held in trust for public or charitable purposes, before the first reading of any such Bill brought from the House of Lords, notice in writing of such application to Parliament shall be served upon the owners or reputed owners of such property, and the lessees or reputed lessees of such property, holding leases for a life or lives, or for any term of twenty-one years or upwards."

And further in certain cases by a subsequent Standing Order the publication of notice in the *Gazette* was necessary. These safeguards were insisted upon in the case of Private Bills, and they showed the deliberation, with which the subject ought to be approached. The Controller of the Household had scarcely had time to make his obeisance or to turn round after bringing up Her Majesty's Answer to the Address, when the right hon. Gentleman got up and gave Notice of this Bill. In taking the course he was doing with reference to the right hon. Gentleman's proposal he was only following Parliamentary precedent. His object was to obtain information as to the scope and purport of the Bill. He should like to know whether it was proposed in the Bill to deal either with the Coronation Oath or the Act of Union, both of which had ever been regarded as fundamental portions of the Constitution? He should also like to know, who was to appoint to any incumbencies that might become vacant during the period that the Bill was to be in operation? [Sir GEORGE BOWYER: Nobody.] He did not know whether the right hon. Gentleman the Member for South Lancashire intended that the hon. and learned Member for Dundalk should answer for him. He rather thought that was a more direct inspiration than the right hon. Gentleman would like to accept. He wanted to know, supposing any vacancy should occur during the operation of this Bill, either in a bishopric, cathedral, or in an incumbency, who was to appoint either to the bishopric, the chapter, or the parish? Again, was the person appointed to be put in the full enjoyment of the income and emoluments of the bishopric, chapter, or incumbency? He wished further to know, for what period the Bill, as it was to be temporary, was to remain in operation? He wished to know whether it purported to bind a future Parliament? He thought that in justice to their successors, who would be their legitimate children—the House should know for what time the Bill was to be in operation. Lastly, he would ask the right hon. Gentleman when he proposed to take the second reading? These were questions touching statutes of a fundamental character, touching the Constitution, the tenure of the Crown, and the duties connected with that tenure. There were some Members of the House, at all events, who did not think lightly of interfering with these fundamental statutes.

MR. GLADSTONE: Sir, before answering the Questions of the hon. Member for North Warwickshire, I wish to make a reference to the supposed quotations of the hon. and gallant Member for Dungannon, made from what he says was a speech of mine. I was desirous that without the least delay the hon. and gallant Gentleman should give me an opportunity of verifying those quotations; but he was unable to give me any information that would enable me to do so.

COLONEL STUART KNOX: I have reason to believe that the first part of my quotation was from the speech made by the right hon. Gentleman in 1835, when in Office. The latter part, I believe, was from the fourth edition of his work published in 1841—nine years after his entry into Parliament, when he could not be regarded as a boy—["Oh, oh!"]—and when his views might be regarded as constitutional.

Mr. GLADSTONE: What I want is a reference. I wish the hon. and gallant Gentleman to observe the mode of procedure he has adopted. He produces passages of which I have no recollection, of which I can find no trace, and which I do not believe ever proceeded from my mouth or from my pen. I asked him from what he quoted? He says—without giving any particulars—that the first part of his quotation was from a speech I made when I was in Office, and the latter part, he believed from a work in two octavo volumes, published twenty-seven years ago, which do not seem to have attracted him sufficiently to induce him to read them for the improvement of his mind or for any other object. Till the hon. and gallant Gentleman gives me a reference, I must ask the House to suspend their judgment as to the authorship of those remarkable passages. I am glad to see that the hon. and gallant Gentleman is getting assistance from the noble Lord the Member for Tyrone (Lord Claud Hamilton).

Colonel STUART KNOX: If the right hon. Gentleman wants the page—

Mr. SPEAKER: The hon. and gallant Gentleman has no right to interrupt the right hon. Gentleman.

Mr. GLADSTONE: As the hon. and gallant Gentleman has given me no reference, it is not in my power to deal with his quotations; but I must say that I do not think any Member of this House has a right to use passages, on which he intends to found a charge, without at the same time naming the source, so as to give the person to whom those passages are attributed a means of verifying the quotations.

Now, in answer to the hon. Member for North Warwickshire, I wish to say that I did not explain the contents of the Bill for this reason—that I think they were explained, as far as was necessary and convenient, for hon. Members in the speech I made when proposing the second Resolution. Indeed, that Resolution contained the whole substance of the Bill. Exclusive of the preliminary recitals and the subsidiary provisions, the enacting part will not be found to proceed beyond the second page. The Bill first of all provides for the stoppage of any new appointments in the Church in Ireland. Secondly, it restrains the proceedings of the Ecclesiastical Commissioners in Ireland, except so far as regards the necessary and current purposes for which the Commission exists. It restrains them from all serious outlay of money, and all arrangements which would unnecessarily complicate the future. The Bill contains no provisions whatever touching the Coronation Oath or the Act of Union, nor does it appear to me to be necessary or suitable that it should contain such provisions. Whether it would be necessary in more permanent legislation—in final legislation on this subject—to introduce provisions touching the Act of Union is another matter; but I do not think there is anything in this Act which either states that Parliament has carried the first Resolution which has been adopted, or declares in any manner that the Established Church in Ireland should cease to be an Established Church. That is declared by the first Resolution; but it is not declared by this Bill. Therefore I do not think that there is any question of the Act of Union in the Motion for leave to introduce this Bill. The time during which the Bill will be in operation I stated before. It will continue in force till the 1st of August, 1869. As to the methods of procedure to be adopted with regard to those offices not to be filled up, they are substantially described and provided already in the Irish Church Temporalities Act of 1833. The measures then taken with respect to the bishoprics proposed by Lord Derby to be abolished are the measures which will serve for the purpose now. With regard to benefices, the only difference it has been necessary to make I described in proposing the second Resolution. The Bill of 1833, contemplating only parishes in which there was but a very limited number of Protestants, provided for only a small remuneration to the clergyman who might be appointed. This Bill provides that in fixing the salary of the officiating minister regard is to be had to the nature and extent of the duties to be discharged. In reply to the hon. Gentleman's question about the manner in which vacancies are to be dealt with, I have only to say that the arrangements will be precisely the same as they were under the Act of 1833 in the case of suspended benefices. If the hon. Gentleman refers to the clauses in that

Act referring to bishoprics to be abolished and benefices to be suspended, he will find that the framework of legislation is already in action, and only requires to be extended in order to meet the case with which we have now to deal. There are subsidiary provisions in respect of minor offices in the Church in Ireland—lay offices of a minor character. Persons taking such offices are to take them subject to the pleasure of Parliament. I think I have now described the provisions of the Bill. If I decline to enter into arguments on those provisions at present, it is because I think I am consulting the convenience of the House by so doing, as I believe hon. Members will be better able to discuss the Bill when it is in their hands than they can be now before it is laid on the table.

Mr. VANCE said, that although the right hon. Gentleman had thrown a doubt upon the accuracy of the passage quoted by the hon. and gallant Member for Dungannon, yet he could not deny that he had made the strongest appeals from time to time, to that House, in favour of the Irish Church. He thought that the course now adopted by the right hon. Gentleman cast a grave imputation on his consistency. He believed that if the right hon. Gentleman had been in Office the House would not have heard of any attack upon the Irish Church. He believed that had Lord Derby been in Office they would not have heard of it. He believed that its object was to crush the right hon. Gentleman (Mr. Disraeli), who had risen to the post he occupied by his own talent and industry, and to prevent his obtaining a fair trial from that House. According to precedent, they had every right to oppose, if they pleased, the first reading of the Bill. They knew its contents; and its contents were such that he apprehended they were entitled to oppose it. He remembered that more than once a Bill for securing vote by ballot had been successfully opposed on the first reading. This was, therefore, not an unprecedented and unusual course. He was surprised to hear the right hon. Gentleman the Member for South Lancashire state that, after the reception of the Queen's Message, he had a right to introduce the Bill; but, at any rate, the right hon. Gentleman had introduced it, and they had a right to treat it as they pleased. As they had not seen the Bill, and as it was desirable they should be in possession of that most pernicious document, he should recommend his hon Friends to reserve their opposition until the second reading. ["No, no!"] Then he should recommend his hon. and gallant Friend (Colonel Stuart Knox) to take any course he thought proper.

Question put, and *negatived.*

Viscount INGESTRE said, he thought in this important crisis he should be warranted in moving that the Bill of the right hon. Gentleman the Member for South Lancashire should be read by the Clerk at the Table. [,'Oh, oh!"] He was sure the House would give him credit for saying that he would not do anything factious, or in the spirit of party. It would be most advantageous to hon. Members—anxious as he believed they were, on both sides of the House, that the Bill should be fairly discussed—to know what were the motives of the right hon. Gentleman in bringing forward the Bill. A perfect understanding of what was about to be done would very much facilitate matters. He did not know that he was quite in order in moving that the Bill be read by the Clerk at the Table; but many of those who were accustomed to pin their faith to the principles of the maintenance of Church and State peculiarly advocated by the right hon. Gentleman (Mr. Gladstone) would be glad to know why he had changed his opinions.

Mr. SPEAKER: I understood the noble Lord to move that the Bill be read by the Clerk at the Table.

Viscount INGESTRE again rose to address the House, but being met by loud cries of "Order," resumed his seat.

Mr. NEWDEGATE complained that the right hon. Gentleman had not answered his Question as to when he proposed that the second reading should be taken.

Mr. GLADSTONE said it had escaped him to answer the Question; but he might now state that, presuming he obtained leave to bring in the Bill, as the Bill was short, and as he hoped it would be in type to-morrow, he proposed to fix the second reading for Friday, the 22nd.

Main Question put, and *agreed to.*

Bill *ordered* to be brought in by Mr. Gladstone, Sir George Grey, and Mr. Lawson.

Mr. GLADSTONE: I have to ask the permission of the House to make an explanation of a matter which has occurred in the course of this debate. ["Hear, hear!"] Aided by my Friends—for I, also, have Friends as well as the hon. and gallant Gentleman—I have discovered a passage which bears a remarkable resemblance to that which the hon. and gallant Member (Colonel Stuart Knox) described as coming from me in 1835. The passage is this—

> "By all that we see and know of the history of the country, this is—and I glory in the thought—a Protestant State. What does that mean? That while we respect the antiquity and the authority of the Church, we also assert the right of private judgment and vindicate the independence of the human mind. I trust that a Church which retains the principle of a Christian Church—which teaches the Scriptures and the unadulterated truths of the Church of England, will never be overthrown by a British House of Commons. It cannot be destroyed except by the vote of a recreant Senate and an apostate nation."—[3 *Hansard*, clxxxii. 1068.]

But, upon running my hand up to the head of that speech, I find that what the hon. and gallant Gentleman attributed to me as having been uttered by me twenty-seven years ago, was really delivered on the 10th April, 1866, and that the author of it was Mr. Whiteside.

Colonel STUART KNOX attempted to address the House, but was stopped by cries of "Order."

Mr. SPEAKER said, he would be happy to obtain a hearing for the hon. and gallant Member if the ground on which he claimed to be heard could be admitted.

Colonel STUART KNOX: I wish to say one word in answer to the right hon. Gentleman. ["Order!"]

Mr. SPEAKER: The right hon. Gentleman obtained a hearing in order to make a personal explanation.

Colonel STUART KNOX: I do, also. I wish merely to thank the right hon. Gentleman for corroborating my words; and to say that, when I have an opportunity of referring to the documents as he has had, I have no doubt I shall be able to answer him.

Mr. NEWDEGATE said, that, in the confusion which prevailed, he could not hear the day proposed for the second reading.

Mr. SPEAKER said, that when a Bill was brought in and read the first time the second reading was then fixed.

Colonel GREVILLE-NUGENT: I wish to ask the hon. and gallant Member upon what grounds he attributed the speech of the Right Hon. Mr. Whiteside to the right hon. Gentleman the Member for South Lancashire?

Colonel STUART KNOX: From *Hansard.*

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Verner.*)

Mr. NEWDEGATE hoped that the usual fortnight would be allowed for the consideration of so important a measure.

Colonel STUART KNOX said, he admitted the Government was in a minority upon this subject; but that was no reason why they should not have sufficient time to consider the provisions of the Bill before they were called upon to pronounce an opinion upon it. Time was not pressing, and there was plenty of business to transact in the meantime. Their being in a minority was no reason why they should not have fair play and endeavour to defend themselves.

Mr. SPEAKER said, he was sure the hon. and gallant Gentleman would wish the Business of the House to be conducted in its regular course. The practice was, on every occasion that a Bill was brought in, to fix the second reading after it had been read a first time. That, he presumed, would be the course adopted on the present occasion. He wished to ask the hon. Member if he intended to press his Motion for the adjournment of the House?

Motion, by leave, *withdrawn.*

ESTABLISHED CHURCH (IRELAND) BILL.—[Bill 117.]

PRESENTED. FIRST READING.

Bill *presented.*

On Motion, "That the Bill be now read the first time,"—(*Mr. Gladstone,*)

Lord HENRY THYNNE said: Mr. Speaker, I beg to move that the Bill be read by the Clerk at the Table.

Mr. SPEAKER: When a proposal of a similar kind was made two Sessions ago, it was agreed by the House that the reading of a Bill by the Clerk at the Table was an exploded practice—a practice which had not been followed for many years; and that circumstance was considered to be sufficiently binding upon the House in the matter.

Colonel BROWNLOW KNOX said, this was a question of great and vital importance. The Speaker had said it was unusual to do so, except on extraordinary occasions. This was an extraordinary occasion, and he was in order in pressing the Motion that the Clerk at the Table should read the Bill. As only a week was to be allowed before the second reading, Members had a right to know what it was, and he claimed the right to have the Bill read.

MR. SPEAKER: I have already stated that the House itself has declared the practice to be exploded; but, if an hon. Member makes a Motion to the effect that the Bill be read by the Clerk at the Table, and it is seconded, it will then be for the House to dispose of that Motion.

The Motion, not being seconded, was not put.

Motion, by leave, *withdrawn.*

Motion *agreed to.*

Bill, "to prevent, for a limited time, new appointments in the Church of Ireland, and to restrain, for the same period, in certain respects, the proceedings of the Ecclesiastical Commissioners for Ireland," *presented,* and read the first time.

MR. GLADSTONE said, he proposed to take the second reading of the Bill on Friday, the 22nd. Feeling fully sensitive of the courtesy that had been shown him by hon. Members on the Ministerial side of the House, he wished to inform them that it was not his wish, nor the wish of those with whom he had been in communication, to make any unfair use of that disposition to bring forward hurriedly the further consideration of this Bill. But how stood the matter? The substance of the Bill was in complete correspondence with the second Resolution, which had been before the House for a lengthened period. There were no proposals of a political character in it, nor one involving constitutional privileges, nor any elaborate amplification of detail which differed materially from the second Resolution. That being so, and the Bill being very short and perfectly well understood, and embracing no novel principle, and as it would have been introduced in usual course but for the respect shown to the Royal Prerogative on Thursday of last week, giving fully a fortnight or fifteen days before the day he now proposed for its second reading, he hoped the House would acquit him of any undue haste in the matter.

MR. NEWDEGATE said, the right hon. Member for South Lancashire appeared to have forgotten his position as Leader of the Opposition, and to have assumed the functions of a Cabinet Minister without being in Office or properly a confidential Adviser of the Crown. The right hon. Gentleman had no right to be acquainted with the substance of the Reply from the Crown until it was read at the table; other Members of the House had no such previous information. The right hon. Member had carried four Resolutions touching the Irish Church, and might have based his Bill on all or any of them. The Bill was based on the second Resolution only, and he had said enough to show that hon. Members of the House might well feel doubt as to the extent and the purport of the Bill. Under the circumstances, the right hon. Gentleman ought not to refuse the usual ten days or a fortnight for the consideration of the measure by the Members of the House and their constituents.

Bill *ordered* to be read a second time upon *Friday* next, and to be *printed.* [Bill 117.]

UNCLAIMED PRIZE MONEY (INDIA) BILL.

On Motion of Sir STAFFORD NORTHCOTE, Bill for the appropriation of certain unclaimed shares of Prize Money acquired by Soldiers and Seamen in India, *ordered* to be brought in by Sir STAFFORD NORTHCOTE and Sir JAMES FERGUSSON.

House adjourned at One o'clock.

HOUSE OF LORDS.

Friday, May 15, 1868.

MINUTES.]—PUBLIC BILLS—*First Reading*—Customs and Income Tax* (100); Exchequer Bonds (£1,600,000) (112).*

NEW PEER INTRODUCED.

Sir John Benn Walsh, Baronet, having been created Baron Ormathwaite of Ormathwaite in the County of Cumberland—Was (in the usual Manner) introduced.

CONTAGIOUS DISEASES ACT, 1866.

QUESTION.

VISCOUNT LIFFORD, in rising to call the Attention of the House to the Operation of the Contagious Diseases Act, 1866, and to ask, Whether it is the Intention of Her Majesty's Government to extend it to London, and to make it more effective by increasing the Hospital Accommodation? said that the necessity for this Act at the time of its introduction a few years since was very great. The health of the Army and the Navy had greatly suffered from the ravages of contagious diseases, and the Returns had shown that an exceedingly large percentage of the men were continually under treatment. The following passage, taken from the work of a gentleman who had been appointed to inquire into the subject, would show how deteriorating the effects of these diseases had been on the Army and Navy:—

> "Prior to 1862, out of 44,611 men on an average of seven years in the army, there were each year 8,032 cases of syphilis, or 181 laid up for every 1,000 effective. In the navy the proportion was 143 to 1,000. In 1862 and 1863 there were annually more than 300 laid up to 1,000 effective. In 1865 in 73,000 there were 68,000 admissions to hospital for all diseases, 20,000 being cases of syphilis. In the French army, at about the same time, the venereal cases numbered only 40 to every 1,000 effective."

The provisions of the Act wherever they had been carried out had been the means of doing much good, but from all quarters came the same complaint of the insufficiency of the hospital accommodation. At Aldershot, for instance, in consequence of the absence of sufficient hospital accommodation, only the worst cases could be taken. But at Aldershot, as well as at Woolwich, there had been a great decrease in the number and intensity of the cases since the Act had been in operation. From all the stations where the Act had been tried came similar reports. A Return which had been made of the two years 1865 and 1868 showed that the decrease was represented by the following figures; in the former case the annual ratio per 1,000 of mean strength of troops admitted into hospital, and in the latter the calculation being carried on at the annual ratio to the March quarter:—Woolwich, 204, 150; Aldershot, 302, 207; Chatham, 292, 230; Portsmouth, 329, 260; and Devonport, 360 and 110. But Sheerness was the only place where its provisions had been properly carried out, because here, and here alone, was there sufficient hospital accommodation. The result was that in July last, out of 152 soldiers and sailors, only three men were suffering from disease. Sir Henry Storks, while Governor of the Ionian Islands, had made some stringent regulations, the effect of which was that these diseaases might be said to have disappeared from the Islands. The noble Lord then read at length extracts from publications in relation to this subject, and concluded by saying that he believed that it was the imperative duty of the Government to adopt a system to counteract such a fearful state of things, similar to that which existed in most Continental States. Such a course of proceeding might, no doubt, be attended with expense, but he could not believe it possible that a country which had already voted millions for the Houses of Parliament, for hospitals, and homes for the sick and the poor, would grudge the expenditure of a few thousands in order effectually to check the ravages of this awful plague, and to remedy this great blot upon the character of a Christian nation. He felt grateful to their Lordships for the patient and kind hearing they had given him on this somewhat delicate subject, and he trusted the Government would take up the subject. If they did not a Bill relating to it would next year be introduced either into that or the other House of Parliament. He begged to ask the noble Duke, Whether it is the Intention of Her Majesty's Government to extend the Operation of the Act of 1866 to London, and to make it more effective by increasing the Hospital Accommodation?

VISCOUNT TEMPLETOWN begged to state that a few days ago he had communicated with a friend at Devonport, who had an intimate knowledge of the operation of the Contagious Diseases Act; and he had received from him a variety of statistics, from which it appeared that its operation as regarded the army had been most beneficial, and the amount of disease, which three years ago was upwards of 2 per cent, had been reduced to ½ per cent.

THE DUKE OF MARLBOROUGH said, he was sure their Lordships would be ready to admit the very judicious manner in which his noble Friend (Viscount Lifford) had brought forward and treated this most delicate and difficult matter. It was one of great importance as well as difficulty; but he had not been able to discover from his remarks whether his noble Friend intended that the Contagious Diseases Act should be extended only to the military and naval establishments in the metropolis, or to the civil population generally. [Viscount LIFFORD said he desired the Act to be applied to the civil population.] The operation of the Act in a military point of view had been extremely beneficial. It was passed in 1866, and had reference solely to military and naval stations; but the metropolis was not considered a military station to which the Act could be applied. His noble Friend asked, it appeared, whether it was in contemplation by Her Majesty's Government to extend the Act to the civil population of the metropolis generally? Now, he must answer the question by saying that they had no intention to undertake so large and onerous a duty. In a military point of view, he repeated, the greatest advantages had resulted from the operation of the Act. It was only that day he observed a paragraph in one of the morning papers containing a number of facts which seemed favourable to his noble Friend's views, and which showed that in several of the naval and military stations the percentage of disease had already been very considerably reduced. But when they came to consider the practicability of applying the provisions of the Act to the civil population generally they were met by very great difficulties. The greatest difficulty was the expense attending such a measure. His noble Friend behind him, the Under Secretary of State for War (the Earl of Longford) had informed him that so far as the War Department was concerned, the expense incurred was £15,000 a year. That expense was, beyond question, very profitably incurred. No doubt, it was, in an economical point of view, the interest of the public that the health of soldiers and sailors should be preserved, and it was most proper that the State should incur a certain amount of expenditure with that view. Although he was free to admit that there were very high and important moral considerations involved in the treatment of this subject, he thought that Parliament could hardly be legitimately called upon to deal with them. They must be left to private benevolence and religious principle. Parliament would, no doubt, be justified in dealing with the question from a physical point of view, and if it could be shown that disease of a contagious and dangerous character was at work among a large portion of the population, it might properly step in and appropriate a certain sum of money for the purpose of arresting the progress of the disease. But he did not think that, under present circumstances, the expenditure which was clearly justifiable in the cases of the army and navy, would be equally justifiable if applied to the civil population. Some idea of the expense that would thus be incurred might be arrived at from the Estimate that, in London alone, if the Act were extended to the Metropolis, about 500 beds would be required, at an expense of £25,000 a year; and if the Act were extended to other large towns, it was easy to conceive what a large expenditure would be involved. He believed that the noble Lord had not mis-stated the serious consequences of these diseases becoming ingrained among the population; but it was a well-known fact in medical experience that all the forms of the disease were not productive of the tremendous consequences which had been adverted to. However, in order to reach the most virulent kinds of the disease, it would be necessary to take under supervision a vast amount of other forms of the disease which were not attended with such serious consequences. This circumstance constituted one of the difficulties in considering how far the Act might be applied to the civil community; and he could not at present hold out any hope that it was the intention of the Government to ask Parliament to place the large expenditure which would be required to extend the Act to the civil community on the Consolidated Fund. At the same time, he thought that the working of the Act had not been sufficiently brought before the public. Its benefits were very great, and it was most desirable that more information should be diffused upon the subject. If the noble Lord thought that the subject was of sufficient importance to demand further inquiry, and if he would move for a Select Committee to inquire into the operation of the Act, and how far it might be extended with benefit to the civil community, the Government would not oppose the granting of such a Committee.

THE DUKE OF SOMERSET said, that anyone who had been connected with the administration of the navy or army must acknowledge the great importance of this subject. The evil had reached to an enormous height. A ship which came into Portsmouth Harbour with her full complement of seamen, and in two or three weeks would hardly be capable of putting to sea. Therefore in 1864 the Department of the Admiralty, after communicating with the War Office, undertook to bring in the first Contagious Diseases Act. No doubt, the subject was one of great difficulty; but all parties in the House of Commons concurred in supporting the measure, and the Bill, after being carefully considered by a Select Committee, was passed. To carry into effect measures of this kind, it was requisite that they should have the asisstance of local authorities, and the late Government would have made nothing of their Act had it not been for the exertions of officers and magistrates, and other benevolent persons at Portsmouth and elsewhere. By their co-operation the hospitals were placed under judicious management, and through their instrumentality many unfortunate women were enabled to obtain employment elsewhere; and thus a very good moral agency was brought to bear in favour of the Act. The noble Duke spoke of the difficulty of extending the operation of the Act beyond military and naval stations; but as the army and navy were dispersed in many other places, it would be most desirable to extend the Act, though it might be, perhaps, inconvenient to apply it to London on account of the immense size of the metropolis. He saw no reason why the Act should not be extended to civilians. The noble Duke spoke of the expense of applying the Act to London, and said it would amount to £25,000; but there could be no doubt if that sum could get rid of the disease, the money might be raised to-morrow. The expense was not the difficulty; but there were many conscientious persons who objected to any measures such as had been suggested being adopted, because they thought that persons should suffer the penalty of their own misconduct. He thought that if the Act were made to apply to the whole country at once, a feeling might be raised which would not be favourable to the gradual extension of the Act, and he would therefore suggest that it should, in the first instance, be extended to some large towns, such as Liverpool, for instance, and other places with which the army and navy were connected, and he did not see why Dublin should be excepted. Nothing, however, could be done without ample hospital accommodation, and he thought that if the Government would give assistance by some small contribution, local bodies would undertake to carry the Act into operation. The matter had really become so serious that it was absolutely necessary to take some further steps of the same nature as those which had succeeded so well at Portsmouth, Plymouth, and Sheerness. While the State was spending a great deal of money for the education of the people, it should be borne in mind that nothing was more important than the health of the population, for very little could be effected in any way if that were not attended to. The consequences of this dreadful disease descended to the children, and the mischief which it entailed was something too dreadful to relate, and he hoped that the Government, without undertaking anything upon a large scale, would take measures to assist local bodies who would adopt the Act.

VISCOUNT LIFFORD said, he would act on the suggestion of the noble Duke, and on a future day move for a Select Committee upon the subject.

EGYPTIAN SLAVE TRADE.

QUESTION.

THE DUKE OF ST. ALBANS, who had given Notice,

> "To move for any Communications received at the Foreign Office during the past Year respecting Slave Markets at or near Cairo, particularly with reference to the Connection of European Subjects with the Egyptian Slave Trade,"

rose to draw the attention of Her Majesty's Government to the subject. The successive testimonies of explorers had placed it beyond doubt that the great difficulty to open out the interior of Africa and the impossibility of planting a healthful trade successfully there was owing mainly to the slave trade which the Egyptians carried on against the negro population. Such being the case, when the Viceroy was in Paris last summer, the British and Foreign Anti-Slavery Society found the opportunity a good one to petition his Highness on the subject of the Egyptian slave trade. A memorial was influentially signed; the Pasha accorded an audience to the deputation which presented the memorial. This deputation was international and of considerable importance. He found this in his Egyptian Highness's reply, translated by Nubar Pasha, his Foreign Minister, as stated in *The Times* newspaper of July 5, 1867—

> "The Viceroy felt gratified to receive the deputation, and much pleased this step had been taken, for he was most anxious to put down the slave trade. He had adopted the strongest measures for that purpose, and although he could act against his own people, he was defeated when he sought to do so against Europeans, who were the chief delinquents. . . . . Within the last thirty years European influence had transformed Egypt, and if he were free to act against European slave traders, the slave trade should soon disappear. The European Powers should give him the necessary authority to exercise the right of search as regards boats sailing under European colours."

His Highness concluded by saying—

> "The abolition of the British Consulate at Khartoum had certainly enabled him to act more efficiently against the slave traders; but the only really effective mode of dealing with the traffic was to arm him with power to prevent Europeans from prosecuting it."

The deputation doubtless retired well pleased with the result of their visit. This startling statement of the Viceroy, if true, pointed out an easy way to put a stop to the atrocious human traffic; but when the speech made in Paris was known in Egypt, the truth of the assertions was impugned by the European residents with indignation and irritation. They knew, and the Egyptian Government knew, that numerous slave markets existed, and that these were entirely in the hands of Arab subjects. It was known to Mr. Reade—a gentleman looked up to by those who live under his protection as a valuable public servant, and who was acting Consul General in Egypt last summer — who visited the different slave markets soon after, and personally satisfied himself of the inaccuracy of the Pasha's statement. He did not know whether Mr. Reade made a report of his visit to the Foreign Office. It was natural the Egyptian Ministers last year should wish to raise the popularity of the master they served; but this was not sufficient excuse for an unwarrantable imputation to be cast on foreigners living under the protection of their Government. His Highness said that slavery had existed in Egypt 1,283 years, and was mixed up with the religion of the country. It was doubtful, owing to the existence of forced labour, whether the condition of the imported negro was worse than the born Egyptian in "that land of bondage." The state of society in the East was not such as to satisfy a champion of women's rights, and the social requirements of the country were sought for in the slave markets. His Egyptian Highness hinted it would require time to soften such a violent change. The ruler of a wild and fanatical people should receive every consideration under such circumstances. Should it be as the Viceroy stated he thought such powers of search and every facility should be granted; but if, as he feared, that was mere dust thrown into the eyes of Europe, he did not think any politic motive ought to be an objection to the production of such documents as would contradict the statement of the Viceroy that European subjects were engaged in the Egyptian slave trade.

The Earl of MALMESBURY said, the Government had no Correspondence on that subject except that which was attainable by the noble Duke whenever he pleased. The last Correspondence relating to it between the Foreign Secretary and Consul Reade was printed at the end of 1867, and would be found in class B, pages 41 and 47. If the noble Duke referred to it he would see that Her Majesty's Government had done what they could to prevent the slave trade to which he alluded, and that Consul Reade had had some success in stopping the sale of slaves. After that, Lord Stanley had repeated his instructions to the Consul to proceed in the same way. Her Majesty's Government had attended to the matter, and he thought nothing more could be done in it at present. The noble Duke, when he read the Correspondence, would find that to be so.

REPORTS OF THE COMMISSION ON RITUAL.—QUESTION.

The Earl of SHAFTESBURY asked the Lord Privy Seal, What are the Intentions of Her Majesty's Ministers in respect of the Two Reports of the Commission on Ritual? Nearly twelve months had elapsed since the Government appointed a Commission on Ritual, and two Reports from the Commissioners were now before the House. The country, although it had been very attentive and most anxious indeed on the subject, had, he believed, been disposed to make some allowance for the delay that had occurred; but he could assure the noble Earl that the public were now becoming exceedingly impatient, and were not inclined to make any allowance whatever for further delay. He, therefore, wished to ask the noble Lord what the intentions of Her Majesty's Ministers were in respect of the two Reports now before the House?

The Earl of MALMESBURY said, he thought the noble Earl could hardly expect Her Majesty's Government to take action on a question, which naturally involved a great deal of public feeling on both sides, until they had a perfect Report from the Commission to which the subject had been entrusted. As to the delay which had occurred, he regretted it as much as the noble Earl did, and he thought the greater the delay the greater would be the excitement; but Her Majesty's Government could not control the pace at which the Commission moved. That was a point which must be left entirely to the discretion of the Commissioners, who were men well fitted to deal with the important question that had been referred to them. At the same time he concurred in the opinion that it was very desirable there should be no undue delay in the matter.

THE EARL OF SHAFTESBURY was anxious to know whether the most reverend Primate could give them any hope that the inquiry would be concluded in time for legislation this year. Really this was no trifling matter. The feeling upon it was deep. Great interest was taken in it, not only by the educated classes, but by the mass of the working people of this country; and if he were to quote to their Lordships the letters he had received from Lancashire and Yorkshire on the subject, they would see that, in consequence of that delay, the very fate of the Church of England was trembling in the balance. In default of action by the Government he had himself, in May of last year, introduced a Bill for the regulation of vestments; but the Government took the matter out of his hands, saying that he and the country also might be satisfied that care should be taken that the first Report would be upon vestments. Well, what was that Report? Merely that the first legislative enactment to be passed should relate to the subject of vestments. And now, when they had two Reports before them, and they were ripe for legislation, they were told to wait for the Report upon the Lectionary and two or three unimportant rubrics. That, he would tell their Lordships, would not do: if persevered in the greatest mischief would result from it.

THE ARCHBISHOP OF CANTERBURY was understood to say that a charge had been brought against the Commissioners both there and elsewhere, that they had not sent to the Queen's Printer the whole of the Report as it had been given in the newspapers. The fact was that the Commissioners had sent to the Queen's Printer the body of the Report, and also the reasons of certain members of the Commission for dissenting from that Report. On the 2nd of May the Report was out of the hands of the Queen's Printers, sent to the Home Office, and then laid before Her Majesty. He (the Archbishop of Canterbury) and the Home Secretary also then authorized the Secretary to the Commission to send the Report to the newspapers.

THE BISHOP OF LONDON said, there must be some misapprehension on the part of the noble Earl (the Earl of Malmesbury) as to the connection between the first and second Reports and the Report that was to follow. The noble Earl seemed to think that there could be no legislation on the subject of the first and second Reports of the Commissioners before the presentation of the third Report; whereas the subjects of the two first Reports were separate and complete in themselves, and in no way dependent on the third. The House was aware that the third Report, in all probability, would embrace a vast number of rubrics, extending throughout the whole of the Prayer Book; and to expect that it could be ready in a very short time was simply to expect that the Commissioners would not do their duty. Their business was, with the utmost care, to go through a great number of rubrics; and, in proportion to the importance and extent of the work to be done, the time taken in doing it seemed to him to have been very short indeed. The remarks of the noble Earl (the Earl of Shaftesbury) had reference to matters which were subjects entirely by themselves, and which had been treated as fully as possible in the two Reports in question. It was totally impossible to bring the third Report to a speedy conclusion; but it was not necessary to await the third Report before steps were taken in relation to the two former.

THE MARQUESS OF SALISBURY ventured to protest against the tone of menace in which his noble Friend (the Earl of Shaftesbury) had advanced his views on this subject. To listen to his noble Friend one would imagine that he had an enormous physical force in the country at his back—a Barebones Parliament sitting in the other House, and a Puritan Minister storming at their Lordships' Bar. It was not a subject to be dealt with in the excited manner in which his noble Friend introduced it. It was one affecting most deeply the most earnest thoughts and religious feelings of great numbers of Her Majesty's subjects. If ever there was a subject that required to be treated with care and caution, and deliberation, it was those matters which, in themselves, might be thought unimportant, but which, in their bearing on the belief of religious men in this country, were supremely important, and likely, if dealt with rashly and inconsiderately, to precipitate divisions, which he was sure his noble Friend would be the first to deprecate. They needed to be considered with extreme care, precisely on account of their apparent insignificance. It was precisely because the matters in dispute were not disputed on account of their intrinsic value, but because they were supposed to be important as symbols of the doctrines to which they all attached the deepest value—it was for that reason that they had taken a deep hold of the feeling of the country, and had excited the earnest fears and apprehensions of his noble Friend; and it was on that account he was afraid they would excite fears and apprehensions on the other side, which would produce violent dissensions in the Church of England, if any incautious proceedings were taken. He ventured to press upon the Government, precisely opposite advice to that given by the noble Earl. This was a matter demanding the very utmost caution; and the Government were bound to see that no measure was introduced, except such as they would certainly be able to carry without producing divisions in the Church of England. He entreated their Lordships not to be excited by such an appeal as that they had heard from the noble Earl, to precipitate themselves into a course of hasty legislation. Were they to do so, they might suddenly find themselves on the brink of a great crisis—such a crisis as that which took place twenty-five years ago in the Church of Scotland. Therefore he earnestly counselled the Government not to be precipitate in inviting legislation.

Lord LYTTELTON deprecated the application of such phrases as "trembling in the balance" to the state of the Church of England. It generally happened, if the noble Earl's (the Earl of Shaftesbury's) wishes were not acted on, that he at once declared the Church of England was lost. He had no part in such fears.

Lord TAUNTON said, that a question like this, in which so much controversy was intermixed, required the most cautious and deliberate treatment; and it was most unfortunate that when the public mind was so much agitated nothing should be done authoritatively to guide it. In his opinion it was not in the least necessary to wait for the expected Report before the subjects already reported on were brought under the notice of Parliament. The advice given by the Commissioners was moderate and complete, and he saw no reason for delay.

Lord EBURY said, he would not say a word in defence of his noble Friend (the Earl of Shaftesbury) who was very capable of defending himself. He (Lord Ebury) was not aware of the feeling of his brother Commissioners, but his own expectation had been that the Government who appointed the Commission would immediately follow up the recommendations of the Commission by legislation. Had the noble Earl (the Earl of Malmesbury) merely stated that the condition of Public Business would not permit of immediate legislation, he would have rested content; but the announcement that Government did not intend to bring in a Bill until the Commission had reported on the whole of the subject before them had positively alarmed him. Considering the state of religious feeling in the country, and the numerous and influential signatures attached to the petitions that had been presented to the House, he did not wonder the noble Earl near him (the Earl of Shaftesbury) had spoken strongly; he wondered rather at the noble Earl's great patience up to this time. He himself was exceedingly anxious on the subject, and predicted that great danger would result to the Church if things were left in their present unsatisfactory state. He held it the duty of the Government to act as speedily as possible with a view of putting an end to further contention.

Earl STANHOPE said, he must confess himself very much disappointed by what had fallen from his noble Friend the Lord Privy Seal. It was not to be expected that the Government should declare authoritatively its intentions so soon after the second Report had been presented, and he thought it wholly premature to address any question upon it at the present time; but his disappointment lay in this—that he understood from his noble Friend that the Government was waiting till the third Report was produced before any legislation would be instituted on the subject. He heard that declaration with utter astonishment, and he could not yet think that such was the deliberate intention of the Government. Speaking for himself—and, perhaps, for others as well as himself — he could see no reason why they should wait, before proceeding to legislation, for the third Report, which had no connection of subject with its predecessors. The third Report would take a considerable time in preparation; and he asserted in the presence of some of his brother Commissioners that it would not add an iota of information or any one further point of recommendation on the specific topics that had already been reported on. The case was this — The recommendations of the Commissioners as regarded vestments, lights, and incense, were already fully before their Lordships; these recommendations might be good or bad, but, such as they were, they were full, entire, and complete. Then what pretence was there for saying that, when legislation was needed, the Government would wait till the third Report was presented, when it was quite certain that there would not be a word in it which would bear upon the previous subjects. He hoped his noble Friend (the Earl of Malmesbury) would not, on further consideration, adhere to the Answer he had given. It was quite proper that the Government should have more ample leisure for deliberation on this subject, but it was not proper as he (Earl Stanhope) presumed to think, that they should adduce as a reason for not introducing a Bill the expectation of a further Report from the Commission, which so far as this subject went they would certainly never receive.

LORD OVERSTONE was understood to say that this was a subject on which there was much conflict of opinion, and he thought that speedy legislation, if it was of a moderate and conciliatory character, was desirable.

THE LORD CHANCELLOR said, he was one of those who thought that the earnestness displayed by the noble Earl (the Earl of Shaftesbury) was neither unnatural nor misplaced. The noble Earl asked what the Government proposed to do with reference to the two Reports already presented? But there were two or three questions the Government had to consider before they were in a position to state what they proposed to do with the two Reports. Their Lordships must remember that the second of these Reports had only been in print for about a week; and the first one, as must be admitted by everyone, was incomplete until the second had been presented. The first question the Government had to consider was how far those two Reports were complete without any further information; and upon that point he must own that, from what had fallen that evening from noble Lords who had themselves been members of the Commission, they had, as far as the subject matter of these two Reports went, completely and entirely discharged the duties assigned to them. Then, taking these Reports as complete, the next question was as to the proper steps to be taken, supposing legislation to be possible during the present Session. But supposing legislation to be possible during the present Session, was it absolutely necessary? The Government would not approach this question but with the greatest caution; and he ventured to think that the Government would be guilty of a gross dereliction of duty if they attempted to propose a measure during the present Session without great deliberation, and unless there was a prospect of their being able to carry it through Parliament. The third question was whether, in the present state of the Session there was any prospect of carrying any new business through the present Parliament—whether it would not be impossible, even if sufficient time had elapsed for a measure to be prepared, to place that measure on the table of the House, and, though supported, as it probably would be, by a majority of the members of the Commission, to excite a discussion which could not possibly be closed during the present Session? Speaking for himself, and he believed for many of his Colleagues, he thought it was utterly impossible that deliberation of any satisfactory kind could have taken place since the presentation of the Report, and that the Government might fairly be excused from not stating what course they intended to pursue.

EARL DE GREY AND RIPON said, he did not suspect the Government of being animated by any particular feeling of party in this matter; but he thought that a change had come over their view since they asked the noble Earl (the Earl of Shaftesbury) to withdraw his Bill. The truth was that Her Majesty's Government were not now in the position in which they were last year. They were then carrying their measures with a high hand; but were now merely enjoying a respite before a dissolution took place. Their Lordships, he thought, ought not to be too hard upon an Administration placed in such a position.

THE EARL OF HARROWBY said, it was hardly possible that the Government could have been prepared with a definite Answer, as to the course they proposed to take, when it was remembered that the Report had been in their hands only for a few days; though they need not, perhaps, have said that they would wait for the third Report. The Government had nothing whatever to do with the action of the Commission. The inquiry might have been tedious, but no one acquainted with the difficulties with which the question was surrounded would be surprised at the time the inquiry had occupied. It was unfair to complain that the Government had not yet announced the course they intended to pursue, because the subject was one which required a great deal of deliberation, before action was taken upon it.

THE EARL OF MALMESBURY: I can only express my regret that I should have been misunderstood—for it is impossible that any of your Lordships should misrepresent another, unless there was misunderstanding—and I desire to offer a few words in explanation. What I said, or meant to say, was, that in consequence of the delay that has occurred in laying the Reports before this House—the last Report only having been printed two days ago—it would be impossible for the Government to take any action in the matter, at least, until after the presentation of the third Report. I thought it would be surplusage, and perfectly puerile, to tell your Lordships, who know everything which passes in the country, that it would be impossible for the Government to consider so important and exciting a subject at this period of the year, and in the face of the difficulties which, I am free to confess, we are labouring under, in the other House of Parliament. Let us look at things practically. Does the noble Earl (the Earl of Shaftesbury), who thinks everything possible which he undertakes, believe that I could bring forward a Bill this Session, and pass it through both Houses? If he does believe that I could have done so, pray let him try to do it himself. No one doubts his sincerity, and it is not necessary for him to bring in a Bill to prove his sincerity. But it is equally unnecessary for the Government to defend themselves against the insinuation of the noble Lord (Lord Overstone) that it is our fault in any way that this question is not ripe for legislation. What action could we have recommended that would have hastened the inquiry? We have patiently waited for the Report, which has only been put in a shape to be read by us two days ago. It is, of course, my own fault, if I have been misunderstood; but what I meant to say was that, in the present state of things, it is impossible that any action could be taken until the time when the third Report will probably have been laid before your Lordships. I hope, after this explanation, that the astonishment and the disappointment expressed by the noble Earl behind me will diminish. The noble Earl opposite (Earl de Grey and Ripon) said, that the Government is changed—that it has no longer the same head that it had.

EARL DE GREY AND RIPON: I said, the position of the Government had changed.

THE EARL OF MALMESBURY: The position of the Government has changed, and I do not think it was expected, even by the noble Earl himself, considering the state of public affairs—that the change that has occurred would have been effected this year, until a fair field had been prepared and opened, for the final decision of the country, as to which of the two parties should govern. In consequence of circumstances, into which I shall not enter—but which are due to no fault of ours—our position has changed; but I beg leave to differ altogether from the noble Earl, when he says that we have no longer the confidence of Parliament. Parliament does not consist of one House only. It has not yet pleased the House of Commons to declare that it has no confidence in the Government, nor have I any recollection that any vote, either during the present or during last Session, which at all tended in that direction, has been agreed to by your Lordships. Therefore, I cannot help thinking that the noble Earl opposite went out of his way to give us what is called "a slap in the face." I may add that the noble Earl's statement, on this occasion, was not made with his usual accuracy.

LORD OVERSTONE explained that he had only intended to complain of the postponement of legislation upon this subject to a future Session.

House adjourned at a quarter past
Seven o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, May 15, 1868.

MINUTES.]—SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES—Class I.

WAYS AND MEANS—*considered in Committee*—Consolidated Fund (£17,000,000).

Resolutions [May 14] *reported.*

PUBLIC BILLS—*Resolution in Committee*—Pier and Harbour Orders Confirmation, &c.

Ordered—Pier and Harbour Orders Confirmation, &c.*

Committee—Jurors' Affirmations (Scotland)* [110]; Stockbrokers (Ireland)* [104].

Report—Jurors' Affirmations (Scotland)* [110]; Stockbrokers (Ireland)* [104].

Considered as amended—Cotton Statistics* [96].

ESTABLISHED CHURCH (IRELAND) BILL.—PERSONAL EXPLANATION.

COLONEL **STUART KNOX**: I wish, Sir, to take the earliest opportunity of making a personal explanation which is due to the House, due to the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone), and, I think, even due to myself. I stated last night that, if I got time, I would attempt to prove that a quotation I gave, purporting to be from a speech of the right hon. Gentleman, was correct. I now honestly own that I have failed to do so; but still I am confident that the right hon. Gentleman, and many of the hon. Gentlemen opposite, will believe that I had not the slightest intention of misrepresenting the right hon. Gentleman. The fact is that a printed extract was put into my hand; and from the quarter it came from, I felt sure it was genuine. I unfortunately made use of it, not having had time to consult *Hansard*, or the right hon. Gentleman's book. I deeply regret having done so. I was misled, and I hasten to tender my apologies to the right hon. Gentleman and the House.

MR. **GLADSTONE**: Sir, I may, perhaps, be permitted to say that at no period, either last evening or any other time, did it enter into my mind for a moment that the hon. and gallant Gentleman had the slightest idea of doing anything unfair, far less of palming off on the House a fictitious quotation.

METROPOLIS—THAMES EMBANKMENT.

QUESTION.

MR. ALDERMAN **LAWRENCE** said, he would beg to ask the hon. Member for Bath, Whether the Metropolitan Board of Works have made any provision on the exterior of the wall of the Thames Embankment to enable persons who may have fallen into the river and have succeeded in reaching the embankment wall to sustain themselves and be saved from drowning?

MR. **TITE**, in reply, said, the matter had been considered by the Metropolitan Board, but they had failed altogether in contriving any thing such as that suggested in the Question of the hon. Gentleman. In extreme cases the tide rose to twenty-four feet, and in ordinary cases to eighteen feet. It was, therefore, impossible to affix to the exterior of the embankment wall a chain or anything which would enable persons to save themselves in any state of the tide. He believed, however, that there was very little danger of any person falling from the embankment into the river, inasmuch as there was a parapet along the embankment wall. There had for a very considerable length of time been an embankment 900 feet long in front of the Custom House, and there was one 1,500 feet long in front of the Houses of Parliament; but he had never heard of an accident on either. There were steamboat piers and mooring places for wherries at short intervals along the embankment, and life-preservers and other apparatus useful in rescuing drowning persons would be kept at the piers.

POST OFFICE—AMERICAN MAILS.

QUESTION.

MR. **BAXTER** said, he wished to ask the Secretary to the Treasury, If it is true that while the sum provided in the Estimates for the three Mail Services from Southampton and Queenstown to New York is £30,000, the Inman Company alone has earned during the first three months of 1868 at the rate of £22,000 per annum; that the steamers of that Company have in that period carried a greater weight of letters to America than those of the Cunard Company, subsidized at the rate of £80,000 per annum; and, that a special messenger has been sent to Washington by the British Post Office Authorities at the public expense to endeavour to negotiate a treaty for mails to be carried from Liverpool alone without waiting for the result of the present trial services?

MR. **SCLATER-BOOTH**, in reply, said, that the sums paid to the Inman Company for the mail service conducted between this country and New York were somewhat in excess of the sum to which the hon. Gentleman had alluded. It was not the case that the Inman Company had carried a greater weight of letters than the Cunard in the same period. The figures stood thus:—The Inman Company up to the end of March in the present year earned £6,160, and the Cunard Company, if the services performed by them were paid for at a similar rate, would have earned £7,423. The hon. Gentleman, in saying that the Cunard Company was subsidized at the rate of £80,000 a year should remember that was the sum paid for the service both ways. There should be a reduction of one-half from that sum, and a further reduction from that one-half before a comparison could be made between the remuneration paid to the Cunard and Inman Companies respectively. The hon. Gentleman was right in saying that £30,000 was the sum put down in the Estimate, and from the information he had received it will probably be sufficient for the purpose. A messenger had been sent to Washington in consequence of the approaching termination of the Postal Convention between this country and the United States. The Government regretted that it should have been necessary to send him so early in the year; but much inconvenience had resulted from contracts having been entered into so late last autumn.

JUDICIAL PATRONAGE.

QUESTION.

MR. HAYTER said, he wished to ask Mr. Attorney General, Whether it is true that the Lord Chief Justice of the Common Pleas has appointed his son, Mr. William Bovill, last year a Lieutenant in the 16th Lancers, to be Clerk of Assize on the Western Circuit, with a salary of £1,000 a year; and, if it be true, whether there is any precedent to justify his appointment to such office; and, whether any or what legal qualifications are regarded as necessary for holding such appointment? He found the office of Clerk of Assize thus described—

> "He is Clerk of the Crown for the respective counties included in his Circuit; is (with others) associated to the Judge in Commissions of Assize; and is, by Letters Patent, constituted a Justice of gaol delivery; he is also the Keeper of all the Records relating to the criminal proceedings of the Circuit. He cannot act as Counsel to any person on his Circuit."

THE ATTORNEY GENERAL: Sir, the Clerkship of Assize on the Western Circuit having fallen vacant in consequence of the sudden and unexpected death of Mr. Chitty, it devolved upon the Senior Judge of the Circuit, Sir William Bovill, Lord Chief Justice of the Common Pleas, to appoint a Clerk of Assize. The Clerkship of Assize is an ancient office, the constitution and the emoluments of which were altered by statute some time ago, and a fixed salary is now received by the Clerk in lieu of fees of considerable amount which were formerly paid to him. In performing his duties the Clerk of Assize is assisted by a Deputy Clerk of Assize, a Clerk of Arraigns, and a Clerk of Indictments, all of whom are officers perfectly well known, and whose salaries are paid by the Treasury out of the Consolidated Fund. The duties which devolve upon the Clerk of Assize are, in my judgment, rather of a ministerial character and offices of organization and routine than they are offices of a legal nature. And I may say that, according to my judgment, a person of the highest eminence at the Bar would not find much advantage from his legal knowledge and profound learning in the discharge of the duties which fall upon a Clerk of Assize. The duties are chiefly to correspond with sheriffs and gaolers for the purpose of having the calendars made out, in order that the periods may be fixed at which the Assizes shall be held; to attend the Judges during the Assizes, and to act as Associate in the Nisi Prius Court, and as either Clerk of Arraigns, or Clerk of Assize, or Taxing Master in the Crown Court, and to do other duties of that description which require no special legal knowledge. As to the question of precedent, if the hon. Member means to ask whether I know of any instance in which a gentleman has been appointed Clerk of Assize on the Western Circuit who was last year a lieutenant in the 16th Lancers, I really cannot mention such an instance. But if, as I assume, he intends to ask whether there are instances of Judges having appointed their sons or near relatives to those offices, I may state for his information, without specifying names, that I believe that, from the time of Lord Tenterden to the present day, there is not a single office of Clerk or Deputy Clerk of Assize that has not been filled by a Judge's son or by some near relative, and there is no instance in which any complaint has been made of the manner in which the duties of those offices have been performed. The duties of the Clerk of Assize involve also the duties of Associate, and when I am asked if there is any precedent for the appointment of gentlemen who are not either barristers or solicitors, I believe I may state that the offices of Associate in the three Superior Courts of Common Law are held by three gentlemen, two of whom have been students for the Bar, but were never called, and the other was at the time he received his appointment either studying medicine or had actually been admitted as a physician; and I would appeal to anybody who is in the habit of attending the Superior Courts whether their duties are not most efficiently performed by Mr. Campbell, Mr. Erle, and Mr. Pollock, the three Associates. The appointment to the Clerkship of Assize on the Western Circuit has been made by Lord Chief Justice Bovill, and it is true that he has appointed his son. Mr. Bovill, after leaving Harrow, where he passed a most creditable examination, entered the Army, and was a Cornet in the 16th Lancers. He left that regiment either early last year or the year before for the express purpose of being called to the Bar. He has begun to study law, has already kept three terms, and has been reading in the chambers of one of the most eminent junior counsel at the Bar. I believe he intends to continue the study of the law after his appointment, which is by no means incompatible with the practice of the profession, although he cannot practise as a barrister upon the Circuit on which he is Clerk of Assize. I believe I have answered the Question which has been put by the hon. Member; and I may add that, there being, and having for a long time been, officers whose special duty it is to prepare the legal documents, the Clerk of Assize has to exercise a general superintendence over the officers of the Circuit, and to see to the appointment of days, the signing of calendars, the taxation of costs, and other duties of that description; and in my judgment great legal qualifications are not necessary for their discharge.

MR. HAYTER: After the explanation of the hon. and learned Gentleman, for which I thank him, I cannot help feeling that it will be my duty to move the omission from the Estimates of the salary of this officer.

IRELAND—THE REGIUM DONUM.

QUESTION.

MR. HADFIELD said, he wished to ask the Secretary to the Treasury, Whether (in reference to the Fourth Resolution of the 7th of May instant respecting *Regium Donum*) he will appoint a time for the consideration of the proposed Grant to Nonconformist Ministers in Ireland, amounting to £40,548 (Class VI., No. 7)?

MR. SCLATER-BOOTH replied that he would be very happy to give notice of the day when the Vote for the *Regium Donum* would be taken; he was unable to do so now, but it certainly would not be taken until after Whitsuntide.

LECTURES ON RELIGION.—QUESTION.

MR. REARDEN said, he would beg to ask the Secretary of State for the Home Department, Whether it be his intention to introduce a Bill this Session for the purpose of preventing lectures upon the religious profession of faith of any of Her Majesty's subjects in any part of the United Kingdom, except in Churches and Chapels licensed for that purpose, and during Divine Service in such Churches and Chapels, without first submitting a copy of such lecture for the approval, revision, and consent of the Secretary of State for the Home Department?

MR. GATHORNE HARDY: Sir, I have no intention of introducing such a Bill; and I must protest against adding to the duties of Secretary of State for the Home Department the approval or revision of lectures upon religious subjects.

REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL.—QUESTION.

MR. BAXTER said, he would beg to ask the First Lord of the Treasury, Whether the Scotch Reform Bill would be the first Order on Monday?

MR. DISRAELI: It would be desirable, Sir, to bring on the appointment of the Committee on the Boundary Bill first on Monday, and, if that seems likely to lead to any delay, we shall pospone the discussion, and so virtually the Scotch Reform Bill will be brought on first.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ROYAL RESIDENCE IN IRELAND.

MOTION FOR AN ADDRESS.

SIR COLMAN O'LOGHLEN rose to call attention to the absence of a permanent Royal residence in Ireland, and to move a Resolution on the subject. He said that in the Session of last November he gave notice that, when Parliament should re-assemble in February, he would move the Notice to which he now begged to call the attention of the House; but circumstances over which he had no control had prevented him from bringing it forward until that evening. He did not regret that, because in this, as in many other cases, there was a compensation for delay. An opportunity had been thereby afforded of eliciting public opinion on the subject. The organs of public opinion both in Ireland and this country had almost unanimously pronounced in favour of his Motion. There was another respect, too, in which the delay had been advantageous. It enabled a contradiction to be given in the most marked manner to the statement that the Irish people were steeped to the core in disloyalty, and did not wish the Royal Family to visit them. Within the last few weeks the Prince and Princess of Wales had visited Ireland, and anyone who was present or took part in the proceedings there must admit that nothing could be more successful than that visit, or prove more strongly the feeling of loyalty that still existed in the minds of the Irish people. Some persons outside the House had objected to the Motion, as involving matters in which the House of Commons ought not to interfere, but he did not agree in that opinion. He thought that everything concerning the welfare of the Empire should be considered in that House; and, believing that it would be for the welfare of the Three Kingdoms to have a Royal residence in Ireland, he felt justified in bringing the question before the House. He trusted he should say nothing disrespectful to the Queen. He had a right to exercise the privilege of speech in that House, and he was sure Her Majesty would be the last person to take the slightest degree of offence at anything said in that House in a dutiful and respectful manner. The question was totally independent of party politics, and he would endeavour to avoid irritating topics. It was admitted on all hands that the present state of Ireland was not satisfactory. No one would venture to say that the relations between Ireland and England were as satisfactory as the relations between England and Scotland. It was the duty of the Estates of the Realm, as far as possible, to remedy that state of things, so as to endeavour to conciliate the Irish peole and make Ireland really an integral part of the United Kingdom. The realm consisted of three Estates, and he was anxious for the co-operation of the first; and he was sure that if Her Majesty would graciously establish a Royal residence in Ireland, that would tend greatly to produce good feeling, peace, and contentment among all classes. It was no novel complaint for Ireland that her Sovereigns had no residence there. The great evil of Ireland had been absenteeism, and the Sovereigns had been the greatest absentees: 250 years ago Sir John Davis, who was sent over to Ireland by James I., wrote a valuable State Paper upon its then condition, and inquired how it was that, though for 400 years English monarchs had borne the title of Sovereign Lords of Ireland, the country had not been thoroughly brought under subjection to the Crown; and he said that the main cause was, first, the absence of the King; and next, the absence of the great Lords. He pointed out that since the Norman conquest, only three Kings—Henry II., John, and Richard II. —had visited Ireland; that on the occasion of their visits the Irish chiefs and persons of authority hastened to take the Oath of allegiance; and he added that many causes of discontent would have been removed by the more frequent presence of the King or the King's son, because the natives of Ireland, both of English and Irish descent, liked to be governed by some great personage. The present complaint of the absence of Royalty was not, therefore, a novel complaint. Sir John Davis, by the way, declared of the Irish—

> "That there was no nation under the sun who loved equal justice better than the Irish, or would rest better satisfied with the execution thereof, even against themselves, so that they might feel assured of the protection of the law when upon just cause they did desire it."

Was it "equal justice" that the Sovereign should be always an absentee from Ireland? In the last 250 years since Sir John Davis wrote had the relations of Royalty with Ireland become more intimate? How many times had Royalty visited Ireland since? He would not refer to the visit of Oliver Cromwell as that of an English monarch. Nor could James II., when he fled from England, or William III. when in pursuit of James II., be said to have "visited" Ireland. From 1690 till 1821 no English King ever visited Ireland; and after 1821 28 years elapsed before another Sovereign, Her present Majesty, landed on the Irish shores. In 1849 Her Majesty paid a visit to Ireland; but she remained only five days. In August 1853 the Queen renewed her visit, but only remained for the same period; and in August 1861 she again paid Ireland a five days' visit. Now, he did not wish to throw the slightest blame upon the illustrious Lady on the Throne; he only stated these facts to show how Ireland had been treated by English monarchs from the earliest times. Was it surprising that the Irish should be irritated by such treatment? Could we expect them to be over-loyal when they were so neglected by Royalty. Should we expect England or Scotland to be contented if they were treated in the same manner? Suppose that the Kings of England when Electors of Hanover had resided in Hanover, and only paid flying visits to this country, would the English have borne it so patiently? The fact was that if rulers forgot their people the people would forget their rulers. Loyalty was a species of sentiment or religion which required to be vivified by the presence of Royalty, in the absence of which it withered away altogether. You could not expect a people to be enthusiastic about a Sovereign they never saw. The Irish people, however, had proved that, though they were neglected, they were still loyal; and whenever they had had an opportunity they had proved their loyalty. They had shown it towards the unfortunate house of Stuart; they showed it towards George IV., a monarch who certainly did not deserve much gratitude or respect; and Her Majesty, in her recent Book, had borne conclusive testimony to the loyal and enthusiastic reception she received, even in a district which, if disaffection existed in any part of Ireland, was certainly the most disaffected. "In Cork," she said, "our reception was most enthusiastic. Everything went off to perfection, and was well arranged." The scene in Dublin when Her Majesty arrived there was described by her as "Wonderful and striking; everyone so enthusiastic and yet perfect order maintained." There had been an attempt at outbreak in Dublin in 1848, yet in 1849 the loyalty of the people was manifested as Her Majesty described. He might also refer to the visit which the Prince of Wales had paid to that country within the last few weeks. It was well known that his Royal Highness had stated both in public and private, how much he was impressed with the loyalty displayed. A person who went over with the Prince and Princess, and who had always attended Her Majesty in her progresses through the kingdom, stated that he never saw such enthusiasm as that with which the Princess of Wales was received. He was aware that some cynical minds, ignorant of human feelings, were apt to sneer and talk of flunkeyism when any Irishman expressed a desire for a Royal residence in Ireland; but he denied the justice of the sneer in this case. A Royal residence would not prevent the Irish from asserting their rights and seeking redress for their grievances. One great object of a Royal residence in Ireland was to aid in the work of pacification there. It would be of advantage, too, in making the national feeling of Ireland coincide with the Imperial policy. No laws, however good, would be accepted in a country unless they were in accordance with the feelings or even the prejudices of a people. It was of the utmost importance to enlist on the side of order the aspirations of the people, and it was for this purpose he wished to establish a Royal residence in Ireland. Some people sneered at nationality; but a country without national feelings was a country not worth living in. Scotland was intimately connected with England, and yet the national feelings of the Scottish people were cherished in the highest degree, and were found to be compatible with the strongest attachment to the Empire. But the national feeling of Ireland was utterly neglected, and, being neglected, it was made use of by the enemies of order for their own purposes. The way to bring the national feeling of Ireland into harmony with the institutions of the Empire was, in the first place, by legislating so as to remove any grievances of which the Irish people had to complain, and showing them that they might appeal for address with confidence to the Imperial Parliament, instead of rushing blindly and foolishly into wicked conspiracy; and in the next place, to gratify the national pride, and show that Ireland was to be treated like England and Scotland. The residence of the Royal Family in Ireland for a portion of the year would have the best possible effect. It would be regarded as a declaration that Her Majesty took an interest in the country and had confidence in the people, and would reconcile the dynasty to them, and make it, so to speak, racy of the soil. It was admitted that absenteeism was one of the greatest curses of Ireland. Legislation could not remove it; but if the Royal Family were to reside there from time to time some of the nobles and great landed proprietors, who now never showed their faces in the country, would be induced to visit it occasionally, and that, too, would be of the greatest possible benefit. And if the Queen were to visit the cottages of the poor as she did in Scotland, it would endear her to the hearts of the people, and have an immense effect in leading to obedience to the laws.

There were a few objections raised to the proposal he now made which he would like to notice. In the first place it was said that the Royal Family would not be safe in Ireland. Now, that was a libel which he indignantly denied. It was true that a fanatic at the other side of the globe had attempted the life of the Duke of Edinburgh; but that atrocious crime had been regarded with abhorrence by every man in Ireland, and he had no hesitation in saying that the life of the Queen would be as safe in Ireland as in any part of Her Majesty's dominions. Then there was another objection that there were a number of palaces already, and the cost of maintaining them was very great. But to that he would reply that it would be found much less costly to keep a Royal residence in Ireland than to employ the large number of troops that were now maintained there. Then it was said, if you have a Royal residence in Ireland, why not one in Yorkshire? But Ireland was a separate nation, and would remain so, and, therefore, the cases were entirely different. Even if Her Majesty could not at her time of life be expected so far to alter her habits as to spend a few months of the year in Ireland, there were other members of the Royal Family, the Prince of Wales, for example, might do so. The allowance to His Royal Highness at present might not enable him to undergo additional expense; but he had no doubt it might be left to the liberality of the House on a future occasion to make a Grant for this special purpose. No higher object could be achieved by His Royal Highness than that of rendering the Union not a mere parchment Union, but one of heart and soul; and to win the hearts and feelings of the Irish people would add more lustre to his name than were he to engage in wars of conquest and add new realms to the Empire.

Mr. PIM, in seconding the Motion, said, he advocated the establishment of a Royal residence in Ireland not merely as an act of grace and kindly feeling from which the best results might be hoped for, but also as an act of justice and fair dealing, and yet not in any degree as a substitute for the remedial measures which had at various times received the attention of the House. The people of Ireland had a just claim to their share in the smiles of Royalty, and might appeal with confidence to those motives of public policy which were founded on the duties that a Sovereign owed to his subjects. It would be in effect a recognition of the nationality of Ireland as one of the three kingdoms which constituted the United Kingdom. It would be a recognition that the Sovereign of England and Scotland was also Sovereign of Ireland; and that as she had noble palaces in England, and a Highland home, as well as ancestral palaces in Scotland, so she ought also to have a fitting residence in Ireland, which might show to the people that she looked upon Ireland not as a mere dependency of England, as it had too often been regarded, but as a country of which she was Queen in the same sense as she was Queen of England and Scotland. There were noblemen who had large possessions in Ireland as well as in England, and who while they passed the Parliamentary Session in London, yet visited their estates in the autumn, and thus became acquainted with their tenantry and acquired and preserved that influence which a landed proprietor would always have who made himself known to and was respected by his tenants. Similar reasons might well be expected to induce Her Majesty to visit and make herself personally known to her subjects, and thus preserve those feelings of loyalty and affection which were often created and always strengthened by personal intercourse. The bereavement which Her Majesty had undergone, had induced her to live in retirement for some years, and if her absence from London was felt so much, what must be the feeling in Ireland where she had been so rarely seen. A Royal residence would be an inducement for frequent visits, and not merely for a flying visit of a few days as the guest of the Lord Lieutenant; but for such length of residence as might suit her pleasure and convenience, and afford her the opportunity of becoming better acquainted with the country and with her Irish subjects. There were few things, apart from the redress of admitted grievances and the removal of positive injustice, which would tend so much to cement the union between Great Britain and Ireland, as would the frequent residence of their Sovereign in Ireland. Hon. Members might laugh at that as a mere sentimental grievance; but they knew but little of human nature, and certainly of Irish nature, if they supposed that sentimental grievances, as they were called, did not exercise a powerful influence on the feelings and conduct of a sensitive and warm-hearted people. Such a residence would be appreciated as a mark of confidence, and as a proof that Ireland was really valued, as a proof, in short, that Her Majesty was not merely Queen of England, or even of the United Kingdom, but Queen of each of the three kingdoms of which the Union was composed. But whilst strongly advocating the proposition of his hon. Friend the Member for Clare, he must say that the establishment of a Royal residence in Ireland would not be in the least degree a substitute for the just settlement of those questions respecting Ireland, which have so often been pressed on the notice of the House. The hon. Baronet's proposal was, in fact, the Corinthian capital of the column, perfectly useless in itself, without the shaft and pedestal; but necessary to give grace and dignity to the pillar, and fit it worthily to support the building for which it was designed. The great value of a Royal residence was, in his opinion, that it recognized the distinct nationality of Ireland. It had long been the policy of England to quench the spirit of nationality in Ireland —to try to convert the people into English. To that was sacrificed the only hope of inducing them to accept the doctrines of the Reformation, deliberately and knowingly sacrificed, as he believed. Instruction was refused, or at least neglected, in their native language, in the vain expectation of converting them into Englishmen by making them speak English. They spoke English now, were they more of Englishmen than before? That policy of destroying their nationality had been persistingly pursued. How had it succeeded? Largely, he regretted to say, with the Protestants of Ireland. Fear and jealousy of their Roman Catholic countrymen had driven them to repudiate that national feeling which actuated their fathers during the short period of Irish independence. They felt and spoke as Englishmen. They tried to forget that they were Irish, and would have others to forget it also. Thus the feeling of nationality was left to the Roman Catholics alone. They refused to give it up. They held to it tenaciously, as founded on the traditions of the past. They spoke of themselves as the people of Ireland, and their assertion was accepted by others. It was of the Roman Catholics of Ireland that Englishmen, and that foreigners thought when they spoke of the Irish people. With them, and not with the Protestants, rested the traditions of the past, and, to a large extent, the expectations of the future. People talked of their turbulence, and of the insecurity of life and property, as if there was a murderer with a rifle behind every hedge, so that men were absolutely afraid to come to Ireland. They were constantly told that agitation was the bane of the country, and they were taunted with the example of Scotland. He would not say a word in depreciation of the energy or industry of the Scotch; but, did they not owe something to political circumstances, and to those national institutions which had resulted from the recognition of their nationality? Let them suppose for a moment that the circumstances had been different, and that William III. had determined to enforce prelacy on the Scottish people. No doubt there would have been a rebellion headed by the Marquess of Argyle and other nobility and gentry who favoured Presbyterianism, and the rebellion would probably have been successful as long as none but Scotchmen interfered. But they might suppose William invading Scotland at the head of an army of Englishmen, and then a war in which the Presbyterians were at length obliged to surrender their last stronghold after a defence which commands the respect even of their conquerors. His Scotch friends could complete the picture. Let them think of the Presbyterian nobility and gentry in exile — their lands confiscated and sold or given away to prelatical adventurers from England —the proscribed Presbyterian ministers preaching to scattered congregations in the wild glen or on the bare mountain side, while Bishops were enthroned in the cathedrals and prelatical clergy possessed the benefices. Scotchmen referred with just pride to that system of common schools to which Scotland owed so much of her prosperity — perhaps more than to any other cause. Now let them think of it as a crime for a Presbyterian to presume to teach; and notwithstanding all that, let them recognize the fact that more than three-fourths of the people of Scotland still clung to their Presbyterian ministers with a tenacity inspired as much by their feelings of nationality and love of country as by their hatred of prelacy. It was needless to say that he had been speaking of Ireland under the name of Scotland, and perhaps some would say that it was wrong to open old sores. But without doing so it was difficult to realize the disadvantages under which Ireland had been placed, and how greatly those disadvantages had affected even her material prosperity. He therefore continued the comparison, and asked whether there would have been no turbulence and ill-blood in Scotland under circumstances such as those? Would there have been no mutual distrust and hatred? Would there have been no agitation? Might there not even have been riots and bloodshed? Would none of the energy which had produced the agriculture of the Lothians, the manufactures of Paisley and Dundee, and the commercial enterprize of Glasgow, have been devoted to party politics? Finally, would the Scotch be animated by any very fervent love of Englishmen, or any very devoted loyalty to British institutions? It might appear to some that this had little to do with the question now before the House, but, in truth, it had a great deal to do with it; for the bad name which had been given to them, the insecurity which was attributed to society among them, the slowness of their material progress when compared with England and Scotland, were so many discouragements in the way of the proposition now under consideration. Treat them as Scotland had been treated and similar results would follow. The Scotch were once disloyal. That had passed away and had been succeeded by a thorough union of two nations still possessing their distinct national individuality. Why should they fear their nationality? Could patriotism exist without it? There was certainly no necessary antagonism between a love for Ireland or Scotland as their native land, and a full appreciation of the benefits derived from the Constitution under which they lived, or the warmest interest in the fortunes of the Empire of which they formed a part. They could not make them into Englishmen. Nature was against it. The sea which divided them forbade it. It was only by recognizing and acknowledging, and even cultivating their nationality that they could make Ireland loyal. Above all, let their Sovereign appear among them as if she were really the Queen of Ireland — not the mere visitor from a foreign country. To the mass of the people of Ireland she was a foreigner—the Queen of a country for which they entertained no very warm affection. Yet they had always discriminated between the Sovereign and the Government, and on every occasion of their visits their Sovereigns had been warmly welcomed. They could not feel loyalty to an abstraction. Let the people see their Queen living among them — let them see and visit the abode of Royalty. Even the outward show and circumstance of Royalty had its use, and especially with a sensitive and imaginative people. He knew there were many who thought that, in asking the Sovereign or the Royal Family to visit them they were requiring from her the performance of an irksome task. He did not believe it would prove to be such. But even if it were, the French aphorism was applicable — *noblesse oblige.* If the country be worth retaining, the Queen should see her subjects, and allow them to see her. Danger of insult or injury there was none, no more than in England or Scotland—notwithstanding the late insane and wicked attempt in Australia. In former times the Prince often risked his life when leading his subjects in war. The duties of a King now were more peaceful, but not less real; and it was not less incumbent on him to perform them properly. If the affections of the people of Ireland were worth having, some exertions and some sacrifices must be made to obtain them.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, humbly representing to Her Majesty that it would conduce to the advantage of the Crown and the good Government of Ireland, and tend to allay jealousy and discontent in that country, if Her Majesty had a permanent residence in Ireland, and that this House, feeling deeply its importance, will cordially co-operate with Her Majesty in any steps She may be graciously pleased to take to carry out so desirable an object,"—(*Sir Colman O'Loghlen,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR FREDERICK HEYGATE said, he was unwilling to trespass on the attention of the House, but he wished to express the great pleasure he derived from being able for once to agree with the hon. Baronet the Member for Clare (Sir Colman O'Loghlen). The proposition made by the hon. and learned Member was so evidently advantageous to Ireland that all must agree to it; and he for one was not disposed to allow hon. Members opposite to claim all the loyalty in the country. The present time was appropriate for bringing this subject forward, because it would be difficult for any private individual to follow the present Lord Lieutenant. Whenever the period should arrive, and he trusted it might be far distant, when the present Lord Lieutenant should resign a dignity the duties of which he had discharged in so magnificent a manner, with so much judgment, liberality, and consideration for the interests of all classes, it would be almost impossible to find a successor for him who would give such general satisfaction. With regard to the question of loyalty, he agreed that it was not a quality which was innate in the human mind. It must, to a great extent, rest upon the conviction on the part of a nation that the preservation of the Crown was linked with the interests and prosperity of the people. Loyalty was, moreover, very much a feeling of a personal nature; and the presence of the Sovereign, if it did not remove the misfortunes of that country, would soften the asperities that unfortunately prevailed. He could not, however, but express his surprise that the hon. and learned Member for Clare had introduced his Motion at a period when so serious a change was hovering over one of the greatest institutions of the country. It was an extraordinary proceeding to call upon the Queen to visit that country, the institutions of which the Sovereign had sworn to maintain, at a time when one of those institutions was most seriously attacked. With regard to the question of safety, he agreed that any Member of the Royal Family would be perfectly safe in Ireland; and he had that opinion of the wisdom and prudence of the Royal Family that he believed they would see that their best security was to trust themselves to the good feeling of all classes of Her Majesty's subjects. He wondered that the hon. and learned Member had not dwelt upon the more important question where the funds for providing this Royal residence were to come from. He had sufficient confidence in the wisdom of that House, and still more of the country, to believe that the day was far distant when the total disestablishment and disendowment of the Church in Ireland would take place. But he would ask the hon. and learned Member for Clare (Sir Colman O'Loghlen), whether it was his intention to overcome the difficulty, which seemed so awkward to hon. Members opposite—namely, what to do with the revenues of the Irish Church, which they held could not be applied to either educational or religious purposes, by devoting a portion of it for the purpose of building a Royal residence in Ireland?

Mr. THOMSON HANKEY said, that though English Members might sometimes be accused of not understanding the affairs of Ireland they took a very great interest in that country. He did not think that his hon. Friend the Member for Clare (Sir Colman O'Loghlen) had taken the right course in proposing this as a first measure. Preliminary to this there was, in his opinion, a much more urgent measure, which, in the interest of Ireland, ought to be taken, and that was the abolition of the office of Lord Lieutenant. The maintenance of that office was inconsistent with a Royal residence in Ireland. Attachment to the Lord Lieutenant meant attachment to the Ministry of the day, and not to the Crown. He agreed with Archbishop Whately that loyalty to a Government was a totally different thing from loyalty to a Sovereign. Nothing would conduce more to the welfare of Ireland than that Her Majesty should frequently visit that country. It was remarkable how very few and far between had been the visits of Royalty to the sister country. From the time of William III. down to George IV. Ireland had not been visited by any English Sovereign. He was indebted to Sir Bernard Burke for a memorandum from which it appeared that during 120 years Royalty had only spent a very few days in Ireland. [Sir Colman O'Loghlen: Fifteen!] The Irish people must feel this; and he believed that the rarity of the visits made by Royalty to Ireland during the last 150 years had tended to diminish personal loyalty to the Sovereign.

Mr. BOWEN said, he claimed for Wales as pure a nationality as belonged to either Ireland or Scotland. Wales had no Royal palace within her border; but he could not claim for her a Royal residence on the ground of economy, seeing that the loyalty of the Welsh arose naturally, and did not require the presence of a body of troops.

Mr. BRADY said, the question before the House was a very important one with regard to that other question of the pacification of Ireland and the maintenance of a spirit of loyalty among its people. If the people of this country complained when Her Majesty retired to some extent from public life, surely the people of Ireland, who never saw her at all, were fully justified in their anxiety for the erection of some Royal residence in that country in which Her Majesty might reside during some portion of the year.

Sir HENRY WINSTON-BARRON said, enormous sums of money had been spent in providing Royal palaces in England, but no such provision had been made for Ireland, notwithstanding the fact that Ireland, in proportion to her means contributed more towards the National Exchequer than even England did. Even the Isle of Wight was honoured by a Royal residence, and England had eight or ten, but poor miserable Ireland had not one. Ireland was called the sister country, but she ought to be called a step-sister, for she was treated like one. If the people of Ireland were treated like those of Scotland and of this country, there would be little to complain of. Nothing would do more to cement the union between the two countries than the establishment of a Royal residence in Ireland. It would save thousands of pounds to the Imperial Exchequer by stimulating the loyalty of the Irish people. Of course the Queen could not reside there for any long period at a time, but at all events one of her numerous sons might remain in Ireland, if not permanently, at least for a season every year.

Mr. HADFIELD said, he cordially approved of the hon. and learned Baronet's (Sir Colman O'Loghen's) proposition, and should support it if it were pressed to a division, believing that the expense which might be entailed by the terms of the Motion would be as nothing compared with the gain of the hearts of a people. The Royal Family seldom visited the Black Country, and the great city of Manchester had been visited only once. The people there did not complain; but the enthusiasm with which Her Majesty's visits to those districts had been hailed showed what might be expected to follow in the case of Ireland.

Mr. DISRAELI: Sir, I quite agree that there is no influence more beneficial than that which proceeds from personal relations between the people and their Sovereign. But in listening to the complaints which we have heard from various parts of the United Kingdom, arising from the absence of Her Majesty and of her predecessors, I would observe that this was largely to be attributed to the great difficulty of communication that for a long time existed between the various kingdoms over which Her Majesty rules. But the tendency of the age in which we live is very much to diminish those difficulties, if not to make them disappear altogether. And if we take a general view of the subject I think there is some evidence of a very much increased inclination on the part of the Royal Family to visit those portions of the country which for so considerable a period have not been blessed by the presence of our princes. Indeed, the hon. Baronet who brought forward this Motion, and complained that Ireland in the course of two centuries had only been visited for a certain number of days—which have been calculated by a herald — must admit that the greater number of those days have been contributed by Her Majesty herself. And we cannot for a moment suppose that there is any want of sympathy between the Queen and her Irish subjects; because the hon. Baronet has himself alluded to the written record of Her Majesty's feelings to which everybody who has read them must have fully responded. We must remember also that the position of Ireland is in this respect no worse than the position of Scotland was until very few years ago. Scotland, I think, was never visited for any time by one of our Sovereigns from the time of James II. to the reign of Her present Majesty. [*Cries of* "George IV."] I am speaking of Sovereigns who resided in the country. But during all those years the principle of Sovereignty at least was represented in Ireland, while it was not so represented in Scotland. And though it may be easy to talk in depreciating terms of the office of the Lord Lieutenant, I am myself persuaded—not merely from the experience which we all have at this moment, but from other instances which we may remember—that a man of ability and splendour filling that office may effect a great deal of good, and is something more than the nominee of any Minister. We must recollect, then, that during this period Scotland was as little visited by the Sovereign of this country as Ireland, and that Scotland has not had the advantage of an institution which, when well administered, is in my opinion extremely beneficial. It is impossible not to have been gratified — every Englishman must have shared the feeling—at the manner in which their Royal Highnesses the Prince of Wales and the Princess of Wales were received during their recent visit to Ireland. And I may be permitted to say that their visit afforded Her Majesty the greatest gratification, and that she has been pleased to express her wish that the visits of the Royal Family to Ireland shall not be infrequent. With regard to the specific Motion before us, I trust the hon. Baronet will not ask the House in the present instance to decide upon it. There are many reasons upon which it is now unnecessary to dwell which would make it inconvenient, and not at all advantageous for the end which the hon. Baronet himself has in view, to compel an immediate vote of this House. What has been said in the House on the subject to-day will, I am sure, not be forgotten. It is an expression of the feeling which animates very generally society and the whole country; and I trust the time may come when every portion of Her Majesty's dominions will have the advantage of the presence of Her Majesty or some member of the Royal Family. But, when alluding to the fact that the visits of the Sovereign to Ireland have not been of very long duration, we must remember that of necessity they could not be lengthened visits. There was no Royal residence, no palace in which Royalty could take up anything like a permanent abode. I know that this tells favourably for the view of the hon. Baronet; I am not using it as an argument against his views; but I think it right to refer to the point, inasmuch as the brevity of the Royal visits is sometimes mentioned as an indication of indifference and of want of sympathy with the country, whereas it has been a consequence of difficulties which could not be overcome. There are many circumstances to be considered in connection with this subject, but the wish expressed in the Motion of the hon. Baronet is founded on the best feelings of our nature. I am sure the desire it conveys is one in which the country sympathizes; and I hope the time will come when we shall see those views entirely fulfilled.

Mr. GLADSTONE: I do not think it necessary to detain the House for more than a few minutes; but I cannot help rising to say that I do not think my hon. and learned Friend the Member for Clare (Sir Colman O'Loghlen) has anything to complain of in the manner in which he has been met in this case by the right hon. Gentleman at the head of the Government. I do not think that more could have been expected from the right hon. Gentleman than the acknowledgments which he has made; and, therefore, I wish to express my concurrence in the tone of his observations. At the same time, I feel strongly with my hon. Friend; and, without indicating the precise manner in which it can be done—because this is not a fitting opportunity for anything of that kind—sympathizing as I do in the views of my hon. Friend, I may express the hope that some appropriate means may be found by which the personal relations between the Crown and the people of Ireland may be strengthened. I regard this as an object of public policy of no mean importance; but I think, after what has been said this evening, my hon. Friend would do well to comply with the recommendation of the right hon. Gentleman at the head of the Government. Indeed, I am sure that, with that tact, good feeling, and intelligence which always characterize his proceedings in this House, he will see that the cause he has at heart will be best served by his not asking the Speaker to put the Motion from the Chair.

Amendment, by leave, *withdrawn.*

THE NEW COURTS OF JUSTICE.

OBSERVATIONS.

Mr. DENMAN said, he rose to call attention to the delay in completing the arrangements for the erection of the New Courts and Offices of Justice; and to ask the First Commissioner of Works, What are the reasons of such delay, and what is the opinion of the Law Officers of the Crown upon the questions submitted to them relating to the legality of the choice of a design for such Courts and Offices? It became apparent ten years ago that the present dispersion of the Law Courts gave rise to enormous expense to suitors, and to great inconvenience to counsel and attorneys, and in 1861 Parliament took the matter in hand. A Bill passed through Parliament in 1865, and a site for the New Law Courts, in which the various Courts of Law should be centralized on one spot, having been adopted, and the necessary funds provided, nothing remained but to carry out the plan agreed upon. On the 29th June, 1865, a Royal Commission was appointed to advise and confer with the Commissioners of the Treasury upon the plans and arrangements for the New Courts. In referring to the delay that had taken place, he did not mean to complain of the Commissioners, who set to work in a business-like way, and had actually paid the money due to the persons whose property had been taken in almost every instance. They appointed seven Judges of Designs to consider the plans prepared by the various architects for the building. Eleven architects competed, and in July, 1867, the Judges of the Designs reported that they were unable to select any one of the plans sent in as the best in all respects; but they recommended the designs of one architect for the exterior, and of another architect for the interior of the building, advising that the work should be given jointly to the two so recommended. He believed that there was nothing in the Instructions to the Committee to compel them to select any plan; and the terms on which the architects competed, so far as he was aware, gave none of them the right to complain of being dismissed. The two architects so chosen consented to act together; but another difficulty arose as to whether the sum required for the building, according to their plans, would not exceed the original Estimates. The Report of Mr. Gardiner, the surveyor, upon that point, showed that none of the architects had come within the estimated figure. He should be glad to know what was the cause of the dead-lock which appeared to have raisen in the matter. When the House met in November, questions were asked on the subject, and it was stated that a hitch had arisen. The Judges had made their Report, and it was referred to the Law Officers of the Crown. Questions were again asked in February as to what was the real difficulty; but it was only last night, as he understood, that the Opinions of the Law Officers had reached the Treasury. He hoped, therefore, that now some information would be given as to the cause of the delay. Private individuals occupying houses adjoining the site of the proposed building had been put to considerable risk and inconvenience by the uncertainty in which the subject was involved. As far back as the year 1866, the inhabitants of Bell Yard had received notice that their premises might be required for the purpose of that structure; but they had no means of knowing whether any use would be ultimately made of that notice; and they were in consequence carrying on business at a loss, which could not be made matter of compensation, except by special legislation. The Suitors' Fee Fund, out of which the money would ultimately come, also suffered, as the money was, in the first instance, advanced by the Treasury, and large amounts of interest were accruing, which would have to be repaid by the Suitors' Fee Fund. A notion was gaining ground that the Government had some intention of abandoning the proposed site, between Carey Street and the Strand, and of erecting the building at some other and less convenient spot. It was rumoured this was a hobby of the late Prime Minister and the present Lord Chancellor, and that there was some desire to take advantage of the difficulty which had arisen to throw the whole matter over and get some new site. He should be glad to receive some distinct assurance that there existed no ground for such an impression. The vacant site would be a disgraceful spectacle if there were any undue delay in occupying it; for the purpose for which it had been turned into was for the present no better than a wilderness.

THE CHANCELLOR OF THE EXCHEQUER said, he would take upon himself the duty of answering the Questions of his hon. and learned Friend (Mr. Denman), as the noble Lord the First Commissioner of Works would have to answer another Question. The subject had been mooted in the House so often during the last few months, and he had answered so many Questions upon it, that he hoped to be excused from following the hon. and learned Member in all that he had said. In the explanation he was about to give he must speak from memory. The Judges of Designs were appointed jointly by the Treasury and by the Courts of Justice Commissioners. If he remembered rightly, the Treasury were to select the design, with the advice and concurrence of the Commissioners, and it was thought by the late Government that such a concurrence could be best obtained by the appointment of a Committee of Judges of Designs. After the Committee was appointed, and chiefly in consequence of representations made in this House, two professional gentlemen, Messrs. Pownall and Shaw, were added to the Judges. It was expected by the Treasury and the Commissioners that the Judges of Designs would have selected one architect, and the memorandum relating to the competition rested upon that supposition. The change of Government occurred after the Judges were appointed and the Instructions framed. When the Judges of Design sent in their Report to the Treasury, they stated that they had been unable to select any one architect, and they recommended that Messrs. Barry and Street should be employed to prepare a joint plan, considering that the design of one of them was best in point of arrangement, and the other in point of external architecture. It had been previously agreed upon between the Treasury and the Judges that a gentleman should be appointed to go through the estimates submitted by the architects, and give a professional opinion whether they were correct. It appeared that when the Judges of Designs prepared the Report which they submitted to the Treasury, they had not before them the Report of this professional gentleman as to the estimates, and, accordingly, the Treasury thought it desirable that the Judges of Designs should re-consider their decision with reference to that point with the Report of the professional man to guide them, and that they should endeavour to see whether they could not select one architect. Owing to the time of the year, the gentlemen composing the Committee of Judges were scattered, and some time elapsed before they could be got together. When they had met, however, a letter was received from them, stating that they had re-considered the matter with the aid of the Report of the gentleman who had examined the estimates, and, notwithstanding the Report, they were unable to come to any other than their original conclusion. It was then represented to the Government by some of the competing architects that each had entered into the competition under the impression that he was competing with any other architect singly, and not with the combined abilities of two. The question then arose whether, if the recommendation of the Judges were adopted, legal proceedings might not be taken by some competitors, who would endeavour to make out that they had been wronged by the selection of two instead of one; while it also became a question whether the two gentlemen named as joint architects might not have a legal claim against the Government, if they did not act upon the recommendation. The Government were thus placed in a position of considerable difficulty, because—and he said it with all respect—the arrangement had broken down through the Committee of Judges being unable to decide the question submitted to them. The House would be of opinion that, in a case of such difficulty, the Government were bound to exercise great caution. They were anxious to have the opinion of their Legal Advisers, and then arose another difficulty, which was quite peculiar to this case. It had been laid down in the Memorandum of Instructions for the guidance of the architects, that if there were any dispute as to their meaning the Attorney General must be the referee; and so it became a question whether he was to be asked his opinion as a Legal Adviser of the Government, or as referee named in the Instructions. Under all circumstances it was decided to take the opinion of the Attorney General as the Law Adviser of the Government, and not as referee, because that might have prejudiced the case of the competing architects; but a case prepared by the Solicitor to the Treasury was submitted to the Attorney General, and the competing architects were told that the case had been submitted to him and that they might also submit their views to him if they thought proper; and some of them did so. These proceedings of course led to a considerable loss of time; but the delay had been unintentional, and had arisen from a desire that the competing architects might have every opportunity, if they wished it, of presenting their case fully. He had not seen the opinion of the Attorney General, though he had just learnt that it had come officially before the Treasury. He was therefore unable at that moment to explain the views of the Government. But in one respect the delay had been fortunate, for since the Court of Law Commission had been appointed to consider what buildings should be erected, the Judicature Commission had been appointed to inquire what Courts should sit in these buildings. The latter Commission had not yet reported; but the House would, no doubt, be of opinion that, before they decided on the buildings, they should decide on the Courts which should sit there. In this way out of evil had come good; for if a successful competitor had been named, Law Courts might now have been in process of erection which the recommendations of the Judicature Commission would show to be quite inapplicable. He hoped, therefore, that, even when the opinion of the Attorney General was before him, the hon. and learned Gentleman (Mr. Denman) would not press for an immediate decision in the matter, but would wait for the Report of the Judicature Commission. The hon. and learned Gentleman had alluded to the rumoured transfer of the site of the Law Courts from Carey Street to the Thames Embankment. Till last night he (the Chancellor of the Exchequer) had heard nothing of these rumours; the matter had never come before the Government, nor had he heard any Member of the Government suggest such a change. He hoped he had said enough to satisfy his hon. and learned Friend that the delay which had taken place in the erection of the building had not been intentional on the part of the Government, and that they were not answerable for the circumstances in which it had originated.

Mr. COWPER said, the delay had not been justified on the part of the Government. He admitted that the Government, as well as the Judges of Designs, had been placed in some difficulty by the course which the competition had taken. The designs showed great excellence, originality, and some sparks of genius. But the difficulty the Judges felt was in deciding which of these designs, under all the circumstances to be taken into account—internal arrangement, exterior design, and appropriateness—was absolutely the best. At last, finding themselves unable to agree upon the superiority of either of the designs which they specially favoured, the Judges thought it best to bracket the two architects and make a double award. He admitted that the Treasury were thereby placed in a difficulty; but he could not admit that this difficulty was one which it required four months and a half to solve. As to the expected Report of the Judicature Commission, he did not think that was a reason why an architect should not at once be appointed and a beginning made. Great efforts had been made to hasten the purchase of the gronnd, to clear the site, and to urge forward the competing architects, and he hoped that there would now be no further delay.

Mr. BERESFORD HOPE wished to say a few words on behalf of the architects who had entered into that competition. With some almost infinitesimal exceptions, the voice of the educated architects and amateurs of England united in praise of the remarkable architectural talent, the broad conception, and the admirable execution which characterized that noble series of drawings. There was no doubt it would be felt as a cruel wrong by the architects and the public if the difficulties and delays were to have the effect of throwing aside those designs. He appealed to that (the Ministerial) Bench, or to the Bench opposite, whichever of them ultimately should have the carrying out of the plan, that when the time came the architect should be chosen out of that noble eleven that had competed, and that he who had long been fielding, should hold the bat and have the innings which he deserved. Otherwise there would be a controversy to which the present Pugin controversy and other controversies would be but a trifle.

Mr. Alderman LUSK said, that a number of his constituents in Bell Yard had got notice that their premises would be required, and they had to carry on their business without knowing when they should have to leave their houses. What he had to ask was, that the noble Lord the First Commissioner of Works would say a word of comfort to those poor people, and let them know when their premises would be required, and compensation given them. They ought not, in order to do a public good, do a great private evil, and he hoped the case of the occupiers of shops would be considered at once, so that they might know what position they were really in.

Mr. BAILLIE COCHRANE said, he had only one remark to make in reference to an observation of the Chancellor of the Exchequer. His right hon. Friend had said that he was not aware until last night of the growing feeling that a mistake had been committed in the proposed site of the Law Courts. He could assure his right hon. Friend that that was a growing feeling, and that it was very generally felt that the proper site was the Thames Embankment. He would put it to his noble Friend the First Commissioner of Works whether, as a good deal of money was to be spent, it ought not to be laid out in the most judicious manner? One thing was certain, that on the embankment the Courts would occupy a most beautiful site, quite near the Temple, and one which was far preferable to the site now selected. It was not yet too late to change the plan.

Mr. M. CHAMBERS said, he did not think that the answer given with respect to the competition was a satisfactory one. None of the eleven competitors had been successful. He ventured to say that there had been too much inclination of late years to make captivating plans, and he thought that the origin of that error was to be found in the choice of a captivating plan for the Houses of Parliament, which had greatly deceived the profession. The honest competing architects who exhibited their plans in Westminster Hall had been unjustly treated. The sum originally proposed to be spent on the Houses of Parliament was £750,000, and architects who honestly confined themselves within the prescribed limits of expense, and prepared their designs according to that Estimate, were placed at a disadvantage. Every architect who saw the plans said at once that the captivating and admirable design of Mr. Barry could not be executed for the amount proposed. He could only suppose that that plan was put forward for the purpose of creating a general desire to have it adopted, notwithstanding it must cost more than the specified sum. The result was that public competition was really a snare to architects, and when they heard of a limit being put on the cost, they at once said that it was all nonsense. The great object of these attractive plans was to secure the approbation of admiring ignorance ; but the result was the corruption of architectural honesty. He did not set himself up as a critic upon architectural designs ; but his opinion was that if they did not check the exhibition of designs, characterized by extreme ornamentation, they would vitiate the public taste. He thought a design ought to be in character with the use to which the building was to be devoted. He agreed with his right hon. Friend the Chancellor of the Exchequer, that it was a happy accident the building had not been begun, since it was probable a smaller number of Courts would be required, and this would affect even the external elevation. He thought it was unjust to the other competitors, that none of them having been successful, two architects should be selected to produce a joint design. Such a combination was an experiment unprecedented in the profession, and was by no means likely to lead to the erection of a suitable structure. If there was to be a difference in the character of the building, with reference to the number of Courts, it by no means followed that the architects who had designed a very large building should be chosen to construct a smaller one. He denied that they could with propriety adapt the internal arrangements of one design to another building, merely because it possessed a handsome exterior. It would be well that there should be a pause, not only before erecting the New Courts, but before selecting an architect, until the Commission on the constitution of the Law Courts had reported. In explanation of his remarks last night, he wished to say he had heard no rumours that the Government intended to change the site, but he had heard it discussed in conversation that, as all the designs had failed, they had a blank sheet of paper before them ; and, finding that it was impossible that the buildings could be erected, unless they took down the whole of one side of Chancery Lane, he suggested whether, as it was said that they could dispose of the land at a profit, it would not be better to avail themselves of the land which had been reclaimed in consequence of the construction of the Thames Embankment, as the most appropriate site for the New Law Courts. There they might have a magnificent building, with access by water as well as by land. He hoped also that some arrangement might be made which would put an end to the uncertainty and unpleasant state of feeling among those whose business had been interfered with by what had already been done on the site originally proposed.

SIR CHARLES LANYON said, he regretted that one of the largest competitions offered to the public had altogether failed, and he hoped that, in the interests of art, the Chancellor of the Exchequer and the Government would come to a speedy determination on this important subject. It was due to the public as well as to the profession that the matter should be brought to a decision, otherwise it would be difficult to induce architects to compete on future occasions.

MR. GLADSTONE said, that as he was one of those who were appointed to judge of the designs, he could not but feel that involuntarily and innocently he, with others, had been to some extent the cause of the delay which had arisen. The statement of the Chancellor of the Exchequer was a frank, plain spoken, and, on the whole, a true description of the conditions under which they were appointed. Under the Instructions, they had broken down—not being able, taking into account all the points which had to be kept in view, to recommend any one plan. In these circumstances they naturally asked themselves whether, having failed in their principal duty, they could not offer a suggestion which would be better than a result perfectly blank and null. It was with that feeling his colleagues and himself tendered a suggestion—which they had no power to clothe with authority—to combine the internal arrangements of one plan with the exterior design of another. The duty of the Judges of Designs was rather to select a plan than a man ; and he thought it would only be an act of justice to the profession, and especially to the distinguished gentlemen who had entered into the competition, that the Government should, without acting hastily or precipitately, lose no time in discharging that important portion of their functions—the selection of an architect from among the competitors, and that afterwards the architect should take time to consider the various questions connected with the plans.

LORD JOHN MANNERS said, that the opinion of the Attorney General on the matters referred to him had only just been received at the Treasury, and the Government had as yet had no opportunity of considering it. All he could say was, that the suggestions which had now been made should be carefully considered, and that no time should be lost.

REGISTRATION OF VOTERS ACT—DISSOLUTION OF PARLIAMENT.

OBSERVATIONS.

MR. BOUVERIE said, he wished to call attention to the Registration of Voters Act, 6 *Vict.* c. 18, and the other legal provisions for the registering of Voters, and to ask the First Lord of the Treasury, What steps Her Majesty's Government propose to take to shorten such proceedings so as to enable Parliament to be dissolved in the autumn? About a week ago they were told that Her Majesty's Ministers had been advised that the House of Commons should have its existence terminated at as early a period as the state of Public Business would admit, with a view to the opinion of the new constituencies being taken as to the conduct of public affairs. The First Minister of the Crown stated that he had been advised that certain steps might be taken with the co-operation of Parliament to enable the opinion of the constituencies to be taken in the course of November in the present year. Now, the House was probably generally aware that by a provision in the Act of last year no Election could be held previous to January 1, 1869, under the arrangements made by that Act. There was also a clause introduced into that Act having reference to the Reform Acts already in existence, providing that the registration of voters should come into operation a month later than usual—namely, that the registration of voters of the new constituencies should come into operation on the 1st of January, 1869, instead of as usual on the 1st December. Therefore, as the law existed, it was illegal to have a dissolution and an appeal to the new constituencies until the beginning of next year. It might be said that these were mere paper impediments, which were created by Act of Parliament,upon consideration more or less deliberate and wise with reference to the circumstance of the case, but which Parliament might in its wisdom think proper to remove. But the question behind that was one of considerable importance—namely, whether these constituencies could be formed so as to take their opinion at a much earlier period than that so arranged. The existing Act of Parliament regulating the registration of voters had been framed after very considerable deliberation and experience, and after the matter had been considered both in the House and upstairs. The First Minister of the Crown conveyed to the House that it was necessary, in order to facilitate these arrangements, that the Government should abandon a great part of the Business now before them; and before he went to the Registration Acts he wished to point out to the right hon. Gentleman and the House that, unless the existence of the House of Commons could be terminated at a very much earlier period than anyone supposed, the abandonment of the Business before the House would not, in the least, contribute to the object at which the right hon. Gentleman aimed. By no conceivable pressure that had been suggested in any quarter could a dissolution occur much earlier than the end of October or the beginning of November, and no one could contemplate that the Session of Parliament for the completion of the various matters submitted for the consideration of both Houses would be prolonged until the end of September or the beginning of October. It was therefore clear that the mere abandonment of the Business before the House had nothing to do with the appeal to the new constituencies, but that, as far as the continuance of the Session was concerned, the length or brevity of the proceedings alloted to the current Session had nothing to do with the facilitation of the dissolution or taking the opinion of the new constituencies. He must, therefore, express his surprise that the right hon. Gentleman should have thought it necessary to introduce so wholly irrelevant a topic. The main question was, whether it was practicable or not, by any arrangement, so to abbreviate the present process of registration and of getting a perfect list of voters as to enable Parliament to be dissolved before November, and arrive at a decision on the questions of policy to be submitted to it before Christmas? He did not wish to commit himself to a decided opinion on the subject, but he had acquired information, as he supposed, in the same way as the right hon. Gentleman—by conversation with gentlemen conversant with the subject—and he was told it was nearly impossible successfully to abbreviate the process of registration so as to get a dissolution early in the autumn, and to arrive at a decision on the course of public policy before Christmas. He would refer the House to the provisions of the Registration Acts, which were the 6 *Vict.* c. 18, amended by the 28 & 29 *Vict.* c. 36. The House must bear in mind that the starting point of the registration proceeding was at the end of July, because the qualification of voters by occupation by residence depended upon a complete residence for a year terminating on the 31st of July. They could not get under way, therefore, before that period, and, practically, from that date the process of registration started. The formal beginning was the letter addressed by the clerk of the peace, for counties, and the town clerk, for boroughs, to the overseers of parishes, which was to be sent to them on or before June 10, drawing their attention to what they had to do, and calling upon them to do it. Overseers, though very respectable people, were not always gifted with the highest intelligence, and required to be coached in the duties they had to perform. He proposed to deal with the proceedings of town clerks in boroughs, and would not complicate matters by referring to the counties; the proceedings there were practically the same, varying in form more than in actual substance. In accordance with this precept the overseer had to make out the list of voters on or before the 31st of July; and, apart from the question of twelve months, residence, the law gave the voter to the 20th of July to pay his rates and taxes, so that they could not possibly abbreviate the period up to the 31st of July for making out the *primâ facie* list of voters—those who had resided for twelve months and paid their rates. This was to be published on the 1st of August. That was the first public step. It was requisite that a certain period of notice should be given of this list—to those omitted who thought themselves entitled to be on it, and to objectors who thought others should be struck off. That notice was to be given within twenty-five days. By the 25th of August any fresh claims were to be made, and within that time objections were to be sent in. It was possible, he was informed, by great squeezing, to get perhaps a few days out of these twenty-five in this way—The notice was given by placing the list of voters on the church doors, and it was necessary that it should be there for two Sundays, so as to afford time for inspection to those who had to make claims and objections. Now it so happened that this year the 1st of August was Sunday, and the second Sunday in August being the 8th, five or six days more must be allowed for making the claims and objections. That brought them to the 14th or 15th of August to complete the time for claiming, objecting, and making up the list. In this way therefore they might possibly squeeze a week or ten days out of the present time for notice. The overseer, then, having received the list of claims and objections, must make up and complete the list, and so made up it must be published on the 1st of September. The Act provided a reasonable period not capable of reduction—fourteen days—during which the list was open to inspection. Nothing could be got out of that. The preliminary process of making up the lists being so far complete, now came the operation of the Revising Barrister's Court, of which ten days' notice must be given. His circuit commenced on September 15, and lasted to October 31, nearly six weeks. Here it might be said was a large period of time which admitted of considerable reduction. The Revising Barrister was a being who did not take an enormous amount of work; he was capable of doing more; and the time in which he performed it might be reduced—here at least they might cut off a little from the time allowed by the existing Act. Now, he had consulted some gentlemen who had considerable experience in this matter, and he was assured that it was exceedingly doubtful whether the period allowed could be reduced. And this further circumstance must be taken into consideration, that on the present occasion the duty imposed on the Revising Barrister was not the ordinary one of revising the ordinary list—it was revising and completing the register of a totally new constituency, involving an addition of hundreds of thousands of claimants, the litigation of many questions which had not been decided by the Revising Barristers themselves or the Court of Law to which appeals lay, and an amount of toil and patience far in excess of any yet imposed on them since the Reform Act. Yet it was contended that where Parliament had anxiously, and with reference to past experience, examined all these points and fixed them with great care, having reference to the ordinary course of business, when that business had enormously and abnormally increased, the time for accomplishing it should be reduced and a shorter period allowed than was given to it in ordinary circumstances He would not undertake to say that could not be; but he must say it appeared to him a paradox, which would require a considerable degree of authority and proof to satisfy him of its accuracy. Well, they thus got to the 31st of October; and now came the question of the final completion of the register, which was no ordinary matter. It seemed to be supposed that when the Revising Barrister had completed his functions there was an end of the matter, and they could have a General Election the next day; but that was far from being the case. He would not go into the case of appeals to the Common Pleas, but he was told that under the existing Act the notices of appeal must be given within the first four days of Michaelmas Term—that was to say, between the 2nd of November and the 4th of November. That would make appeals an impossibility. But even at present the appeals in the Common Pleas had often to be deferred till the following Term, from want of time to deal with them. Appeals, therefore, must be left out of the question. The clerk of the peace now came in, and he had finally to make up the register. He was required to arrange all the names alphabetically in the different parishes, with their separate numbers, involving an enormous amount of mechanical labour—at all times very considerable, and on the present occasion immensely increased—which could not well be disposed of under three weeks or a month. Indeed, he was told that as things now stood the clerks of the peace had often the greatest difficulty in making up the register by the legal term; but the mechanical difficulty of making it up would now be greatly increased. Allowing only a fortnight, however, that brought them to the middle of November. The ten days he had previously named were the only period by which the work of registration could be condensed. But the right hon. Gentleman forgot the period which the law required to elapse between the proclamation of dissolution and the meeting of the new Parliament. The 15 & 16 *Vict.* c. 23, provided that thirty-five days should elapse between the proclamation of dissolution and the meeting of the new Parliament. Of course Parliament could undo what it had done; but if there was to be a General Election in the most inclement season of the year, that period could not practically be reduced, considering that it would be requisite to provide for polling in the Hebrides and the Orkneys, and that they would afterwards have to get together the representatives of the people from all parts of the country. This period of thirty-five days, as far as he had been able to make out, making all the possible reductions in time, would carry one on to the 10th of December; and all that could be thus done was to reduce, perhaps by forty or fifty, the number of days within which under the existing laws the new Parliament might be summoned at the earliest possible period — that Parliament might meet in the middle of December instead of early in February, as it might according to the present Act. He therefore wished to ask the right hon. Gentleman whether, after all the consultations on the subject, the whole difference was that, instead of Parliament under the Act of last year meeting early in February, it might meet on the 10th of December? Was that the result of all the deliberations in the Cabinet, and of the conference with the highest Personage in the realm? If so it was not worth the right hon. Gentleman's while to have taken the trouble, for the sake of those two miserable months, to have gone down to Osborne and tendered advice to the Sovereign. He had left out of his observations any consideration of the Scotch requirements with respect to registration. There were in Scotland analogous requirements as to proper notice of claims to vote and of objections; and there would be arguments before the Sheriffs in Scotland, who stood in the position of Revising Barristers. Time must be allowed for the completion of correct lists of voters. He wished, then, to know what steps the right hon. Gentleman intended to take to accelerate the dissolution of Parliament? Was it merely the case that he contemplated dissolving Parliament late in the autumn instead of in January? The right hon. Gentleman had informed the House that he had the authority of the Crown to dissolve, and the House was entitled to know what steps were to be taken to abbreviate those proceedings, rendered necessary under existing Acts, so that at the new Election the new constituency would be able to exercise their suffrage. Without wishing to pry into Cabinet secrets, he should also like to know who were the advisers, of legal knowledge and experience, to whom the right hon. Gentleman had recourse before he gave the advice which he tendered to the Sovereign. People were accustomed to believe that there were certain legal advisers to whom the great authorities of the State had recourse on various occasions. There was the Lord Chancellor, the chief adviser of the Cabinet in all matters connected with the law, and, in the next place, there were the usual Law Officers of the Crown, the Attorney General and the Solicitor General. Now, he wished to know whether the right hon. Gentleman took counsel with the Law Advisers of the Crown ; and, if so, whether he was satisfied that the advice given by them was sound in law and fact ?

THE SOLICITOR GENERAL said, that, while giving the right hon. Gentleman credit for extreme anxiety to hasten the dissolution of Parliament, he regretted that the right hon. Gentleman conceived there were so many difficulties in the way of arriving at that result. Though it might not be easy to hasten the dissolution of Parliament, yet he was not prepared to flinch from the responsibility cast upon the Government ; and he desired to state that he believed that, if a general effort were made, the result could be attained sooner than the right hon. Gentleman had supposed. It was quite true, that the first date, on which the whole matter really turned, was the 31st of July, by which day the overseers in boroughs were bound to make out and publish the lists of occupiers of £10 houses entitled to vote, and by which day all those persons who desired to claim as lodgers under the late Act must have sent in their claims to the town clerks. According to the Registration Acts nothing further was done until the 25th of August, but on or before that day all persons who thought that they ought to be on the overseers' lists might send in their claims, and objections might be taken to names allowed to be improperly inserted in the lists. The right hon. Gentleman stated that those twenty-five days could not be greatly diminished, and that he had been informed there must be publication on the church door for two Sundays. Having had some experience in registration matters, he must say that he could not tell the reason why it was necessary that the lists should be kept up for two Sundays. Considering the limited area involved, namely, the parish, a very short time would be sufficient for the people to make up their minds. An active politician in the district would soon find out whether there were on the lists persons who ought not to be there ; and he would go round to those persons who were entitled to claim a vote, and draw out a form of claim for them. He could not therefore see on what ground the right hon. Gentleman founded his assertion that so much time would be indispensable. He believed that it was not required by law that two Sundays should elapse. From his own experience, and also from the consultation he had had with those who were more competent to judge of the matter, he thought they could insist that the new claims and objections should be sent in by the 10th of August instead of on the 25th, and that the earlier period would afford ample time for necessary inquiries. Between the 25th of August and the 1st of September, according to the present law, the town clerks in the boroughs were occupied in getting the notices of objection made into one list, and the notices of claim into another, and by the latter date they had to publish all those lists, and have them ready for the Revising Barristers. But, when the notices of claim and objection were sent in on the 25th of August, there was nothing to be done but the manual labour of making up those lists by the 1st of September. If the claims and objections were this year sent in by the 10th of August—although there were more of them this year, and the town clerk would therefore be entitled to some more time, still he thought the lists could easily be made up and published by the 20th of August, so that everything should be ready for the Revising Barrister by that day instead of on the 1st of September. From the 1st to the 15th of September nothing now seemed to be done, the Revising Barrister, however, not being able to begin his work till the middle of September, and being allowed till the 31st of October to do his duty. [Mr. BOUVERIE said the lists had to lie open for inspection fifteen days.] He could see no real necessity for that. The persons who had claimed must go before the Revising Barrister to prove their claims, while those who were objected to would have had notice of the objection. When they recollected the smallness of the area in which the operation was occurring, and the thorough local knowledge possessed by both sides, what use was there in the lists lying fifteen days for inspection ? The persons who were objected to had notice, and the persons who had claimed knew they must appear to support their claim. [Mr. BOUVERIE asked how the opponents of the new claims were to know that the new claims on the list were unobjectionable unless time was given for inquiry?] They would know it really in the parish within the shortest time. The list would have been published, and he could not see how the fifteen days were practically required. Of course it was open to anybody to say it would take fifteen days for a solicitor to get ready his opposition to or support of a claim; but, as he had been assured by experienced authorities and as he himself believed, that time was, practically, not necessary. Consequently, instead of the Revising Barristers' Courts commencing on the 15th of September, they might practically begin on the 21st or 22nd of August. [Mr. BOUVERIE: How are you to get your Barristers then?] The time now allowed the Revising Barristers for their work was from the 15th of September to the 31st of October, and the right hon. Gentleman (Mr. Bouverie) said he had been informed by men of experience that it could not be done in less time. For himself, however, he must state that he had never known a Revising Barrister to take more than three weeks.

MR. BOUVERIE said, he had mentioned the time fixed for the revision under ordinary circumstances, and that there would be an extraordinary amount of business this year.

THE SOLICITOR GENERAL said, if the House were really desirous that the revision should be advanced and hastened, it must be content that further assistance should be afforded and that the number of Revising Barristers should this year be increased. He ventured to say that no dearth of available Revising Barristers would be found; and that, by increasing the number, he had no doubt the revision could be completed in a month, or between the 22nd of August and the 22nd of September. Then as to the subsequent operations; by the existing Registration Acts the town clerk had, he knew not for what reason, to number the entire register from beginning to end in regular consecutive order. The Government thought that was an unnecessary proceeding, and that if the names in each parish were numbered, and the parishes stood in alphabetical order, it would at the polling have all the same result, because when the voter went to the poll he would say his name was on the list of such and such a parish, and that his number was one, two, or three in that parish. The effect of numbering the whole list consecutively from beginning to end was that they could not commence to put the lists into print until they had the whole thing complete. But by the plan he had suggested of having the parishes separately numbered and put in alphabetical order, a great deal of time might be saved in the process of printing, and even the enlarged register might be got ready within the period which used to be allowed for the smaller one. Probably, the town clerk or the clerk of the peace would require to obtain additional assistance for that purpose, and, if so, he must be paid accordingly; but the result would be that if they got the revision completed by the 22nd of September, the register itself might be completed by the 20th of October. No doubt that would involve considerable difficulty and would require a considerable effort; but he believed it might be accomplished, and then they could have an election any day after the 20th of October—that was to say, the register would be ready. The right hon. Gentleman raised an objection in regard to the proclamation on a dissolution, and the period of thirty-five days between it and the meeting of Parliament; the point had taken him somewhat by surprise, but he apprehended there was nothing in the law to say there should be no proclamation issued before the registration was completed. [MR. BOUVERIE: It could not be done; there would be no constituency.] If the law was as stated by the right hon. Gentleman, which he did not admit, then it was clear it could be altered and the period diminished. The right hon. Gentleman was very anxious to hasten the dissolution. Then, instead of trying to put in the way every suppositious difficulty, which, probably, after all, would be found none practically, let him assist the Government in accelerating it. According to the Registration Acts the register was to be ready by a given day, and it was enacted that whatever election occurred after that register was complete, must be based upon it. Therefore, he said, and said with confidence that there was nothing in the proclamation statute or the Registration or Reform Acts to make it necessary that the register should be complete before the issue of the proclamation of dissolution. At all events they might have an election at the end of October, and by shortening the thirty-five days a meeting of Parliament in November. Before that he could not see how it could practically be done. The hon. and learned Member for Plymouth (Sir Robert Collier) the other night referred to a difficulty connected with appeals. If it was meant by that that there was any legal difficulty in having an election before the appeals were decided by the Court of Common Pleas, it was obvious that argument put the power of dissolution in the hands of the Chief Justice of the Common Pleas, There was, however, no foundation for that assertion. By the 69th section of the Registration Act that case was foreseen and specially provided for, because it declared that no right of voting at the election of a Member of Parliament should be affected by any registration appeal pending in the Court of Common Pleas at the time of the issuing of the writ for such election. And there was a clause in the Reform Act, with which hon. Members, he had no doubt, were acquainted, to the effect that when a person had claimed before the Revising Barrister, and the Revising Barrister had declined to put his name upon the list, the claimant might tender his vote with a view to a scrutiny. He must also say that there was little practical force in the objection that appeals from the decisions of the Revising Barristers could not be heard in time. The decisions of the Revising Barristers had, to a remarkable extent, been confirmed. And, moreover, the tendency of the Revising Barristers, who had always exercised their jurisdiction with extreme honesty and propriety, and likewise with considerable discretion, was, in cases where they felt any doubt, to place the name upon the register, reserving a case for the Court of Common Pleas, which might afterwards strike off the name if it thought proper. But meanwhile, as everybody knew, the name being upon the register, the man polled and no questions were asked. If, however, any difficulty was felt on this head, as there must be legislation within the present year, it would be easy to provide that in all cases where the Revising Barrister felt that there was ground sufficient for reserving a case for the Common Pleas, he should put the name upon the register; and if that were done, of course the person would have a right to vote. Having carefully considered the provisions of the Registration Act, and having consulted persons of great professional knowledge, he was deliberately of opinion that by altering the mode of numbering the register, and the period between the 31st of July and the 25th of August, and by getting rid of the period of fifteen days — which, notwithstanding all the right hon. Gentleman had said, he could not regard as really material—and by increasing the number of Revising Barristers, it would be possible—with some inconvenience, no doubt, to all, and probably with great inconvenience to many persons—but still, if the House thought fit to make the effort, it would be possible to obtain a complete register by the 20th of October, to have a General Election at the end of the month, and a meeting of a new Parliament in November.

SIR ROBERT COLLIER said, that he thought the Solicitor General had entirely misunderstood his right hon. Friend the Member for Kilmarnock (Mr. Bouverie) in supposing it was his desire to raise objections, or to carp at any proposals made by the Government for the purpose of facilitating an early dissolution. On the contrary his right hon. Friend wished to be satisfied that the dissolution could be taken at an early period, and that desire was shared in by the majority of Members at his own side of the House. Their real object was to be satisfied that the prospect held out of a speedy dissolution was not an illusory one. The Solicitor General contended that under great pressure the register could be completed by the 20th of October, conceding that it could not be completed before. But if that were so, he (Sir Robert Collier) maintained that the new Parliament could not be called together sooner than thirty-five days from the date mentioned, which would bring them down to the end of November or beginning of December. Moreover, he ventured to think that the notion that a proclamation might be issued for the dissolution of Parliament some considerable time before the new constituencies were formed was a suggestion to which the learned Solicitor General would not adhere upon reflection. They knew perfectly well that the writs were issued almost immediately, some of them within three days of the dissolution, and it would be perfectly idle to dissolve Parliament unless they had existing constituencies. According to the Solicitor General, Parliament could not be dissolved till the 20th of October, which meant that the new Parliament could not meet, at the earliest moment, till the 25th of November. Then seven days must be allowed for the election of a Speaker and the transaction of other necessary preliminaries, which would take them into December before any real business could be transacted. But that certainly had not been the impression conveyed to his mind by the right hon. Gentleman at the head of the Government when he spoke of their extricating themselves from the present abnormal state of affairs by an autumn Session. But he could not help thinking that the Solicitor General had made a material omission in his calculations. He admitted that the publication of the registration lists could not take place before the 1st of August. He would reduce the time now allowed for giving notices of new claims and objections, which was twenty-five days, to ten days. He (Sir Robert Collier) thought fifteen days at least should be given. But supposing the hon. and learned Gentleman to be correct, what followed? The hon. and learned Gentleman would give from the 10th to the 20th of August for the parish officers to make out the lists of claims and objections. The 20th of August would therefore be the first day on which the notices of the new claims could be published, and it was absolutely essential, before the lists were revised, that persons should know what claims were brought forward and who the claimants were. The law at present gave fifteen days for that purpose, which was not too much. But the hon. and learned Gentleman allowed not a single day or hour for the purpose; he entirely omitted from consideration that which, if the revision was to be a reality, could not be lost sight of—the importance of giving time to inspect the lists, to examine the claims, and to decide whether objections should be taken or not. If, however, the list of claims was only to be published on the 20th, and the revision commenced on the 21st, there would be no time to discover whether the claims sent in were valid or invalid; and therefore his hon. and learned Friend, in losing sight of this point, was altogether wrong, as he ventured to think. They could not give less than fifteen days for the purpose of examining the claims and preparing cases. The Solicitor General had somewhat sneered at the preparation of cases for the Revising Barrister; but, if the revision was to be a reality it was absolutely essential that persons should have time allowed them to prepare for coming before the tribunal, and to consider in what shape the case should be framed. His hon. and learned Friend gave the 25th of November as the time for the assembling of the new Parliament. But to attain this result he first omitted five days, and afterwards another period of fifteen days. Adding them together it brought them to the 10th of December, the exact period named by his right hon. Friend the Member for Kilmarnock as the earliest period for the meeting of the new Parliament. It was extremely undesirable that the House should deceive themselves in this matter, however anxious they might be for the assembling of a new Parliament; and it therefore deserved consideration whether it was worth while having an autumnal Session this year at all or not. Upon that point he offered no opinion. There could be no question that the coming registration would be infinitely more difficult and burdensome than any which had preceded it, not excepting the first under the old Reform Act. Therefore, he supposed it was that a clause had been introduced into the Reform Act extending the registration from the end of November to the end of December. Yet the time now proposed for carrying it out was less than on any previous occasion. It could not be satisfactory to the new constituencies to find that the process of registration must be squeezed to an extent altogether unprecedented. Although he did not deny that the registration appeals need not be decided previous to an election, it certainly would be convenient to have them disposed of. The appeals under this new system would be numerous, and must involve many difficult and important questions, upon which it was possible that several of the Revising Barristers might hold different views. Take one point—whether payment of rates by the landlord is to be considered payment by the tenant. In point of law, he believed that no doubt whatever existed on the point; but possibly some of the Revising Barristers might decide otherwise, and such a decision, if it were given, must affect the franchise possibly of hundreds of thousands of persons. He, therefore, thought it extremely desirable that the judgments of the Court of Common Pleas should be had on the disputed cases before the list was finally made out, though he did not insist on that as a *sine quâ non.* If this question were not decided by the Court of Common Pleas it might come before Election Committees, where they would get different decisions, and not arrive at the truth without the expenditure of a great deal of time and a good deal of money. But if any dissolution could be obtained at a sufficiently early period for a working autumnal Session, he, for one, should not insist on having the decision of the Court of Common Pleas taken before the General Election. He did not make these remarks for the sake of obstruction, but simply to ascertain whether they would have an autumnal Session.

SIR FRANCIS GOLDSMID said, that in his early days he was nominated, without his own wish or knowledge, to the office of returning officer for a borough of 10,000 or 12,000 voters, and his experience on that occasion satisfied him that, in the larger boroughs, and with the new constituencies, the time allowed by the Solicitor General for the registration would not be be a day too long for a returning officer desirous of satisfying himself that the list was properly made out.

MR. M'LAREN said, he thought he could relieve the anxiety of the right hon. Gentleman the Member for Kilmarnock, by showing him that there was no difficulty whatever in the matter. He would do so by showing how the thing was managed in Scotland. It might be said that Scotland was a smaller country than England; but he submitted that to register a given number of thousands of electors in a borough or a county of Scotland was just the same thing as to register the same number of voters in a borough or county of England. The right hon. Gentleman seemed to think there was a difficulty in regard to Scotland. But none whatever existed, and everything there was as the right hon. Gentlemen wished it to be. In 1856, the Act 19 & 20 *Vict.* c. 58, was passed for Scotland. Its object was to squeeze together the different portions of time, and its effect was that the roll was completed by the 1st of November for Parliamentary and municipal purposes; and the municipal elections occurred on the first Tuesday in November. A General Election for the return of Members to Parliament might, in case of a dissolution, be as easily held on the same day. It was assumed that the English boroughs were larger than the Scotch. But the constituency of Edinburgh was at present 11,000, and there was as much difficulty in enrolling the voters there as in Bristol, with a similar number. That of Glasgow was 18,000. The former would be 27,000 and the latter 50,000 under the new Reform Act. The number of voters in Manchester or in Liverpool would not be larger than in Glasgow. If it could be shown that in Edinburgh and Glasgow they could be ready for operations in due time, they could be equally ready in Manchester, Liverpool, and other towns in England. By the provisions of the Scotch Act to which he had referred, the party who prepared the list was bound to have it ready by the 15th of August in each year, on which day it was affixed to the door of the Town Hall in a borough, printed in proof, but not numbered. On the 15th of August, every man could go to the door of the Town Hall and turn over the leaves, and see whether his name was in it or not; or he could go to the office of the party who prepared the list and examine it without any fee. The list remained open from the 15th of August to the 25th of August for public inspection. Applications from persons who had been omitted from the list and objections to names included in it, must be lodged by the 1st of September. The Revising Barrister must complete his work by the 30th of September, that must be his last sitting day; and on the 1st of October he must deliver the corrected roll to the town clerk. If there were no appeal, the elections might be held in the first week of October; but the Act provided for an appeal. Between the 30th of September and the 8th of October the Court of Appeal must be held. By the 21st of October all appeals in respect of the borough franchise must be ended, and by the 30th all appeals respecting counties. The town clerk must have the revised list published by the 31st of October, so that by that date all was ready for an election. Much had been said of the fears entertained by gentlemen of experience—legal gentlemen being, of course those referred to. Well, he had had a good deal of practical experience in this matter—first, in helping to arrange the dates in the Scotch Act, and subsequently in seeing it carried out. He knew all about it, and he undertook to say that they would not find any person of experience in registration in Scotland under the Act of 1856 to assert that there was any difficulty in the matter. There would be no more difficulty in arranging for an Election of Members of Parliament on the first Tuesday in November than there was in arranging for an election of town councillors on that day. He presumed that the men employed in preparing the lists would be as competent in England as in Scotland, and that the printing would be as rapid and as accurate. The Solicitor General did not seem to know much about the machinery of a printing office, if one were to judge from what he had said as to the probability of delay arising from the necessity of putting the numbers to the lists. Why, this was done in Scotland after the lists were finally revised in proof. The fears expressed in that House on the subject of registration were purely imaginary.

LOTTERY ACT.—QUESTION.

Lord EDWARD HOWARD said, he wished to ask Mr. Attorney General, Whether he thinks it proper that the Penal Clauses of the Lottery Act should be enforced in respect to drawings of prizes for purely charitable objects? His reason for calling attention to this subject was his having received a letter from the Treasury warning him that he was liable to a penalty of £500 for being connected with a lottery. That was a thing which might abash most people. He was patron of a bazaar for charitable purposes, one of the attractions of which was a lottery or drawing for prizes, and that being so he considered it ought not to have been taken notice of in that strong official manner. The 12 *Geo.* II., c. 28 — after referring to the Act of William III.—was passed, according to the Preamble, for the more effectually preventing excessive and deceitful gaming; but how a raffle for a charitable purpose could come under that denomination he was at a loss to conceive. The fine of £500 was imposed under the 42 *Geo.* III., c. 119, and besides that the Act characterized every person who took part in these raffles as "a rogue and vagabond." Another Act aimed at preventing the practice of setting up in places of public resort what were known as "little goes." It also provided for the extinction of "little goes." Now, when he was at Cambridge, he believed it was not considered dishonourable for those to take a "little go" who could not take a great go, and that it in no way interfered with taking high positions in after life. By the 6 & 7 *Will.* IV., which related chiefly to foreign and other lotteries, a penalty of £50 attached to the printer for printing and publishing the notices, and by the 8 & 9 *Vict.*, which recites the 7 *Will.* IV., which was passed to put an end to actions brought by informers, the putting the terrors of the law into force was removed from them and placed at the discretion of the Attorney General, the Solicitor General, and the Law Officers of the Crown. He believed that that discretion had been, on the whole, wisely exercised, but he was unfortunately the victim in a case which he believed was an improper exception to the rule. Those Acts were, in his opinion, framed for the purpose of stopping actual gambling — lotteries likely to ruin the people; but it was never intended that the law should apply to lotteries at bazaars for charitable purposes. It was well known that the movers in most commendable plans for encouraging art were amenable to the law as it originally stood, and a special Act had to be passed exempting Art Unions from the penalties of the Lottery Act. On the same grounds, or rather on much stronger grounds, he contended that those who took part in schemes for aiding philanthropic institutions should also be exempted. The case in which he had been summoned was no uncommon one. The managers of the Shiffnall Roman Catholic Reformatory School—a school recognized by the Government and approved of by the Government Inspector — had incurred a debt of £2,000 for the purpose of better carrying out the regulations of the establishment; and in order to raise that sum it was proposed to hold a bazaar, and one of the attractions was a lottery, and it was because he was connected with this scheme that he had been stigmatized as a rogue and a vagabond. The school had hitherto worked well, and been of great public advantage; and it was too bad that those who took an interest in reforming juvenile criminals and thereby conferred a benefit on the public, should have this slap in the face in the shape of a threat of £500 penalty in carrying out so desirable an object. It was very singular that the patrons of this bazaar should have been singled out for the wrath of the Treasury. Some said that only Roman Catholic institutions were proceeded against on this account, he disclaiming any such opinion; but he held in his hand a ticket for a "Grand Volunteer Prize-drawing," not 100 miles away, and he was not sure he had not incurred another penalty of £500 in having it in his possession. He found that the drawing was patronized by several mayors, three Members of Parliament, and one or two baronets; and he had been informed by one of the Members of Parliament that he had not received any warning from the Treasury. Lecturers had been going about the country propounding the most indecent doctrines to young men and women, under the auspices of a society which called itself an electoral union; and, although their path was bestrewed with indecency, although they produced bad feeling between different classes of people, and although their progress latterly had not been untainted by bloodshed, they marched on unrebuked and unmolested; but when it was a question of turning bad persons into good ones, then resort was had to legal powers which he contended were meant for other uses. He had brought the subject forward believing that the Government would never sanction the continuance of such proceedings against the patrons of bazaars for charitable purposes at which there happened to be a lottery or drawing of prizes.

SIR GEORGE BOWYER said, he believed that the origin of the laws against lotteries was to be found in the fact that in the days of George III. there were Government lotteries, which were used as a means of revenue. They were, therefore, made a monopoly by the suppression of all others, and it was quite an afterthought to associate immorality with all lotteries. There was an obvious distinction between public-house and fraudulent lotteries, and purely charitable lotteries that were conducted honestly and innocently. The latter were not confined to Roman Catholics, but were resorted to by Protestants of all denominations and for all kinds of purposes. Scarcely a bazaar was held without a raffle, the tickets for which were sold by young ladies to the visitors ; and all these young ladies were liable to be declared rogues and vagabonds. The law ought to be either altered or repealed ; but, if it were not, its enforcement was a matter in the discretion of the Attorney General. He had a clear rule to determine his course. If lotteries were held in public-houses, or for fraudulent purposes, or were frequented by disorderly persons then he might enforce the law ; but when it was obvious that lotteries or raffles were for charitable purposes, and when there was not the slightest possibility of any fraud or disorder, then it was not the duty of the Attorney General to enforce the law. Only Roman Catholic lotteries had been prosecuted, and the reason was, not any partizanship on the part of the Government, but the activity of certain Protestant societies that persecuted the Roman Catholic Church. It was these put in motion the Attorney General, who sometimes felt it his duty to act at the instigation of these societies. He knew several cases in which, at the instance of these fanatical societies, notices had been sent issued by the Solicitor to the Treasury. The Attorney General ought to set his face against persons actuated by sectarian motives, and to exercise discrimination in enforcing the penalties of the law.

MR. M'LAREN, who disapproved setting aside a moral law and evading statutory penalties, by an understanding arrived at in a conversation in that House, was called to Order, having already spoken.

THE ATTORNEY GENERAL said, it was unfortunate there should be any infringement of rules of law or Acts of Parliament for any object, however good ; and he should have thought it far better that laws should be repealed, than that they should be only partially enforced. It was undesirable that there should be laws which were not to be observed by charitable people—that societies should get up lotteries and say they ought not to be prosecuted, because, although they had infringed the law, they had done so with a charitable object. He would not now discuss the question, whether it was right or wrong that the laws against lotteries and little goes should be enforced ; but it was not many years ago that Art Unions were prohibited by the laws against lotteries ; and the legislation which took place showed clearly that while very laudable objects might be secured by drawing prizes, it was nevertheless necessary to legalize the Art Union lotteries, by special legislation, to the exclusion of all others, which were still held to be illegal. He had no knowledge of the proceedings against the lottery to which the noble Lord had referred, and probably there had been nothing more than a warning. There had, however, been brought under his notice several lotteries of a bad character ; and in each case the professed object was to raise money for a charity. In one case, £30,000 worth of prizes was to be drawn for, the tickets were *5s.* each, every subscriber was to receive more than his money's worth, and a profit of £10,000 was to be realized and distributed among the poor of six villages. If the drawing had taken place, in all probability the persons engaged in it would be prosecuted ; for it was very likely that a number of poor people had lost money, and that the poor rates of the village had not been relieved by the prizes distributed. He did not quite concur with the remark that prosecution was a matter in the discretion of the Law Officers of the Crown. No doubt there were cases in which they would be extremely reluctant to prosecute, lotteries having been inadvertently started for good objects. But it must be remembered that if it was worth while retaining the statutes against lotteries it was almost impossible to prosecute, in a case that was thought to be a bad one, when people could turn round and say that a number of so-called charitable lotteries were overlooked. He could not express any opinion as to whether it would or would not be expedient to alter the law so as to legalize lotteries for charitable objects; but he was quite sure there was no partizanship on the part of the Government against Roman Catholic lotteries. Notice was given on all occasions that it was found the laws against lotteries were going to be infringed, whether the lottery was for a good purpose, or whether, as was too often the case, it was established to carry out a considerable scheme of fraud.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) £32,760, to complete the sum for Public Offices' Site.

MR. GOLDNEY said, he rose to call attention to the manner in which the sites of public buildings were purchased. The practical result of the system was that the surveyors were restricted in the amount they had to spend, and the purchase of the land they had to deal with. The property was dealt with in sections, and as soon as section A was purchased section B was quadrupled in value. He thought it would be much better to vote the requisite sum and take the land at once, and suggested the propriety of postponing the Vote and bringing in a supplementary estimate.

MR. COWPER said, he thought it would be unwise to purchase and clear land that might never be wanted; and that it would be unfair to the tenants of buildings to get rid of them before the property was actually required for public purposes. He wished to know what immediate use was to be made of the site to be acquired; and also whether the architect had completed the buildings he had commenced; and whether the new offices about to be erected formed part of the whole design?

LORD JOHN MANNERS said, he thought the suggestions of his hon. Friend (Mr. Goldney) deserved consideration. He was not wedded theoretically to the present system of land purchases, but it was necessary under the existing mode of keeping public accounts, which was approved of by men of great financial ability. So long as the custom prevailed at the Treasury of taking back those portions of the Votes not really expended up to the 31st March, he did not see how the system advocated by his hon. Friend could be carried into practical effect. With regard to the right hon. Gentleman (Mr. Cowper's) Question, the Commission had been at work up to the other day, and the final Report would be in print in the course of a few days. It was proposed to devote the open space at the Foreign Office to the Colonial and Home Offices, and Mr. Scott had been appointed architect to them.

MR. ALDERMAN LUSK recommended the noble Lord to purchase whatever land would be required by the Government at once, and not in driblets.

Vote *agreed to.*

(2.) £11,764, to complete the sum for Probate Court and Registries.

(3.) £23,000, to complete the sum for Public Record Repository.

(4.) £44,000, to complete the sum for National Gallery Enlargement.

MR. LAYARD said, of all the architectural blunders which had ever been committed in this country that connected with Burlington House was the most considerable. In order to preserve the house entire, a large space of ground had been sacrificed, and after all the building itself would be so altered as to retain few of its original features. The House of Commons having decided that the new National Gallery should be built on its present site, it had been determined that rooms for the Royal Academy, for the London University, and for the learned societies should be built at Burlington House, but instead of building them in one group under one architect, and having one design, three architects had been employed, and there were three designs. The London University was in a fair way of being finished. The Royal Academy was nearly completed, and he believed that the annual exhibition would be held there next year; but the building for the learned societies was not yet commenced. It was now found necessary, in order to reconcile Burlington House with the buildings around it, that it should be made into something else. It was to have another story, and at the bottom an arcade, a ridiculous and absurd thing, after so great a sacrifice had been made to keep the building as an architectural monument. He wished to know whether there was any prospect of an arrangement being made, so that the library of the Royal Society which stopped the way might be removed, and proper access to the Academy building might be afforded; also whether in the event of the Royal Academy being ready at Burlington House next year, there was any prospect of the rooms at the National Gallery being liberated for the national collection of pictures, which were now cramped from want of space in Trafalgar Square and at Kensington? He was quite sure the noble Lord (Lord John Manners) would do his best to facilitate that result.

Sir GEORGE BOWYER said, that Burlington House would be entirely spoilt by the addition of another story and an arcade. It had better be pulled down than thus disfigured. The proportions were now very beautiful, but the addition of another story would dwarf the basement. There were not so many correct structures in London that we could afford to spoil one of them. He regretted, too, that the other buildings which were to stand on the ground would not be in the same style.

The CHAIRMAN reminded the Committee that the Vote before them related to the enlargement of the National Gallery, and not to Burlington House.

Mr. BENTINCK said, he wished to ask what the intentions of the Government were in regard to the enlargement of the National Gallery? He understood that a Commission was appointed last year to procure architects to compete for the new building or for altering the present one; and that the designs sent in had been disapproved of, and consequently nothing had been done. There had been no mention of the matter during the present Session, and the consequence was that the national pictures had no location. He would be glad if her Majesty's Government would afford some information upon the subject.

Lord JOHN MANNERS said, that the hon. Member for Dundalk (Sir George Bowyer) evidently had in his mind the designs exhibited a year or two ago, which, owing to the strenuous exertions of the hon. Member for Southwark (Mr. Layard) had been set aside at considerable expense to the country. In answer to the complaint of those two hon Members, that an additional story was going to be put on Burlington House, he would only say that last year, before the Government proposed to take any Vote whatever for the building, they were very careful that the whole of the plans should be placed in the Library for the inspection of every Member of Parliament who might choose to examine them. The House, after having had this ample opportunity of inspecting the plans, had sanctioned the scheme as a whole; and no part of it could now be altered without materially interfering with its completeness. In answer to the questions of the hon. Member for Southwark (Mr. Layard) he had to say that it had unfortunately happened that, owing to unforeseen legal technicalities, the building designed for the reception of the Royal Society and the other learned bodies had not been commenced. Those difficulties had now, however, been overcome, and the works would be proceeded with as fast as possible. In answer to the question whether access could not be given through Burlington House to the new rooms for the Royal Academy in the rear of that building, which were being proceeded with rapidly and with great success, he could assure the Committee that the Royal Society, the Royal Academy, and the Government, were anxious that a satisfactory arrangement should be come to; and he was sanguine in the hope that, as soon as the rooms were ready, some means of access would be provided. The hon. Member behind him (Mr. Bentinck) had asked him what prospect there was of the building for the new National Gallery being commenced, and what course the Government intended to take with reference to the competition held last year? The hon. Member would see from the terms of the Vote that the Government had not yet obtained possession of the ground upon which a part of the new building was to be erected; and, as they did not think it right to pull down the existing building until they had obtained possession of the whole of the site upon which the new building would stand, the works had not yet been commenced. In his opinion it would be better not to hurry on the selection of an architect, especially after what occurred last year. Two competitions took place at the same time last year, and both came to an untimely end; and in both cases the Government found themselves in a difficult position. He believed that he should be best discharging his duty by not giving any positive answer as to the intention of the Government upon this subject.

Sir GEORGE BOWYER remarked that the noble Lord had not informed the

Committee whether a new story was to be added to Burlington House.

Lord JOHN MANNERS said there had been no alteration in the plans exhibited last year, which included the erection of an additional story.

Vote *agreed to.*

(5.) £22,000, to complete the sum for University of London, Buildings.

Mr. LAYARD inquired whether there was any intention of opening Vigo Street for carriage traffic when the building was completed? The thoroughfare was very much blocked up at present.

Lord JOHN MANNERS said, that all street improvements had been handed over to the local authorities by Act of Parliament.

Mr. Alderman LAWRENCE objected to public buildings being erected in situations which had no approaches to them. He disapproved altogether of leaving the question of approaches in the hands of the Metropolitan Board of Works.

Mr. M. CHAMBERS also complained of the difficulty there would be of getting to the new buildings, and suggested that the different bodies interested should come to some arrangement for providing greater facilities of access.

Mr. COWPER said, he could not allow the Committee to entertain the idea that the University of London would be placed in an inaccessible position. The fact was it was in one of the best positions to be found in London. It was not in a thoroughfare where carriages were continually passing and making noise; but that was so much the better. The way to get to it from Regent Street would be through New Burlington Street. With respect to Vigo Street, it was so narrow that scarcely any advantage would be gained by opening it. If this was a matter which concerned the general traffic of the metropolis, the making of new approaches devolved upon the Metropolitan Board of Works and the parishes, and not upon the Government.

Lord JOHN MANNERS said, that all the carriages coming either to the Royal Academy or the learned societies would approach through Piccadilly. He quite agreed with the right hon. Gentleman that the London University did not require the same kind of access as other public buildings. In all the communications which he had had with the authorities of the London University since the site was selected they had never suggested that additional means of access were required.

Sir COLMAN O'LOGHLEN remarked, that the University of London had had a Member given to it, and there might be a contested election.

Vote *agreed to.*

(6.) £8,000, to complete the sum for Chapter House, Westminster.

Mr. DILLWYN said, he wished to know what use would be made of this Chapter House for which so much money was wanted?

Lord JOHN MANNERS said, the building when restored would be used as a Chapter House.

Mr. Alderman LUSK inquired, whether any public benefit whatever would be derived from this outlay, or was the money to be expended solely for the advantage of the Dean and Chapter? He had been told that this restoration would be a very elaborate thing, and he hoped the noble Lord would be able to explain what it was for. It was all very well to put their hands into their own pockets to gratify a peculiar taste; but it was a serious matter to put their hands deeply into the public purse for the purpose of decorating a fancy place like that at the cost of the nation.

Mr. GOLDNEY said, that some years ago, before either the hon. Gentleman (Mr. Alderman Lusk) or himself had come into Parliament, there had been a good deal of discussion on this subject, and it had been determined to vote £25,000 for restoring the Chapter House as a work of art. The present Vote was the annual instalment of that sum. That being so, he did not think it competent for hon. Members to enter on the subject now.

Sir COLMAN O'LOGHLEN corroborated this statement.

Vote *agreed to.*

(7.) £25,400, to complete the sum for New Palace at Westminster, Acquisition of Land.

Mr. GOLDNEY said, that this land was to be acquired for the purpose of making a decorative garden at the end of the Palace. He hoped that the freeholds would be purchased, as tenancy would be objectionable. But as this might be termed a fancy Vote, he hoped the Government would give directions that the rest of the land should be acquired as the interests fell in very gradually.

Sir COLMAN O'LOGHLEN said, the land was not to be acquired for ornamental purposes, but for the absolute protection of the Palace of Westminster, and he, therefore, hoped the noble Lord would lose no time in securing and clearing it. If the hon. Member only took the trouble to walk to the end of the Palace, he would see a large collection of straw and hay there, which would be a cause of the greatest danger if a fire was to break out. He wished to know from the noble Lord whether St. Margaret's Church, which he and the noble Lord himself looked upon as a great disfigurement to Westminster Abbey, could not be taken down and re-built on the land which it was proposed to acquire. If he was not mistaken, the noble Lord had stated last year that it was desirable that St. Margaret's Church should be removed.

Lord JOHN MANNERS said, the hon. and learned Gentleman was quite correct as to what he had stated about St. Margaret's Church. He thought, however, he should have been exceeding his duty if he had entered into any negotiations on the subject. But the hon. Baronet would see in the Report of the Commission on the concentration of Public Offices that there was a recommendation to the effect he had suggested.

Vote *agreed to.*

(8.) £51,000, to complete the sum for Burlington House.

Mr. MONK asked, whether it was intended to take down the blank wall in front of Burlington House and to erect some ornamental railings instead?

Mr. BENTINCK said, he would suggest that as nothing had yet been done to Burlington House, not a single stone having been removed, and as the design exhibited last year was generally disapproved, it would be better to remit the question to Messrs. Banks and Barry, that they might see whether they could not improve upon the plans already submitted to the House. Representations had been made to him in favour of preserving the fine gateway of Burlington House, and he therefore asked the noble Lord not to let it be destroyed, but, if it must be taken down, to place it in some other position in the metropolis where it would be seen to advantage.

Mr. AYRTON said, that if hon. Members were not too fashionable to travel east of Temple Bar they would find that many of the buildings erected in the City during the last five or six years showed that we had very good architects; and if Burlington House were pulled down a similar or a superior building could be erected anywhere else. He did not think that the gateway was one that should be allowed to stand in the way of a great improvement. There were two buildings of a Moorish construction, one on each side of Burlington House; and so long as they were there he thought that it was desirable to keep up the wall and to have the gate shut. He asked whether these two extraordinary structures were not to be excluded from the observation of persons who looked at Burlington House?

Mr. COWPER hoped that the noble Lord would break through all this superstitious and conventional admiration for Burlington House, and would pull it down entirely. As an Italian villa residence for a private gentleman the house was all very well; but as a public building it would be an entire failure.

Mr. LAYARD said, he was inclined to agree with his right hon. Friend (Mr. Cowper), more especially as another story or an attic was to be added to Burlington House as a place of exhibition for the Royal Academy, which would entirely change its architectural character. The interior of Burlington House was very inconvenient even for a private residence. Unless they completely altered both the interior and the exterior, it would be impossible to make anything of it. It would have to be treated like the Irishman's knife, which was fit for nothing till it got a new handle and new blade.

Colonel FRENCH also thought it would be better to get rid of the present structure as not suited to its position. When it was originally built its owner was asked why he had expended so much money on a house so far out of town. The noble Lord's reply was, "I have gone so far in order to make it certain that no person will build beyond me."

Mr. FLOYER said the hon. and gallant Gentleman must have forgotten that half a century at least before Burlington House was built Clarendon House and Dunkirk House had been erected far to the west of it. If it were a question between retaining Burlington House and pulling it down, there might be some reason for hesitation, for it was a building of considerable pretensions, of much interest, and of a character of which not another specimen could be found either in London or its vicinity.

But if it could not be preserved in its integrity it had better not be preserved at all.

Mr. DENMAN said, he had very often passed an evening listening to discussions of this kind, though he had not taken part in them. He hoped that the noble Lord would be guided in the matter by considerations of economy, which did not seem to be much regarded by persons of æsthetic tastes. This very night it had been recommended that St. Margaret's Church should be pulled down; but it seemed to him that it would be an act of reckless extravagance to incur the expense of destroying that building merely because its appearance offended a few extremely fastidious eyes. With regard to Burlington House it would be extravagant to preserve it on æsthetic grounds alone and still more extravagant to tinker it. If, in either case, it was not fit for the purpose for which it was intended; if it should be found not worth retaining, he hoped that it would not be preserved merely from a regard for its reputation as a specimen of classical architecture; but, if well suited for the object desired, he did not see why it should be pulled down.

Mr. BENTINCK said his hon. and learned Friend (Mr. Denman) misrepresented him, because if there was one thing against which he continually protested, it was expenditure on æsthetic grounds.

Lord JOHN MANNERS said, that the main suggestion which had been made in the discussion would be fatal to the whole scheme and absolutely impracticable. If he had the least idea that Burlington House would have been brought into the discussion he would have had all the plans and elevations brought down, in order that hon. Members might see what had been proposed and sanctioned last year. Before the Government took any Vote upon it they clearly explained what they proposed to do. As far as the Royal Academy was concerned, what was proposed was that they should at their own expense build rooms in the rear of Burlington House. The Academy had executed their part of the contract, and the buildings were nearly completed; and they would shortly enter into possession of Burlington House and the ground behind under a lease for a long term of years. The Royal Academy had undertaken to re-model Burlington House according to the plans exhibited in the Library last Session. As soon as the Royal Society could make way for the Academy, the latter would take possession. No money was being spent on Burlington House itself by the Government. The Committee were not asked to vote a single sixpence for that purpose. All the Government had undertaken to do was to build on the sides of Burlington House accommodation for the learned societies. There would be a fine archway in front, through which Burlington House would be seen from Piccadilly.

Mr. AYRTON asked whether the Moorish brick buildings would be covered by the buildings proposed to be erected?

Lord JOHN MANNERS replied that when the new buildings were erected the brick buildings of which the hon. Member complained would be hidden.

Vote *agreed to.*

(9.) £23,905, to complete the sum for Sheriff Court Houses, Scotland.

Mr. DILLWYN complained that the sum asked was in excess of the Estimate. The original Estimate having been £103,000, £118,000 had been voted already, and £25,000 was wanted this year.

Mr. SCLATER-BOOTH said, that the Estimate had certainly been exceeded, but the Government had a strict eye on these works with a view to keeping down expenditure. The charge was undertaken because half the cost of County Courts in England is borne by the Consolidated Fund.

Colonel FRENCH asked why Scotland should receive one-half the costs of these Courts, while Ireland pays the whole cost of analogous Courts?

Sir COLMAN O'LOGHLEN hoped "the act of justice to Scotland" would be emulated in reference to Ireland.

Mr. SCLATER-BOOTH did not intend to represent the Vote as an "act of justice to Scotland."

Vote *agreed to*

(10.) £31,252, to complete the sum for Rates for Government Property.

(11.) £77,470, to complete the sum for Post Office and Inland Revenue Buildings.

(12.) £10,000, New Home and Colonial Offices.

(13.) Motion made, and Question proposed,

"That a sum, not exceeding £20,000, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, of a Grant in aid of the New Buildings for the University of Glasgow."

SIR COLMAN O'LOGHLEN wished to know, if any part of the sum to be applied for this purpose would be expended in the building of houses for the theological Professors? If the hon. Gentleman could not answer that question he would move the postponement of the Vote, especially as the Lord Advocate was not present.

MR. SCLATER-BOOTH said, the Vote was taken for the purpose of proceeding with the buildings now in progress. He could not say what buildings would be constructed under the Vote. Negotiations had been going on for some time on the subject, and as the object was one of importance, and as the Vote was a reasonable one, he hoped the Committee would agree to it

SIR COLMAN O'LOGHLEN said, that as it was important that the question should be answered, whether any portion of the Vote was to be devoted to theological teaching? and as the Lord Advocate was not present, he would move that the Chairman report Progress.

Whereupon Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Colman O'Loghlen.*)

MR. DALGLISH said, he hoped the Motion would not be pressed. The Vote was for the benefit of the whole of the West of Scotland, and a great many Irish students, especially those intending to enter the medical profession, were educated at Glasgow University. The citizens of Glasgow had already subscribed almost as much as the Parliamentary Grant, and he believed they would eventually subscribe considerably more. £72,000 had been granted to the University of London.

SIR COLMAN O'LOGHLEN said, that it was not the Grant but the "theology" he objected to. He should withdraw the Motion, but he should take an opportunity of putting a question to the Lord Advocate on the subject.

MR. DILLWYN asked whether that was to be the beginning of a system of subsidizing the Universities in all parts of the country?

MR. AYRTON asked for an explanation from the Government of the policy on which these Votes were made. It seemed as if they were about to establish the novel principle that, wherever a body of persons subscribed a certain sum for the foundation of a College, the State was to be called upon to contribute a similar amount towards it.

MR. DISRAELI said, the principle of supporting institutions for the promotion of learning was not a new one, but had always been recognized in this country. The application of that principle was a matter of discretion. Every second-rate town or obscure place, merely because it might subscribe a certain sum for a College, was not, as a matter of course, to receive a Vote of public money; but a degree of discrimination was to be observed in these cases. The policy of supporting institutions of learning in the kingdom of Scotland had certainly been followed in other instances. The University of Aberdeen was one example of that. A considerable sum had been appropriated to the re-construction of the buildings of Aberdeen University, and they were this year voting the final sum required to complete the amount originally proposed to be applied for its benefit. The case of Glasgow had been examined by the Government. It was the case of a poor University, with a very spirited community, who wished to place the institution on a basis suitable to the wants of the age, and who had subscribed in a very munificent manner. It was therefore thought that the State might be fairly asked to second the exertions made by the inhabitants of Glasgow for such an important public purpose.

MR. HARDCASTLE said, he did not admit that, because Aberdeen had obtained a Vote of public money, Glasgow ought to receive one also. The University of Glasgow was not, in the proper sense of the word, a University, but merely a College.

SIR JOHN GRAY said, that no Vote could be more properly granted by the House than a Vote to sustain the foundation of a great University. He was glad to see that the Scotch Members were united in supporting the Vote for the University foundation in Glasgow; and he trusted that when the First Lord of the Treasury proposed a University foundation for Ireland, in accordance with the feelings of the Irish people, the proposal would receive the unanimous support of the Scotch Members.

MR. JACOB BRIGHT remarked that Owen's College in Manchester, was deserving of the consideration of the Committee, and when money was granted for this College in Glasgow, he must remind them that the College in Manchester had an equal claim upon them.

MR. CRAUFURD said, that the proposal was in strict accordance with the principle upon which the Education Grant was distributed throughout the country—namely, in the encouragement of local subscriptions. In this case, munificent subscriptions had been raised in the city of Glasgow itself, and to reject the Vote would have very much the aspect of a breach of faith.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(14.) £3,200, to complete the sum for the Wellington Monument.

MR. LAYARD asked for explanations. He did not wish to say a word against Mr. Stephens, whom he believed to be a man of considerable talent; but it was plain, from the number of years that had passed, and from the amount voted in excess of the original Estimate, that there must have been considerable laxity when the contract was originally entered into. The original Estimate was £14,000; £22,800 had been voted, part of which, however, had not been spent.

LORD JOHN MANNERS said, he was happy to be able to return a satisfactory answer to the question. Mr. Stephens was making very rapid progress with the completion of the work, and hoped in a short time to commence the necessary preparations in St. Paul's.

Vote *agreed to.*

(15.) £1,000, to complete the sum for the Palmerston Monument.

MR. BENTINCK expressed a desire for information. What was to be the nature of the monument, and who was to be the sculptor? When they saw the lamentable memorials erected to the memory of such men as Mr. Cobden, Sir George Cornewall Lewis, Mr. Thackeray, and others, they could not help feeling uneasy as to the character of any proposed additions. Westminster Abbey was chokefull already; and the question really was, whether it would not be better to remove to a different site the memorials of all who were not actually buried within the Abbey precincts?

LORD JOHN MANNERS said, that the House, upon the occasion of the lamented death of Lord Palmerston, gave expression, in a practical manner, to its desire that some fitting memorial of that statesman should be erected. No portion of the money then voted had been expended; and, accordingly, it became necessary to re-vote the amount this year. The artist selected was Mr. Jackson.

MR. LAYARD asked the noble Lord, having regard to the number of failures which had taken place in our public statues, to give an undertaking that a cast should be erected in Westminster Abbey before the statue itself was executed.

Vote *agreed to.*

(16.) £133,259, to complete the sum for the Public Buildings, Ireland.

MR. ALDERMAN LUSK said he had last year called attention to an item of £500 for "catching rats, inspecting fire-engines, and sweeping chimneys." This year the rats had disappeared, and all these items were put down under the head of "Miscellaneous Expenditure." He objected to this method of keeping accounts, as deceptive, and unworthy of a great Government.

Mr. G. MORRIS, referring to the portion of the Vote applicable to Coastguard stations in Ireland, hoped that some improvement would be effected in these dwellings, the condition of which, in many instances upon the West coast of Ireland, was really disgraceful.

MR. SCLATER-BOOTH said that a larger portion of this Vote would be applied to the purpose referred to by the hon. Member.

MR. G. MORRIS said, what he complained of was, that no portion of it seemed to be intended for the Coastguard stations in the West of Ireland.

Vote *agreed to.*

(17.) £6,000, to complete the sum for the Queen's University, Ireland.

(18.) £4,300, to complete the sum for the Ulster Canal.

In reply to Colonel FRENCH,

MR. SCLATER-BOOTH said, the Ulster Canal had come into the possession of the Government in consequence of those interested in the Canal having failed to pay interest on the sums advanced to them by the Government. He regretted to say that the attempt to induce the Canal Company to complete the canal works had been so far unsuccessful.

SIR COLMAN O'LOGHLEN observed that the sum now asked for was only part of an amount which had been sanctioned by Act of Parliament.

Vote *agreed to.*

(19.) £7,500, to complete the sum for the Portland Harbour.

House *resumed.*

Resolutions to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

PIER AND HARBOUR ORDERS CONFIRMATION, &C., BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for confirming certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Brightlingsea, Clevedon, Morecambe, Mousehole, Instow, Saltburn by the Sea, and Southport; and to amend "The General Pier and Harbour Act, 1861."

Resolution *reported:* — Bill *ordered* to be brought in by Mr. STEPHEN CAVE and Mr. SCLATER-BOOTH.

House adjourned at half after Twelve o'clock, till Monday next.

* * *

HOUSE OF LORDS,

Monday, May 18, 1868.

MINUTES.] — SELECT COMMITTEE—On Police Systems (Scotland), *nominated.*

PUBLIC BILLS — *Second Reading* — Endowed Schools* (98); Customs and Income Tax* (100); Exchequer Bonds (£1,600,000).*

Report—Regulation of Railways (95-101).

EDUCATION BILL.—(No. 53.)

(*The Lord President.*)

BILL WITHDRAWN.

THE DUKE OF MARLBOROUGH seeing the noble Earl opposite (Earl Granville) in his place desired to answer a Question which he had put to him a few evenings since with respect to the course the Government intended to pursue in regard to the Education Bill, which stood for Committee on the 22nd inst. Several of their Lordships had placed Amendments on the Paper in regard to that Bill, some of which, if agreed to, must materially modify its character. The first Amendment had reference to the creation of a new Department of State; and the second proposed to leave out all the principal clauses of the measure. He had hoped that after the manner in which that Bill had passed the second reading it might have been agreed to with certain modifications not affecting its principle. The Bill related to several important matters, into which he need not now enter as they were fully discussed on a previous occasion. After that discussion he was aware that some modifications were necessary; but after they had been agreed to — as no doubt they would have been cheerfully—he had every confidence that the measure would have been accepted in regard to its main provisions. He was confirmed in that impression by the favourable reception the Bill had met with from the Archbishop of Canterbury, and the almost universal acceptance it had met with out-of-doors as a substantial and honest endeavour on the part of the Government to deal with one of the most difficult and intricate questions of the day. Had it been allowed to pass, he could not help thinking that they would have made some advance on a question of such vital importance to the nation as that of education, and that it would have been entitled to take its rank among the most useful Acts of the Sessions. Considering, however, the state of business in the other House of Parliament and the condition in which public affairs had been placed by the action of a right hon. Gentleman in that House, it was impossible that Government could entertain the slightest hope that a measure involving discussions of such a very intricate character had the slightest chance of passing in this Session. It was, therefore, the intention of Her Majesty's Government not to proceed any further with the measure in the present Session; and they had come to that decision with the more regret, because there was, he believed, another Bill in the House of Commons which might have been considered in conjunction with this, and which might have been found to contain some provisions of great usefulness. How far any of these were capable of being engrafted with success upon the measure of the Government it was impossible for him now to say; but obviously it would have been attended with advantage to the public if the two Bills could have been considered together. This, however, was hopeless in the existing state of things, and the Government were accordingly compelled reluctantly to withdraw the Bill. He begged, therefore, to move that the Order be discharged.

Earl GRANVILLE said, he thought the Government had taken the wisest course in withdrawing a Bill which they had no hope of carrying this Session, and he congratulated the Lord President on the personal relief which he must feel. The Lord President (the Duke of Marlborough) had admitted the justice of the suspicion expressed by the noble Earl (the Earl of Harrowby) and by himself that the Bill presented to the House was only a portion of that which was originally drafted for consideration, and was in fact only a portion of a much larger measure of education which must sooner or later be taken into consideration, and his sound judgment must make him feel the inadequacy of the portion embodied in this Bill to meet the requirements of those interested in the extension of education. It would, moreover, have been a difficult task to defend the majority of the details in the Committee. There were, however, some clauses to which no objection had been made, and against which no Amendments had been threatened, but which; on the contrary, had been generally approved by nearly all who had taken part in the two previous debates. Such were the proposals respecting "evening schools," "secular schools," and "building grants." But at the same time very strong objections had been made to embodying minute regulations such as these in a Bill, instead of embodying them from time to time in Minutes to be then submitted to Parliament for their sanction. But, whether these objections were right or wrong, it would be very hard, now the Government had withdrawn their Bill, that the promoters of schools should be deprived of the advantages which they would enjoy if, in accordance with the ordinary practice, these proposals had already been embodied in Minutes. He wished to know what course the Lord President meant to pursue on this point. There was also another question of greater importance. He was not going to inflict on the House the speech he might have made on moving his Amendment on the Conscience Clause; but he wished to point out the difficulty in which the Government were placed, and the only way in which he thought they could advantageously meet it. The principle of Conscience Clauses had been adopted by the Committee of Council ever since 1846; but it was the late Lord Salisbury and Mr. Adderley who first had the credit of practically applying it to a certain number of Church schools. They in certain cases refused to make Grants to schools unless the promoters agreed to insert in the trust deeds one of two Conscience Clauses. The same system was followed during the Governments of Lords Palmerston and Russell; and he believed, but was not sure, that no deviation had been made from it by either of the noble Dukes who since had presided over the Council. An important step, however, had been lately taken; the Bill which had been introduced by the Government contained a Conscience Clause, and the Bill was supported by the Archbishop of Canterbury chiefly because it contained that clause. Some of his (Earl Granville's) Friends had desired to divide against the Bill; but he ventured to disuade them from doing so on its second reading, partly because it was not inconsistent with a much larger measure, but chiefly because it established the principle of applying a Conscience Clause to some Church schools. His Friends yielded to that argument, and no one objected to the construction he had put on it. That Vote, in his opinion, was fatal to all the abstract objections to a Conscience Clause. He had looked over the famous Seventeen Reasons against a Conscience Clause that very morning, and he had found that Vote was absolutely fatal to them all. None of their Lordships could pretend now that there was a compact between the Executive and the Church which could not be broken, or that no clergyman could receive a Conscience Clause without detriment to his conscience, and that no Government or Parliament could impose such a burden on a clergyman. All that now remained was a question of degree and expediency, and not of principle. The Government had abandoned the Bill. What course did they now intend to pursue with respect to a Conscience Clause? The great difficulty he had felt in answering the objections of those hostile to a Conscience Clause was to explain why he had not procured Parliamentary sanction for it. When examined before the Committee of the House of Commons the following Question was put to him by the present Secretary of State for War (Sir John Pakington):—

> "May I take the liberty of asking why, as the head of the Department, you did not in the case of the Conscience Clause, as in the case of other important changes in the practice of the Office, place the question before Parliament?"

He (Earl Granville) answered—

> "I do not know whether I am wrong in what I have done, but I am quite ready to state to the Committee my reasons for acting as I have acted. I think that it is very important indeed, if possible, to arrange this Conscience Clause with the concurrence of the Church of England. It is very desirable, if possible, that the Privy Council, or whatever Department has charge of the education of the country, should be on good terms with the Church of England, and I hope that an advance has been made with the Conscience Clause in the minds of a very large portion, not only of Church of England men, but of the clergy of the Church of England. . . . But I think that if I were to propose to lay before the House of Commons a Conscience Clause now, exactly in the shape in which it is, with rather a difficult and wavering rule as to the number of Dissenters, the first question of the House of Commons would be—'Why are any number of Dissenters to be forced either to violate their religious feelings or to be excluded from the benefit of the education which is partly supported by the State ?' I believe that our Conscience Clause does not go far enough now to satisfy the House of Commons, and at present I am afraid that we should not have concurrence on the part of the Church of England so as to enable us to bring in a measure which would be perfectly satisfactory with respect to the Conscience Clause. On this question of religious differences I think it is absolutely incumbent upon members of the Government not to bring them needlessly forward so as to cause irritation, unless they can see their way very clearly to a settlement of them."

In another part of the evidence he (Earl Granville) expressed an opinion that a Conscience Clause should apply to building and annual grants. The right hon. Baronet, pursuing his examination, asked—

> "May we understand the substance of your Lordship's answers to be that you have abstained from submitting that important question to Parliament, partly from a feeling of conciliation towards the Church of England, and partly from the opinion (which is, I think, a sound opinion) that Parliament might say, 'If you adopt this clause you must carry it out to the full extent of the principle which it involves ?'"

To this he (Earl Granville) answered in the affirmative; but when he gave these reasons, the course of the Privy Council was known to everyone, and under that notoriety the House of Commons passed the Education Votes. These reasons now, however, no longer applied; the Government had negotiated with the Church, and had proved their opinion that it was time to approach Parliament; and they had condemned the present system by making a proposal more fettered with restrictions and with words in the clause of a new and doubtful construction. Admitting the necessity and wisdom of suspending the Bill, he hoped the Government would embody a Conscience Clause in a Minute of the Committee of Council. But, he asked, what Conscience Clause was to be so embodied? There were many in the field. The Government had indirectly disapproved those which had been adopted or suggested by the Committee of Council; there was a clause proposed in an Education Bill now before the House of Commons, but the wording of it was new; and as to their own clause, the Government must be convinced that, meagre in extent, vague in its meaning, and liable to all sorts of interpretations by succeeding political chiefs of the Department, it would not be tolerated for a moment in the House of Commons. Not one of the large Liberal majority was known to hold opinions on this subject different from those supported by him and confirmed by Sir John Pakington. Was it likely that the Secretaries of State for Foreign Affairs and of War, Mr. Adderley, and other eminent Conservative Members had changed theirs, at least, in a retrograde sense? His suggestion, therefore, was that the President of the Council should lay before Parliament a Minute embodying the Amendment of of which he (Earl Granville) had given Notice. It would have been presumptuous in him to press this course on the Government if the Amendment had been of a novel character. There was, however, nothing original about it. It only made building and annual grants conditional on the managers making rules for or adopting in practice the obligations of the claims of the Endowed Schools Act. That clause was approved by the right rev. Bench, passed by the Legislature, had been worked for eight years in the Charitable Commission and in the Court of Chancery, without a single case of litigation, and without a word of complaint from either Churchman or Nonconformist. The words "establish" in "practice" had already been introduced into several schemes of the Charity Commissioners and were intended in a conciliatory spirit to many clergymen who objected to the theory but not to the practice of a Conscience Clause. It was also in the spirit of the recommendation of the Middle-class School Commission. He was quite sure that if the Government desired to adopt a Conscience Clause it was impossible to unite so many reasons in favour of any other. The Government would incur a grave responsibility if they left this matter unsettled and declined to seek Parliamentary guidance for themselves. On the other hand, such a Minute, instead of adding to business in the House of Commons, would facilitate the passing of the Education Votes. If questioned it would give the Government the luxury of finding themselves in an enormous majority, and it would tend more than anything else to arrest the current which was beginning to flow against a denominational system — and consequently against the Church of England—in favour of a purely secular one.

Lord REDESDALE said, that, so far from the clause having been generally accepted, as the noble Earl had stated, the schools of the National Society and nearly all the Church schools in the country were exempted from its operation.

The Duke of MARLBOROUGH said, that the Endowed Schools Act, on which the noble Earl (Earl Granville) so much relied, did not, in point of fact, contain any Conscience Clause at all. It merely laid down the rule, and left the particular form of Conscience Clause to be afterwards adopted. A form had been prescribed by the Education Department; and the Government, after due consideration, had proposed another, which they thought would be an improvement, and which, after consultation with the heads of the Church, had been accepted by them, and by others who were unwilling to accept that now in use, and who were equally opposed to that supported by the noble Earl. As, however, it was not possible to obtain the assent of Parliament to it, there would be no deviation from the present practice, nor was it intended that there should be any deviation from the principles at present acted upon by the Education Department, without the direct sanction of the Legislature. As to the proposal of the noble Earl that the Government should lay on the table of either House a Minute embodying his views, he could only say that Her Majesty's Ministers had no such intention. He could only repeat the regret that Government felt that they had neither the opportunity nor the power of legislating during the present Session on the subject of education.

After a few words from the Earl of Airlie,

Order for the House to be put into Committee on *Friday* next, *discharged.*

Earl Granville

REGULATION OF RAILWAYS BILL.

(*The Duke of Richmond.*)

(No. 95.) REPORT.

Amendments *reported* (according to Order).

Amendments made.

Clause 14 (Fares to be posted in Stations).

Lord STANLEY of ALDERLEY moved an Amendment compelling railway companies to print on each ticket the fare for the journey for which it was issued.

The Duke of RICHMOND declined to assent to the Amendment, which he regarded as unnecessary. This very clause afforded the public sufficient protection, inasmuch as it provided that a list of fares should be exhibited at the various railway stations. For his own part he very much doubted whether passengers were often cheated in purchasing their tickets.

The Earl of CLANCARTY supported the Amendment. He thought, amongst other advantages, it would tend to facilitate the keeping their accounts.

The Marquess of SALISBURY trusted that their Lordships would support the Government in their resistance to an Amendment which could afford no additional protection to the public, while it would entail a large extra expenditure on the railway companies. As their Lordships could easily understand, the tickets were struck off in large numbers, and, as the fares were continually being altered, with each change the tickets not issued would have to be destroyed. On one occasion the Great Northern Railway Company, having made an extensive alteration in their tariff, had to destroy no less than 1,000,000 tickets, which had become useless from this cause. The constant tendency of railway fares in this country was to become lower and lower, and therefore it would be detrimental to the public interest were their Lordships to discourage railway companies from altering their fares. Upon what ground did their Lordships propose to fix this expensive regulation upon commercial undertakings of this description? Could the noble Lord who proposed the Amendment (Lord Stanley of Alderley) adduce any evidence to show that the interest of the public had suffered from the absence of such a provision, which, in his humble opinion, was introduced to remedy an evil purely imaginary? The noble Lord who had spoken last (the Earl of Clancarty) had said that a provision of this kind would assist the railway companies in the management of their accounts. He entreated the House to leave railway companies to take care of themselves. It was the function of their Lordships to protect the public; but when they had taken measures to effect that object, he hoped that they would trust the railway companies to know what was for their own interest better than outside spectators were likely to do. He could not help thinking that this proposal, and that which was to follow it, was an endeavour to administer to railway companies a large dose of red tape. Before they assented to such a course being taken, their Lordships ought to look at home. That House and the other House of Parliament had had the absolute control for centuries over a large number of offices, and he asked them whether this system of minute and excessive supervision had been so successful as to warrant their Lordships in supporting an attempt to extend it to the great commercial enterprizes of the country? The duty of their Lordships was clear. Let them impose broad, easy, and intelligible provisions for the protection of the public, and then let the railway companies take care of themselves.

Lord STANLEY of ALDERLEY thought that the noble Marquess had rather exaggerated the trouble and expense to which railway companies would be put by this provision, which would certainly be of service to the public—for what was there to prevent a dishonest station-master from taking larger fares than authorized? As to the practical objection of the noble Marquess, he would point out that the Great Northern Railway Company still printed the prices upon their tickets.

Lord COLVILLE said, that company had discontinued the practice for the last eighteen months.

Lord STANLEY of ALDERLEY said he was sorry to hear it. It had been said that the railway interest was particularly well represented in the other House of Parliament; but, as far as he could discover, that interest did not appear likely to suffer in that House. He should not, however, press his Amendment.

Amendment *negatived.*

Earl GREY proposed an Amendment, by inserting words to compel railway companies to publish a statement of their rates and charges for the conveyance of goods, minerals, &c., in the form of a pamphlet, which should be sold to the public for 6*d.* at the stations of each company. The noble Earl said it was a matter of notoriety that the law which required railway companies to treat their customers upon equal terms was constantly evaded. He saw no objection to railway companies making a reduction in their rates in favour of those who did a large business with them; but he thought that all persons standing upon an equal footing should have similar advantages. If, therefore, the companies thought proper to reduce their rates in favour of certain persons, they should be compelled to lay before the public the grounds upon which they made such reduction. He thought that the rates might be easily printed in form of a small pamphlet.

Page 6. After Clause 14, *moved* to insert the following Clause:—

Every Railway Company shall cause a printed Statement to be prepared of its Charges for the Conveyance of Goods; such Statement shall show the Charges per Mile for Goods of various Classes, and also the terminal Charges, and if Deductions from the usual Charges are made in certain Cases on account of the increased Distances Goods are conveyed, or in consideration of Contracts having been made by particular Persons for sending large Quantities of Goods, an Account shall be given of all such Deductions. Such Statement shall be prepared in a Form to be approved by the Board of Trade; and after the First Day of January One thousand eight hundred and sixty-nine Copies of this Statement shall be kept at every Station of the Company, and the Station Master shall be bound to deliver One to every Person applying for the same on receiving Sixpence in payment thereof.—(*The Earl Grey.*)

The Duke of RICHMOND said, he could not give his assent to the Amendment proposed by the noble Earl. The noble Earl talked about the rates being published in a small pamphlet to be sold for 6*d.* This would be about the size of the small pamphlet (holding up a folio volume). It was the list of fares kept at a small station in Wales. The list would have to be revised every week; so that the person who purchased it this week would next week be in the position of a man who purchased at Epsom the card of the previous day's races. As regarded the goods traffic, if the consignee were dissatisfied, it would be perfectly competent for him to obtain all the information he required. He did not believe that the public would be at all benefited by the adoption of the Amendment proposed by the noble Earl; and therefore he should adhere to the clause as it stood in the Bill.

Earl GREY had no hesitation in saying that such a statement as he required might be given by any railway company in four or five pages. There was a very general belief that certain charges on goods were made low between particular districts to conciliate private persons who had interest on particular Boards of Directors. If that statement was unfounded, it would be easy to contradict it; and no parties were so much interested in having the facts well ascertained than the railway companies themselves. There could be no real difficulty in affording all the information he desired.

Earl FORTESCUE said, he must confirm the statement of his noble Friend. Such statements had been made to him repeatedly; and when the Queen's highway had been practically superseded, when railway companies monopolized the traffic, and were tending to coalition instead of competition, the public were deeply interested in having at least such protection as publicity with regard to charges could give.

The Earl of CLANCARTY thought that, especially in Ireland, where traffic was undeveloped, and frequent changes in rates must be made, the re-printing of voluminous statements would be attended with great expense, and would be of no value whatever.

Lord COLVILLE desired to draw attention to a statement which had been drawn up by one of the most experienced managers of railways in the kingdom, Mr. Seymour Clarke, for the purpose of showing the enormous number of items which must be comprised in the book of rates required on the Great Western system. The number of rates between the various stations would be 500,000, and on the London and North-Western system, with 600 stations, they would be 10,000,000. Great expense would necessarily be incurred by the publication of such statements and their frequent alteration, and he did not see what advantage could be derived from it.

Lord BELPER said, that this proposition did not in any way interfere with the management of railways. Railway companies at present could, within certain limits, make what charges they liked for the carriage of goods, and it was of great importance that publicity should be given to their rates. The public depended on them for the carriage of goods, and all that was wanted was that the public should know what the charges were. Public opinion would then be brought to bear upon them. It was a subject of universal complaint that these charges were very irregular and unjust, favour been shown to particular parties. If such complaints were unfounded no parties would derive more benefit from their contradiction than railway directors themselves. If, on the other hand, the charges were true, the best mode of providing a remedy against such proceedings was by bringing public opinion to bear on them.

Lord STANLEY of ALDERLEY suggested to meet the objection on the ground of expense, that instead of adopting the clause proposed by the noble Earl exactly as it stood, it would perhaps be as well to require the Companies to publish in the first place a standard book of rates and charges, and subsequently to print only such alterations as might from time to time be made.

The Duke of RICHMOND said, that no confusion arose from the present practice, for persons who wished to send goods by a railway had only to go and ask the station-master what was the rate charged at the time. On the other hand, if a printed book of the rates of carriage were published the rates might be changed at the end of a week, and then the book would either be useless to or would mislead the persons who had bought it.

Earl GRANVILLE thought that the argument in favour of the greatest publicity possible being given to the rates of charge by railway companies very strong.

Lord REDESDALE was of opinion that the adoption of the clause would have a tendency to cause railway companies to raise the rates of charge instead of lowering them.

On Question? their Lordships *divided*:—Contents 29; Not-Contents 53: Majority 24.

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Falmouth, V.
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Sydney, V.
Belper, L.
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De Tabley, L.
Foley, L.
Leigh, L.
Lyveden, L.
Meredyth, L. (*L. Athlumney.*)

Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
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Delamere, L.
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Foxford, L. (*E. Limerick.*)
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Moore, L. (*M. Drogheda.*)
Penrhyn, L.
Redesdale, L.
Saltersford, L. (*E. Courtown.*)
Saltoun, L.
Silchester, L. (*E. Longford.*) [*Teller.*]
Tredegar, L.
Vernon, L.

Resolved in the *Negative.*

THE MARQUESS OF CLANRICARDE proposed to insert the following clause:—

"Where any Charge shall have been made by a Company in respect of the Conveyance of Goods over their Railway, on Application in Writing within One Week after Payment of the said Charge, made to the Secretary of the Company by the Person who shall have paid the same, the Company shall within Fourteen Days render an Account to the Person so demanding the same, distinguishing how much of the said Charge is for the Conveyance of the said Goods on the Railway, including therein Tolls for the Use of the Railway, for the Use of Carriages, and for locomotive Power; and how much of such Charge is for loading and unloading, covering, Collection, Delivery, and for other Expenses, but without particularizing the several Items of which the last-mentioned Portion of the Charge may consist."

The wording of the proposed clause was taken from an existing Act relating to the Lancashire and Yorkshire Railway.

THE DUKE OF RICHMOND said, he saw no objection to the proposed clause.

Clause *agreed to,* and added to the Bill.

Clause 15 (Communication between Passengers and Companies' Servants).

THE DUKE OF RICHMOND proposed the addition of words to the end of Clause 15, with the view of preventing the improper use of the apparatus for that purpose. A noble Earl (Earl De Grey and Ripon) the other day suggested that there should be a penalty attached to the clause, and he thought that would be the best plan. He therefore proposed to insert at the end of the clause words providing that any passenger who made use of such means of communication without reasonable and sufficient cause shall be liable for each offence to a penalty not exceeding £5.

Amendment *agreed to.*

THE EARL OF CLANCARTY moved in Clause 15 an Amendment to the effect that the Board of Trade should "prescribe," instead of approve of, the mode of communication between the passengers and the guards of a train.

THE DUKE OF RICHMOND said, the matter was discussed three days ago, and he had not heard any argument which led him to alter his opinion upon it. He thought the company should propose the particular plan of communication, and that it should be left to the Board of Trade to approve of it; because if the latter had to "prescribe," they would have to adopt some general scheme in which a company could make no alteration, and a perfect system might never be attained.

Amendment *negatived.*

Clause, as amended, *agreed to.*

THE DUKE OF RICHMOND proposed a new clause in reference to the non-consumption of smoke. By the Railway Clauses Consolidation Act, 1845, it was provided that where a locomotive emitted smoke, and was not constructed on the principle of consuming its own smoke, a penalty not exceeding £5 was to be imposed for every day such locomotive was used. In the case of the Manchester, Sheffield, and Lincolnshire Railway, the magistrates convicted the Company, because an engine of theirs emitted smoke; but the Court of Queen's Bench, upon appeal, decided that as the engine was constructed to consume its own smoke, the terms of the Act had been complied with, and quashed the conviction. He thought that it was desirable to alter the existing law as little as possible. He therefore should prefer leaving the law as it was, making it incumbent upon a railway company to have all their engines so constructed as to consume their own smoke; and he proposed that where an engine was so constructed, but failed to consume its own smoke through the default of the driver or person using it, every person guilty of such offence be liable to a penalty not exceeding 40*s*. In every case in which the engine had not been constructed to consume its own smoke proceedings might be taken against the company.

Earl GREY hoped the noble Duke would reconsider the decision arrived at. If the penalty were recoverable merely against the engineers and stokers, how were the persons complaining to discover the persons guilty of the offence? Cases had been brought under the notice of the noble Duke in which persons had been exposed to great inconvenience; and their houses rendered almost uninhabitable by the continuing nuisance of engines vomiting clouds of smoke. Few people liked to be put in the position of prosecutors; but one gentleman, who had taken up the question energetically, thereby made himself obnoxious to the engine-drivers, who inflicted upon him every petty annoyance they could, so that his house became almost uninhabitable. Railway companies had a remedy in their own hands, for they had the power of dismissing their own servants; whereas the only remedy which the public could have lay in making the company responsible. In London the penalties against engines which did not consume their own smoke had never been enforced, till the duty of enforcing them was placed in the hands of the police, and the odium thereby removed from private prosecutors. The clause of the noble Duke really did not strengthen the law as it now existed at all.

The Duke of CLEVELAND said, that the law was plain enough, but what was really wanted were facilities for carrying the law into execution. At present railway companies could afford to run the risk of an information being laid against them because they knew that, practically, persons would not take the trouble to do so.

Lord REDESDALE also thought it would be better to transfer the penalty from the driver to the railway company, who would then take care that their servants attended to the fires; and that the penalty might be advantageously increased from 40*s*. to £5. In other respects he approved the clause.

The Marquess of SALISBURY said, the reason for putting the penalty on the driver instead of the company, was that it was the driver's fault if the smoke was not prevented; and, moreover, directed against the driver himself would be more likely to frighten him than one directed against the company. Their Lordships, however, must not suppose that they could succeed in all cases in preventing this. While a train was in motion it was perfectly feasible to prevent smoke from being emitted; but by a higher law than the omnipotence of Parliament, locomotives stopping still, when the fire at the same time required to be replenished, could not be prevented from sending out a certain quantity of opaque smoke. The wording of the clause suggested by his noble Friend opposite (Earl Grey) was of Draconic stringency, for the penalty was to attach "every time that smoke was emitted," meaning, he supposed, every puff.

The LORD CHANCELLOR said, there was a defect in the Railway Clauses Act of 1845 which clearly was never contemplated at the time it passed. It provided that every locomotive should be constructed on the principle of consuming its own smoke; but it did not go on to say that it should consume its own smoke whenever practicable. It was very desirable that this defect should be remedied, and the clause proposed by the Government would do so. Inasmuch as there was a difficulty in ascertaining the name of the driver of an engine, it would be much better to make the railway company responsible to the public, leaving the company to arrange matters between themselves and their servants, which they no doubt could do satisfactorily. The noble and learned Lord then suggested a clause to the effect that where the engine failed to consume its own smoke through the default of a servant of the company, the company should be guilty of the offence under the clause in question in the Railway Clauses Act.

Clause, as amended *agreed to*, and *added* to the Bill.

The Duke of RICHMOND moved the insertion of the following clause after

Clause 21 to enable companies to issue preference shares in certain cases in lieu of dividends:—

> "Where, in pursuance of a Vote of a Majority of not less than Three Fourths of the Holders of Ordinary Shares or Stock of a Company entitled to vote and present personally or by proxy at a General Meeting of the Company, any Portion of the Amount declared by the Auditors of the Company to be applicable to the Payment of Dividends on the Ordinary Shares or Stock of the Company is applied to the Redemption of the Debentures of the Company or to authorized Works of Construction, the Company may then or at any Time afterwards, in pursuance of the Vote of a like Majority, issue in lieu or by way of Dividends to the Holders of such Ordinary Shares or Stock a corresponding Amount of any Preference Shares or Stock which the Company are for the Time being empowered to issue, either as fully or as partly paid up, and any Preference Shares or Stock so issued shall go and be held in the same Manner and according to the same Rights and on and subject to the same Trusts, Charges, and Liabilities as the Ordinary Shares or Stock in respect whereof such Issue is made."

The Earl of CLANCARTY opposed the clause, on the ground that it would be injurious to the existing preference shareholders.

Lord REDESDALE pointed out that the shares which were to be issued were only those the company were already authorized to issue; but his objection to the clause was that it would enable the company to apply all the dividends to the payment for work or release debentures: the ordinary shareholders might be paid in stock; but the preference shareholders need not be paid a sixpence.

The LORD CHANCELLOR said, he did not think the noble Lord's reading of the clause correct. Supposing a railway company had £50,000 applicable to dividend after every charge on the working account had been satisfied, that £50,000 would be applied to dividends on preference shares under the proposed clause; but if some part or the whole of that sum were applicable to pay dividends on ordinary shares, and the company had £50,000 worth of unissued preference shares, the company would be empowered by the clause to resolve to issue those shares, instead of paying the dividend; and the £50,000 could then be applied to the redemption of dividend or the execution of unfinished works.

Lord REDESDALE contended that his view of the case was the correct one. He felt convinced that the proposal as it stood was extremely unjust, and that it would probably lead to gross mismanagement, though it would not be open to so much objection if the payments were made in ordinary instead of in preference stock. Indeed, if Parliament could have foreseen the evils which had resulted from the issue of preference stock he very much doubted whether it would have given its sanction to a system which had led to the ruin of most railways by which it had been indulged in.

The Duke of RICHMOND said, that the difference of opinion with regard to the clause appeared to be so strong that he would withdraw it for the present, and bring it up again another evening in an amended form.

Clause *withdrawn.*

Amendments made.

Bill to be read 3ª on *Friday* next, and to be *printed,* as amended. (No. 101)

House adjourned at half-past Seven o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Monday, May 18, 1868.

MINUTES.]—New Writ Issued—*For* Worcester County (Eastern Division), *v.* Hon. Frederick Henry William Gough Calthorpe, *now* Baron Calthorpe.

Select Committee—*Report*—On Shannon River. (No. 277.)

Supply—*considered in Committee* — Civil Service Estimates—Class III.

Resolutions [May 15] *reported.*

Ways and Means — *Resolutions* [May 15] *reported.*

Public Bills — *Ordered* — Consolidated Fund (£17,000,000) * ; Railways (Ireland) Acts Amendment * ; Local Government Supplemental (No. 2)*; Local Government Supplemental (No. 3).*

First Reading—Local Government Supplemental (No. 2)* [120]; Local Government Supplemental (No. 3)* [121]; Unclaimed Prize Money (India)* [122]; (£17,000,000) Consolidated Fund*; Railways (Ireland) Acts Amendment* [123].

Committee—Representation of the People (Scotland) [29]—r.p.; Registration of Writs (Scotland)* [62]; Divorce and Matrimonial Causes Court* [50]; City of London Gas (*re-comm.*)* [115]—r.p.

Report—Registration of Writs (Scotland)* [62]; Divorce and Matrimonial Causes Court* [50-19].

Third Reading—Jurors' Affirmations (Scotland)* [110]; Stockbrokers (Ireland)* [104], and *passed.*

IRELAND—RELIGION OF CONVICTS.

QUESTION.

MR. P. A. TAYLOR said, he wished to ask the Chief Secretary for Ireland, Whether it is the fact that a prisoner in Mountjoy Prison, who declared himself a Unitarian, was ordered by the Governor to select his religion as Anglican, Roman Catholic, or Presbyterian, and that on his declining to do so he was sentenced to penal cell, with bread and water diet?

THE EARL OF MAYO: Sir, I presume the question of the hon. Gentleman refers to the case of a convict named John Brophy *alias* Pagan O'Leary, who was received in the Mountjoy Convict Prison on the 31st of July, 1865. With respect to this man the Governor applied for instructions under the following remarkable circumstances—and I may say it is the only case of the kind which has ever occurred—The convict stated he was of no religion, and had never attended a place of worship. According to a Return from another gaol in which he had been confined, it appeared he had not attended any place of worship since his committal, and refused to be instructed in any religion. Under these circumstances the Director in a minute to the Governor ordered the convict Brophy to select his religion immediately. The Governor sent for Brophy and told him what was required of him; but the latter objected to go to any place of worship, saying he did not believe in any religion, and would not select one. He was therefore put upon penal diet for three days, and on the 4th of August, two days after he had been put upon the penal diet, he was received into the hospital, where he remained for five days. After he left the hospital he was again placed on penal diet for three days, and then he selected the Roman Catholic religion. The prisoner was then sent to his task work. I may say that penal diet is not bread and water, though it is considerably lower than is given to the other prisoners. Since my attention has been called to this case, I have caused inquiries to be made as to what is the practice in other branches of the convict service, and I shall be able to state at some future period what rule—for I certainly think that some sort of rule is necessary—shall be made to govern such cases in future.

IMPORTATION OF FOREIGN CATTLE.

QUESTIONS.

SIR ROBERT COLLIER said, he wished to ask the Vice President of the Committee of Council on Education, Whether the restrictions on the importation of Cattle from Spain and Portugal to the Ports of Liverpool and Southampton having been removed, those restrictions will be continued against such importation to the Port of Plymouth?

LORD ROBERT MONTAGU replied, that the Order in Council passed on Saturday last had been so framed as to meet the case of the hon. and learned Member, and to include Plymouth in the privilege. He would explain the Order more fully in reply to the Question of which the hon. Member for Cashel had given Notice.

MR. O'BEIRNE said, he wished to ask, Whether there is any reason why the privileges now conceded to Cattle imported from Normandy, Britany, Spain, and Portugal should not also be conceded to Cattle imported into London from Ireland?

LORD ROBERT MONTAGU replied, that Irish cattle were in every respect on the same footing as English cattle. English cattle had no privileges which Irish cattle did not enjoy. As to French and Spanish cattle no privileges had been extended to them which were not possessed by English and Irish cattle.

MR. TREVELYAN said, he wished to ask, Whether the restrictions on the importation of Cattle from Spain and Portugal to the Ports of Liverpool and Southampton having been removed, these restrictions will be continued against such importation to the Port of North Shields?

LORD ROBERT MONTAGU said, the Order in Council of Saturday last had been so framed that it applied to the whole line of coast from the North Foreland to the South and West round to the Mull of Cantire, including Glasgow. The reason of this was that towns on this coast had in former years drawn their foreign supplies only from Normandy, Brittany, Spain, or Portugal. The towns, on the other hand, to the north of the North Foreland had in former years drawn their supplies from Holland and the Baltic provinces. The French and Spanish trades were not natural to them. Besides, as they had no cattle ships which plied exclusively to Spain, they could not fulfill the required conditions or enter into the bond which was stipulated. The Order, therefore, did not apply to North Shields.

INFECTIOUS DISEASES.

QUESTION.

Sir J. CLARKE JERVOISE said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to Page 55 of the twenty-ninth Annual Report of the Registrar General, in which it is stated that "Cholera matter (cholerine) has evidently been diffused all over the Kingdom;" what is the evidence of the existence of that "zymotic element;" and whether it has been accepted as a scientific truth?

Mr. GATHORNE HARDY said, in reply, that, in consequence of the Question of the hon. Baronet, he had looked into the Report of the Registrar General, and found that the passage referred to was there. He freely owned, however, that he was entirely uninformed on the subject, and was unable to say whether there was any evidence of the existence of the "zymotic element," or whether it was accepted as a scientific truth.

INDIA—EAST INDIA IRRIGATION AND CANAL COMPANY.—QUESTION.

Mr. SMOLLETT said, he would beg to ask the Secretary of State for India, Whether the offer to purchase the works of the East India Irrigation and Canal Company in Orissa, on account of Government, has been finally declined; if so, to inquire whether the proposals to carry out the Behar and Orissa schemes of irrigation by raising an additional capital of two millions sterling are now being made upon the sole responsibility of the speculators, and without any assurance of repayment at a future period from the Indian Treasury?

Sir STAFFORD NORTHCOTE replied that after the Secretary of State for India had made the offer to purchase the works at a certain price the shareholders held a meeting, and resolved to ask a higher price than had been named. The Government at once declined to make any advance on their previous offer, and since that time the Government had had no communication whatever with the Company. He saw in the newspapers that the Company were advertising for capital; but they were doing so entirely on their own account, without any communication from the Government on the subject.

INDIA—EDUCATIONAL SERVICE IN BOMBAY.—QUESTION.

Mr. GRANT DUFF said, he would beg to ask the Secretary of State for India, Whether any decision has been arrived at with reference to the proposal of Sir Alexander Grant for placing the higher appointments of the Educational Service in the Bombay Presidency on a new footing?

Sir STAFFORD NORTHCOTE said, in reply, that no decisions had yet been arrived at, as the recommendations from Bengal differed somewhat from those of Bombay, and they would be considered together. He might state, however, that, to a considerable extent, the proposals of Sir Alexander Grant would be agreed to. The social position of those engaged in the Educational Service would be improved, and there would be some increase in their salaries, but no decision had been arrived at in reference to pensions.

IRELAND—CUSTOMS DEPARTMENT, BOARD OF TRADE.—QUESTION.

Mr. G. MORRIS said, he wished to ask the Secretary to the Treasury, By whom the legal business in Ireland of the Customs and Merchant Shipping Department of the Board of Trade is conducted, since the removal from Ireland of the late Solicitor to the Board of Customs?

Mr. SCLATER-BOOTH said, that for some time past the business of the Department had been conducted by a clerk in correspondence with head quarters in London. The clerk was now about to be withdrawn, as the business had not increased. There would be no difficulty, however, in conducting the business in the Solicitor's office in London, but local attorneys would be employed in prosecutions.

ORDERS OF THE DAY.

Ordered, That the Orders of the Day be postponed till after the Notice of Motion relative to Boundaries of Boroughs.—(*Mr. Disraeli.*)

BOUNDARIES OF BOROUGHS.

MOTION FOR A SELECT COMMITTEE.

Motion made, and Question proposed,

"That a Select Committee be appointed to consider the Boundaries of the following Boroughs, as laid down by the Boundary Commissioners, and to report what, if any, alterations should be made therein :—

Birkenhead
Birmingham
Bolton le Moors
Bristol
Cheltenham
Chester
Derby
Gateshead
Gloucester
Greenwich
Hastings
Lambeth
Liverpool
Manchester
Marylebone
Newport (Isle of Wight)
Newport (Monmouthshire)

Northampton
Nottingham
Oldham
Portsmouth
Preston
Reading
Salisbury
South Shields
Tynemouth
Warwick
Wigan
Windsor

Chelsea and Kensington
Darlington
Middlesborough
Stalybridge,"—

—(*Mr. Secretary Gathorne Hardy.*)

Mr. NEWDEGATE was pointing out that the Committee, as nominated, did not include a single English county Member, and urging the propriety of selecting one from each side of the House, when—

Mr. SPEAKER said, that although he had put the Motion as a whole, yet its parts would afterwards be put separately. The hon. Member could not canvass the composition of the Committee until it had been agreed that a Committee should be appointed, and the names were put severally from the Chair.

Admiral DUNCOMBE said, it would be invidious to object to the names of Members when they were submitted, but he would propose that the Committee should consist of seven Members.

Mr. BRIGHT: I desire that we may understand the precise meaning of the words—

> "That a Select Committee be appointed to consider the Boundaries of the following Boroughs, as laid down by the Boundary Commissioners, and to report what, if any, alteration should be made therein."

I merely wish to understand that these words are not to fetter the Committee. Are they to consider the boundaries proposed by the Commissioners, and the old boundaries, and anything between the two; and will they be at liberty to recommend that any particular borough or boroughs may be postponed for future consideration? I wish to understand that the words are not to be held to deprive the Committee of free action as to what they think should be done in regard to any particular borough in this list.

Mr. GATHORNE HARDY replied that the Committee would have the latitude pointed out in the first part of the Question. The only point on which he was disposed to differ from the hon. Member was as to the Report not being final. He did not think it was meant that the consideration of the case of any borough should be postponed to a future period.

Mr. BRIGHT: I do not know what the right hon. Gentleman means by its being a final Report. Does the right hon. Gentleman mean that the House is to have no option afterwards but to adopt it? [Mr. Gathorne Hardy: No.] Of course if they shall recommend that any borough shall remain as it now is, that would be a postponement for an indefinite period, and the Committee would be at liberty to make that recommendation.

Mr. HIBBERT asked, whether the Committee would have power to give effect to the recommendations of the Commissioners in regard to those places the boundaries of which they would have contracted if they had not been prohibited from restricting any boundaries. They said that these places presented anomalies which could not be rectified in any other way. Salisbury was on the list, but Wilton was not, and as the former could not be enlarged without contracting the latter, there would be a difficulty in dealing with them. Again, Rochester and Chatham, and other places named by the Commissioners, were not in the list at all. Would it not be convenient if these cases were brought before the Committee?

Mr. LOCKE KING moved the omission of the words "as laid down by the Boundary Commissioners," with the view of giving the Committee greater power of action.

Sir JOHN SIMEON seconded the Amendment, in order to insure that the Committee should have power to contract the limits of certain boroughs.

Amendment proposed, to leave out the words "as laid down by the Boundary Commissioners."—(*Mr. Locke King.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. H. B. SHERIDAN suggested whether it should not be competent for the Committee to receive applications from boroughs which were not included in the list?

Mr. M. T. BASS said, he was surprised

to find a borough in which he was much interested included in the list. How it got there he was unable to understand, because, so far as he knew, every one in Derby was quite satisfied with what the Commissioners had done. He suspected it was an error, and that an obscure suburb of Liverpool, called West Derby, had been mistaken for the town of Derby.

Mr. GATHORNE HARDY said, that if the town of Derby was content the Committee would no doubt be glad to be released from the duty of considering its boundary. With respect to the places referred to by the hon. Member for Oldham (Mr. Hibbert) there were no petitions or memorials from them; but there was every facility for dealing with them in the House itself, according to the recommendations of the Commissioners, who had reported all the facts, and therefore there was no occasion to refer them to the Committee.

Sir GEORGE GREY said, the question was whether the Committee was to have the power to contract as well as to extend boundaries. He concluded the intention was, that they should have the power to contract the boundary of Wilton to the extent that they enlarged that of Salisbury. Would it not be better to include Wilton in the list?

Mr. GATHORNE HARDY said, that there were Motions and also petitions respecting those two places, and he had included Salisbury according to the principles which had been laid down. He was willing to include Wilton. It would be in the power of the Committee to recommend to the House the adoption of the boundaries recommended by the Commissioners, or to make better boundaries. With respect to Derby, it did not come under the rule laid down.

Mr. ROEBUCK said, the proposition before the House was that the Committee should start from something. Now, what they would start from was the recommendations of boundaries by the Commission. Then power would be given to the Committee to make such recommendations as to them might seem fit, which meant that they might contract, enlarge, or alter, The words could not be made clearer. though they might be made less clear.

Mr. GLADSTONE said, that as he had not got the Report before him, he wished to know whether the Commission in the case of Salisbury had laid down the boundaries, because the power of the Committee was confined to the consideration of boundaries as laid down by the Commission.

Mr. RUSSELL GURNEY said, he thought it would be absolutely necessary to include Wilton in the list. If Wilton were included it would be quite clear that the Committee would have the power of contraction as well as enlargement.

Mr. A. PEEL asked whether the Boundary Committee would be enabled to curtail the existing limits of boroughs (other than those newly created), even though there had been in the Commissioners' Report no recommendation to that effect? He thought they ought to have this power. If, for instance, Leamington was not ultimately added to Warwick, as recommended by the Commissioners, it might still be very desirable to consider whether the present borough of Warwick should continue to include within its area so large a proportion of purely agricultural acres.

Mr. GATHORNE HARDY said, there was no petition or memorial on the subject at all; and it was only those things which were really referred to the Committee that would be taken into consideration by them.

Mr. LOCKE KING said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. GATHORNE HARDY said, he thought that Derby should be omitted from the list.

Amendment made, by omitting the word "Derby." — (*Mr. Secretary Gathorne Hardy.*)

Another Amendment made, by inserting the word "Wilton" after the word "Wigan."—(*Mr. Secretary Gathorne Hardy.*)

Main Question, as amended, put, and *agreed to.*

Ordered, That a Select Committee be appointed to consider the Boundaries of the following Boroughs, as laid down by the Boundary Commissioners, and to report what, if any, alterations should be made therein:—

Birkenhead
Birmingham
Bolton le Moors
Bristol
Cheltenham
Chester
Gateshead
Gloucester
Greenwich
Hastings
Lambeth
Liverpool
Manchester
Marylebone
Newport (Isle of Wight)
Newport (Monmouthshire)
Northampton
Nottingham
Oldham
Portsmouth
Preston
Reading

Salisbury	Windsor
South Shields	——
Tynemouth	Chelsea and Kensington
Warwick	Darlington
Wigan	Middlesborough
Wilton	Stalybridge.

Motion made, and Question proposed,

"That all Petitions presented to the House relative to the said Boroughs be referred to the Committee, and that the Committee have power to receive and call for Maps, Memorials, Reports, Papers, and Records concerning the said Boroughs, and to confer with the Boundary Commissioners and those employed under them in their inquiries." — (*Mr. Secretary Gathorne Hardy.*)

MR. YORKE said, that no question of the contraction of boundaries ought to be entered into by the Committee; for if the Commissioners had obtained power to go into that question they would have had to inquire into the cases of a much larger number of boroughs than was proposed at present.

VISCOUNT AMBERLEY said, when the question was discussed before he was under the impression that it was intended to refer to the Committee only such petitions as had been presented to the House, and such memorials as had been laid before the Commissioners; but the proposal was now much wider, and therefore it would not be necessary to move the Amendment which he had put on the Paper. He wished, however, to ask what was intended to be included under the word "Papers?"

MR. GATHORNE HARDY said, he apprehended the noble Lord or any other hon. Member might send in a memorial if he thought proper, but it would be left to the discretion of the Committee to deal with the memorials as they might think best. If they thought a memorial improperly sent in they might object to enter into the case to which it related.

MR. A. F. EGERTON said, he had received representations from many parties who wished to lay statements before the Committee.

MR. BRIGHT said, that in the latter part of the Motion it was proposed that the Committee should be able to confer with the Boundary Commissioners, and those who had been employed under them. He thought the boroughs concerned and their representatives would be at a disadvantage if those gentlemen were to come before the Committee and defend the recommendations they had made. They all knew how stoutly gentlemen were apt to stand up in support of their own opinions, and Assistant Commissioners were no exception to the rule. He did not think, therefore, that it would be advisable to bring all the memorials and all the Assistant Commissioners before the Committee if no one else was allowed to be heard. Perhaps the House would think it desirable that the Committee should have power to confer with the Members for the boroughs affected, who might be able to give as good reasons for their views as the Commissioners and Assistant Commissioners.

MR. ROEBUCK said, he would suggest, in order to meet the views of the hon. Member for Birmingham (Mr. Bright), that these words should be added—"And to take further evidence if to them it shall seem fit."

MR. NEATE said, it would occasion great disappointment and failure if the public were not to have a *locus standi* for the purpose of bringing before the Committee the case of any borough they might think necessary, as the Committee were to proceed in the matter upon the principle of private Bill legislation.

MR. DISRAELI said, the Committee were not bound to confer with the Commissioners or the Assistant Commissioners, but it was a power which was reserved to them if they wished to exercise it. And with regard to conferring with Members of the House, Committees had always that power, and were very willing to exercise it. Therefore to insert the words suggested would not be necessary.

MR. SERJEANT GASELEE said, he objected to the Committee conferring with the Commissioners and the Assistant Commissioners. He did not attribute the mistakes and errors which had occurred to the Commissioners themselves, but to the Assistant Commissioners, and unless hon. Members had an opportunity of answering them they would labour under a great disadvantage. So far as regarded Portsmouth, the Commissioners had decided contrary to the evidence. He had another objection to the course which had been pursued, and contended that the Prime Minister had no right to refuse to place the evidence before the House, for it was the property of the House and not of the Government. He suggested that one Member for each borough should have the opportunity of attending before the Committee and offering such explanations as he might consider necessary.

MR. MONK said, he would move, in accordance with the suggestion of the hon.

and learned Member for Sheffield (Mr. Roebuck), to add after the word "inquiries," "and to call for further evidence if they shall think fit."

Amendment proposed, at the end of the Question, to add the words "and to call for further evidence if they shall think fit."—(*Mr. Monk.*)

Question proposed, "That those words be there added."

MR. GATHORNE HARDY said, that, in order to make the matter quite clear, he should propose to add at the end of the clause after "the Commissioners and those employed under them," the words "or with the Members for such boroughs."

MR. WENTWORTH BEAUMONT suggested that the Members for the counties should also be consulted.

SIR ROBERT COLLIER suggested the addition of the words "or with such other persons as they may think fit."

SIR LAWRENCE PALK said, he hoped his right hon. Friend would not persevere with the addition he had proposed. The Committee could at all times confer with Members of the House; but an invidious distinction was drawn between borough and county Members by leaving out the latter.

MR. GATHORNE HARDY said, he would amend his proposal, which would run thus—"and with the Members of the Counties and Boroughs affected."

Amendment, by leave, *withdrawn.*

Amendment made, by adding, at the end of the Question, the words "and with the Members of the Counties and Boroughs affected." — (*Mr. Secretary Gathorne Hardy.*)

MR. YORKE said, he wished to move the following proviso—

> "Provided that they shall not entertain any question of the contraction of boundaries."

Amendment proposed, at the end of the last Amendment, to add the words "provided that they shall not entertain any question for the contraction of Boundaries." —(*Mr. Yorke.*)

Question proposed, "That those words be there added."

MR. CANDLISH said, that the addition of the proposed proviso would defeat the object with which the Committee was to be appointed and nullify the inquiry.

MR. GATHORNE HARDY said, he objected to the proviso and he thought that the hon. Member for Tewkesbury (Mr. Yorke) had proposed it under some misapprehension. There was a peculiarity in the cases of Salisbury and Newport in the Isle of Wight. It was necessary that the Committee should have full power of enlarging or contracting in both these cases. The Committee would have no power of contracting existing boundaries but those simply laid down by the Commissioners.

Amendment, by leave, *withdrawn.*

Main Question, as amended, put, and *agreed to.*

Ordered, That all Petitions presented to the House relative to the said Boroughs be referred to the Committee, and that the Committee have power to receive and call for Maps, Memorials, Reports, Papers, and Records concerning the said Boroughs, and to confer with the Boundary Commissioners and those employed under them in their inquiries, and with the Members of the Counties and Boroughs affected.

Ordered, That the Committee do sit *de die in diem.*

Motion made, and Question proposed, "That the Committee do consist of Five Members."

MR. NEWDEGATE reminded the House that the majority of the English people lived in the counties, and it was hardly right that this Committee should be appointed without one single English county Member being upon it. He moved, therefore, that, in order to admit two county Members—one from each side of the House—that the number of the Committee be increased to seven. He would not presume to name them, but might suggest the hon. Member for East Surrey (Mr. Locke King) and the hon. Member for East Norfolk (Mr. Howes).

Amendment proposed, to leave out the word "Five," in order to insert the word "Seven,"—(*Mr. Newdegate,*) —instead thereof.

MR. ROEBUCK said, he hoped that the Government would oppose the Amendment. No doubt any Committee would do the work well; but what they wanted was to get through it rapidly, and he was sure that seven would make a much longer business of it than five.

MR. GATHORNE HARDY said, he preferred five Members; but the point was one entirely for the consideration of the House.

SIR LAWRENCE PALK said, the object of the House must be to get a Committee composed of Members in whom the House had the greatest confidence, and it was quite immaterial whether they represented boroughs or counties. It seemed to him that five was a reasonable number, and that the Committee, consisting as it would do of Members of as great experience and as great knowledge as had for a long time sat in that House, was a very fair one, and he hoped the House would support the Government in restricting the number to five.

Question, "That the word 'Five' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Committee *nominated*:—Mr. WALPOLE, Sir WILLIAM STIRLING-MAXWELL, Mr. WHITBREAD, Mr. AUSTIN BRUCE, Mr. KIRKMAN HODGSON.

REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL—[BILL 29.]

(*The Lord Advocate, Mr. Chancellor of the Exchequer, Sir James Fergusson.*)

COMMITTEE.

Order for Committee read.

MR. BAXTER, in rising to move "That it be an Instruction to the Committee instead of adding to the numbers of the that, House, they have power to disfranchise Boroughs in England having, by the Census Returns of 1861, less than 5,000 inhabitants," said, he should endeavour to state, as succinctly as he possibly could, his reasons for having taken this course. Her Majesty's Government proposed to provide for the necessary increase in the number of Members for Scotland by an addition to the number of Members of that House. His proposal, on the contrary, was that they should, instead of doing so, disfranchise the boroughs in England having at the last Census a population of less than 5,000. That proposition would not, he thought, require or justify an elaborate argument. He had to show, in the first place, that there were certain increasing constituencies in the northern part of this island requiring additional representation, which was not provided for in the Bill of last year. He had got to show that the proposal of the Government with reference to the increased representation of such places was not one that ought to be adopted, and he had also got to show that the scheme laid down in the Instruction he now moved was the best solution of the difficulty. He wished at the outset, however, to disclaim anything like a partizan or factious spirit in bringing forward this Motion. He, and he alone, was responsible for it. He informed his constituents last October of his intention to bring it forward, and though glad to find so strong a feeling on that side of the House in its favour, he would under any circumstances have proceeded with it. So far, indeed, from being actuated by party motives, he had to complain of the conduct of both parties in relation to the question, and he held both parties accountable for the present embarrassment. Government after Government—Liberal as well as Conservative—instead of treating this as a united Empire, had insisted on dealing with the three kingdoms in separate Bills, thus rendering it impossible to take a general survey of them for the purposes of re-distribution. When, in 1859, the present First Lord of the Treasury introduced a Reform Bill, he moved an Amendment condemnatory of that mode of procedure, though it was not thought desirable to press it to a division; and his hon. Friend (Mr. Bright), when some years ago he framed a scheme of re-distribution, proceeded on the principle of dealing with the United Kingdom as a whole. He had no desire to impede the passing of the present Bill, and he gave the Government credit for having adopted the course which they thought would be most satisfactory to the majority of the House. They were well aware of the existence both of Scylla and Charybdis in the course which lay before them; but in their desire to steer clear of the rock they had rushed into the greater dangers of the whirlpool. There might be a few Members who objected to a transfer of seats from one portion of the United Kingdom to another; but he believed a much larger body objected under any circumstances to adding to the numbers of the House. Both sides of the House and successive Governments had admitted the claim of Scotland to increased representation, and it would be a waste of time to quote any elaborate statistics in support of it. At the time of the passing of the Act of Union in 1707 and of the Reform Act in 1832, the proportion of Members allotted to Scotland was based on population and revenue. If that principle were insisted upon, Scotland would now require not ten as proposed in his Instruction, but twenty-five additional representatives. This might appear an extravagant assertion to those unacquainted with the advance Scotland had made, especially in wealth, during the last half-century, but Returns that had been laid on the table showed that whereas in 1710—three years after the date of the

Union—the proportion of the Imperial Revenue contributed by Scotland was only 2¼ per cent, it had risen in 1866 to 14½ per cent. In that period the revenue of England had increased 300 per cent, whilst the revenue of Scotland had increased 2,500 per cent; so that if they were to arrive at any conclusion with regard to the wealth of the two countries founded on these Returns, the progress made by Scotland during that period was eight times greater than the progress made by England. The fact was that there was no country in the Old World which had made such rapid material progress as Scotland, and for a parallel we must go to Australia or the United States of America. With these very few words he should dismiss that part of the subject. He would now offer a few words in regard to his plan. On the second reading of this Bill, an hon. Gentleman on the other side of the House said he considered it his duty to obtain, by hook or by crook, additional representation for Scotland. He (Mr. Baxter), however, felt that he had a higher duty, and that he was bound to protest against adding to the numbers of the House. The Empire ought not to be treated as a mere federation, and the claims of different parts to increased representation to be, in a manner, bought off in order to keep up an unequal system of distribution, and to prevent the disfranchisement of a few miserable pocket-boroughs. So far from the numbers of the House being augmented, they ought, in his opinion, to be largely diminished. This was no new doctrine. In 1830 the late Lord Brougham had a scheme—which, however, was not brought forward—for a Reform Bill, based like that of last year on household suffrage, and he (Mr. Baxter) had understood that it proposed to reduce the number from 658 to 500. In 1831 the Ministry of Earl Grey proposed that the numbers of the House should be diminished, and hon. Gentlemen would recollect that the proposal was only negatived by a majority of 8 on the celebrated Amendment moved by General Gascoigne. He believed Lord Russell regretted that, in 1832, he did not renew the proposition, since it might then have been carried. One of the greatest living writers had remarked, in a recent work, that the numbers of the House were far too great for real deliberation, and he would appeal to Members on both sides whether this was not correct. The only argument for keeping up the numbers was that Members had to serve on Election and Private Bill Committees. A measure, however, was in progress which would transfer the jurisdiction of Election Petitions, and it could hardly be doubted that before long an independent tribunal would be constituted for the consideration of Private Bills. With a Parliament elected under household suffrage, when Gentlemen would not only be present at great party divisions, but would attend to the business of the country, it would be impossible to carry on the Business of the House with so large a number as 658. In France the Legislative Assembly consisted of 376 Members; in Spain, 350; in Austria, 203; the Parliament of the North German Confederation consisted of 280; and the House of Representatives of the United States of 241 Members. If Parliament were to meet the claims of increased wealth and population by adding to the numbers of Members of that House, they would immediately diminish the interest felt in the system of Parliamentary representation, and moreover he did not see where they were to stop. If the number of Scotch Members were increased, London and the county palatine of Lancaster would put in their claims, until the number of Members of the House would be preposterous and would amount to a *reductio ad absurdum*. There were only two large towns on the other side of the Tweed which returned two Members — Glasgow and Edinburgh. The others, comprising many large and important constituencies, only returned one Member. Their claims to additional representation was undoubted; but there was no chance of giving them additional representatives by adding to the numbers of that House. This was not the first time that Parliament had been called upon to disturb the settlement of seats in the United Kingdom, though hon. Gentlemen talk as if this proposition was something very extraordinary, unusual, and bold. In 1832 eight seats were taken from England and given to Scotland; and he did not believe that Englishmen in 1868 were more narrow-minded and prejudiced than in 1832; and he could say that if the population and wealth of Scotland had decreased during the last half century instead of increasing immensely, he would have been the first to propose a reduction in the number of Scotch Members. He should not be surprised if our descendants should have—perhaps within the next half century —in re distributing the Parliamentary-seats, to take Members from Scotland and give them to England, and, perhaps, to Ireland. He now asked the House to do what ought to have been done last year, in order to render the measure of the Government more complete. There happened to be ten places which he could scarcely dignify by the name of boroughs, but which were in fact small decayed villages, each of which returned one Member. The population of these places was in each case less than 5,000. The population of the ten boroughs was in the aggregate 39,704, the average being less than 4,000. The total number of electors in the ten boroughs was 2,874. Eight of these ten had greatly decreased in population during the last five years, and they were all situated in counties which were over-represented, and the Boundary Commission in their Report to the House say that it is almost impossible that under any circumstances they should ever increase in population. He would ask hon. Members whether it was not certain that if the present House of Commons refrained from disfranchising these boroughs it would be the first act of the new Parliament to disfranchise them in order to prevent the scandal of places that were merely hamlets returning representatives to Parliament. The hon. Baronet the Member for South Northamptonshire (Sir Rainald Knightley) proposed to amend the Instruction by taking a second Member from English boroughs having populations of between 10,000 to 12,000. He should approve such a proposition standing by itself, but, under the circumstances, he preferred his own scheme. Every one of these boroughs had, however, increased in population since 1831, the increase having been 32,000, equal to the total population of the ten boroughs which he (Mr. Baxter) proposed to disfranchise. If, moreover, they adopted the proposal of the hon. Baronet they would get into a difficulty with the Boundary Commissioners, because they proposed to extend the boundaries of those boroughs. He had only heard two objections to his scheme. The first was that it was totally contrary to the principle laid down by the right hon. Gentleman at the head of the Government—namely, that no place should be totally disfranchised. But the allegation was incorrect, because, whatever might have been said last year, the Government this Session proposed to disfranchise six boroughs in Ireland, and he thought they had done perfectly right. These questions, however, of re-distribution and registration were not matters of principle at all but of detail. The second objection was that a similar proposal, when made by the hon. and learned Member for Portsmouth (Mr. Serjeant Gaselee) last Session, had been rejected by the House. That proposal, however, was at that time a mere theoretical scheme of re-distribution, and it was not proposed to allot these seats in any particular way. The same objection might, in fact, be urged against the Amendment of the hon. Baronet, because the House had rejected a Motion of the hon. Member for Bedford (Mr. Whitbread) which hit four of these boroughs. He would only repeat that he had brought forward this Instruction on his own responsibility and on constitutional principles. He thought he had made out a good case, and he appealed with confidence to the right hon. Gentleman at the head of the Government and to the wisdom and justice of the House to affirm his Resolution.

Mr. WHITBREAD, in seconding the Resolution, said, that of all the propositions which the present Government had made in regard to the Reform question not one had been more condemned both in and out of the House than that of adding to the number of Members of the House of Commons. The only excuse he had heard for that proposal was that it was a mere temporary measure, that some boroughs would be sure to be disfranchised for corruption by-and-by, and that Parliament need not enfranchise any other place until they reverted to the original number. But, did anyone suppose that when one borough was disfranchised for corrupt practices there would not be plenty of large growing towns coming forward as claimants for the vacant representation? Where was the increase to end? The Government had fixed upon the number of seven additional representatives for Scotland, but they said also that they were ready to add eight or ten or even any larger number. One thing was certain, that an addition of seven to the representatives to Scotland by increasing the number of the House would not be accepted as a settlement of this question. In point of wealth and numbers Scotland was entitled to twenty-five additional Members. It was one thing to take seven Members from England and give them to Scotland, and another to increase the number of Members of that House by seven. The concession in the latter case to Scotland was only one half as great as in the former. He believed that England was prepared in this matter to deal generously with Scotland, not to give her something which cost herself nothing. The claim of ten additional Members for Scotland was very moderate, and the House would, he thought, be prepared to adopt it. The proposal of the Government might be brought to a fair standard by asking whether it would have been made if England and Scotland had been dealt with in the same Bill! He ventured to think it would not. Were hon. Gentlemen anxious it should appear to the public that the House was not prepared to make any sacrifice, or encounter an obstacle, however small, unless under the influence of a pressure from without? If once any such impression got abroad they would soon have pressure enough. The only reason he could find for the preservation of such Parliamentary boroughs was a desire on the part of hon. Gentlemen opposite to keep alive the principle enunciated last year by their Leader that no borough should be totally disfranchised. He should have thought it was hardly worth while preserving that little principle after so many large ones had been unreservedly given up. He had put himself to some trouble to understand the principle as laid down by the right hon. Gentleman, but he was unable fully to comprehend it. They had been told that in these days "when communities so rapidly rise and vanish" it is impossible to proceed with too much circumspection; but he had been unable to discover what and where were the communities which had thus vanished, and he might observe that this argument was not made applicable to Ireland in the Reform Bill now before the House for that country. Again, had there been an indication of growing importance in the case of the ten boroughs the subject of his hon. Friend's proposal? The fact was that in the period between the Census of 1831 and that of 1861 there had been a decrease in six and an increase in four of them. In 1861 the total number of their aggregate population was 40,000. The four boroughs which had increased had so brought up the total population of the whole ten that there was a fractional increase of ½ per cent, or one in 200. The Boundary Commissioners could add nothing to them; but the case was very different with the boroughs with a population of between 10,000 and 12,000. Between 1831 and 1861 these boroughs had increased by about 30 per cent, so that their increase was sixty times more than that in the other ten boroughs. The Boundary Commissioners proposed an extension in the case of three of those boroughs of between 10,000 and 12,000. [An hon. MEMBER: In four.] Well, in three, at all events; and in the case of one of them—Warwick—the addition would be greater than the whole number of voters in six of the other boroughs which it was now proposed to disfranchise. He believed that though the question of Parliamentary re-distribution might not be finally settled by the disfranchisement of these ten little boroughs, yet, if they were disfranchised Parliament would be in no great hurry to take up the question of re-distribution again. In our time and for many years to come the House would have great and pressing questions to deal with, without being called on to consider that of the re-distribution of Parliamentary power. Already several Sessions had been wasted in discussions on this question, and it would be well to do something now which would settle it for a reasonably long period. These small boroughs had no friends outside the House. He might be asked what security they had, if they disfranchised boroughs below 5,000, that the next Parliament would feel bound by that line? He must say that he had more faith in the moderation of his fellow-countrymen, and in the forbearance of one class of them towards another, than he had in the principle of no total disfranchisement, which seemed to find such favour with hon. Gentlemen on the other side.

Motion made, and Question proposed,

"That it be an Instruction to the Committee that, instead of adding to the numbers of the House, they have power to disfranchise Boroughs in England having, by the Census returns of 1861, less than 5,000 inhabitants."—(*Mr. Baxter.*)

SIR RAINALD KNIGHTLEY, in rising to move an Amendment to the Instruction of the hon. Member for Montrose (Mr, Baxter), said, he concurred in many of the arguments that had been used for taking away representatives from some of the small boroughs. So far back as ten years ago, when the Earl of Derby brought in his Reform Bill, and on other occasions since, he had stated his opinion that the re-distribution schemes embodied in Reform Bills did not go far enough, and that the question of the distribution of Parliamentary power could not be settled satisfactorily without disfranchisement to some extent. He remembered, however, that on one occasion when he endeavoured to make the House take that view, the most eloquent defender of the small boroughs was the right hon. Member for South Lancashire (Mr. Gladstone)—

> "Stiff in opinions, always in the wrong,
> Everything by starts, and nothing long."

As a Conservative anxious to put a stop to further agitation, he (Sir Rainald Knightley) was prepared to vote in the direction he had indicated. The object at which he had always aimed was to obtain more Members for the counties, which were most inadequately represented. Take the case of Tiverton, the population of which was just over 10,000, and which possessed twice as much representation as the whole county of Lanarkshire with 631,000. He was not a Revolutionist, and did not want to portion out the country into electoral districts; but, so long as these anomalies existed, he was convinced there would be cause for agitation. He now wanted the House to decide between two different schemes. The question was, whether it was advisable to totally disfranchise those ten small boroughs, for no fault of their own, while two Members were to be left to such little places as Tiverton, or such nasty corrupt little boroughs as Barnstaple and Bridgewater? He had spoken as if some concession ought to be made to Scotland; but he did not think that they ought so to apply the principle which he advocated as to give to Scotland all the seats that might become vacant. The question arose, whether some of these seats ought not to be given to England or to Ireland? The Government of Earl Russell, as well as the present Government, was prepared to give additional Members to Scotland; but the opinion of the House of Commons had never been directly tested upon this point. At present, however, all the House had to do was to determine whether it would accept or reject the proposal of the Government as regards the increase of the number of Members of the House. For his own part, he objected to it; and his objection was not merely confined to the great inconvenience which hon. Gentlemen would suffer in the small, dark, narrow, dreary, and detestable barn in which they sat. In his opinion they were already far too large a body to carry on the business of the country in a satisfactory manner. But it was said that the addition of twelve Members or so could not much matter. In his judgment, however, it would matter a great deal if an irrevocable step were taken in a wrong direction. As was said in the French proverb having reference to a lady whose virtue was supposed to be wavering—"*Ce n'est que le premier pas qui coute.*" If the House adopted the principle of giving away without receiving back, and of increasing the number of Members whenever fresh claims were put forward, he did not know when it would be possible to stop. Scotland candidly avowed that she only accepted this concession as an instalment, and a claim for forty additional Members had been set up for Ireland. He confessed that a cold shiver came over him when he reflected on the number of Members which ought on the principle to be given to the metropolis. And if it were asserted that the case of the metropolis was exceptional, and should be treated differently from the rest of the Empire, why should not the representation of Lancashire and Yorkshire be enormously increased? These were important matters, and might involve a change in the whole character of the House of Commons. Hitherto a seat in Parliament had been regarded as a distinction and eagerly sought for by persons of high rank and great wealth; but would that be so in the event of the number of Members being largely increased? Recent legislation had already done much to deter persons from seeking a seat in that House, for it must be admitted that canvassing the "residuum" was not a very agreeable occupation. Having mentioned the word "residuum," he would venture to ask the hon. Member for Birmingham (Mr. Bright) what it really meant? Of course, its original meaning was "that which is left;" but did the hon. Member mean that the "residuum" formed the dregs or the scum of the population? He was thinking that the new electors in the borough of Birmingham might be very anxious to know what the hon. Gentleman really meant when he used that word. They would thoroughly appreciate the name either of "scum" or "dregs." Only imagine what would have been said if his right hon. Friend the Member for Calne (Mr. Lowe) had made use of such expressions. He was remarking, however, that canvassing the "residuum," either by pandering to their passions or by purchasing their votes, could not in any case be a very agreeable occupation; and things at once common and unclean were not usually sought after. He had made these few remarks in no unfriendly spirit to the right hon. Gentleman at the head of the Government. He did not in the least blame the right hon. Gentleman for bringing forward his proposal, as he well knew the difficulties he had to contend with. It would have been fatal to the success of his Bill last year if he had offended the representatives of the small English boroughs, for they were his best friends; and, on the other hand, he had no alternative but to take into consideration the claims put forward for the increased representation of Scotland. He thought, however, that it was the right hon. Gentleman's poverty, and not his will, which consented when he undertook to compound the deleterious Scotch draught, and he believed the right hon. Gentleman would be delighted in his inmost heart if the House should refuse to swallow it.

SIR WILLIAM STIRLING-MAXWELL, in seconding the Amendment, said, the Scottish representatives believed their country had a fair claim to have its representation considerably augmented. That claim rested on the grounds of population, property, and taxation, and, as it had been generally admitted by the House, he would not now press it. But if in these three points the Scotch had, on the whole, outstripped both England and Ireland, yet there were portions of England which, in some respects, had outstripped Scotland. When, therefore, his hon. Friend the Member for Montrose (Mr. Baxter) gave Notice of his Instruction he feared the proposal to take away some of the English seats would rather endanger than improve the chance of obtaining for Scotland increased representation. He was glad, therefore, that an alteration had been proposed by his hon. Friend the Member for South Northamptonshire (Sir Rainald Knightley), whose Amendment, he hoped the House would be prepared to accept. With regard to the original proposal of the Government to add to the numbers of the House, he could not go as far as his hon. Friends the Members for Northamptonshire and Montrose. The idea of the latter seemed to be that 658 men are too large a body to form a deliberative Assembly. It was difficult to define a deliberative Assembly exactly; but it appeared to him that if 658 persons formed too large a body, the same thing might be said of 600, or 500, or 300, or, perhaps, even 100. Indeed, in the earlier part of the evening, it had been urged upon the House that there was a considerable deliberative difference between five and seven. In point of fact, a great public Assembly like that House was not and could not be, in certain senses of the word, a deliberative Assembly at all. It was a place where, on great occasions, the leaders of public opinion made speeches, addressed as much to the public as to their actual audience, and where the national will on great questions is declared by means of a vote. The real deliberations of the House were carried on by means of large Committees, produced by a process of natural selection. Sometimes there was an Indian House of Commons, sometimes a military House of Commons, sometimes a legal House of Commons, and occasionally a little Scotch House of Commons. Now, for the selection of these Committees, it was far better to have 658 Members than a smaller number. Although the proposal of the right hon. Gentleman the First Lord of the Treasury did not last year meet with much favour, still he, for one, felt grateful to the right hon. Gentleman for having made it. He thought the right hon. Gentleman had done good service by putting the claim of Scotland distinctly before the House, and by suggesting, in a tentative manner, the various ways in which it was possible to satisfy that claim. He (Sir William Stirling-Maxwell) had no objection to the increase proposed, because there was really only one argument used against it which appeared to him to have any weight, and that was the danger of undue or inconvenient pressure of similar claims in the future. It was said that if the number of Scotch Members was increased by this Parliament, by an addition to the House, the new Parliament would be asked to increase in like manner the representatives of other flourishing districts. But his experience of Parliament was that "No," was the answer made to almost every private claim when it first came to that House; and that a claim must indeed be strong, substantial, and its advocates zealous and indefatigable before "No" was turned into "Yes." He could trust the next or any future Parliament to say "No" to any such claim which did not rest on any sure grounds of justice. As to the two proposals made to the House, one by the hon. Member for Montrose (Mr. Baxter), and one by his hon. Friend the Member for Northamptonshire (Sir Rainald Knightley), there certainly was no very great difference between them—and to the Scotch Members of course it was a matter of no great importance which of the two alterations was adopted. But without wearying the House by going into lengthy argument, he would venture to say that there was much force in the historical argument which the right hon. Gentleman at the head of the Government last year used against the disfranchisement of any single borough. Many of the places which were represented by two Members in this House were really inferior in importance to some which had only one representative. To deprive any place of the privilege which it had long enjoyed of returning Members to this House, and which it had not abused, might be fairly considered a hardship. But he saw nothing unjust or harsh in reducing certain small towns in England to the Parliamentary condition which was at present enjoyed or suffered by other towns of greater population and importance both in England and Scotland. He begged to second the Amendment of his hon. Friend, which he hoped would be supported by all the hon. Members for Scotland.

Amendment proposed,

To leave out from the word "power" to the end of the Question, in order to add the words "to take one seat from Boroughs in England returning two Members, and having, by the Census returns of 1861, less than 12,000 inhabitants,"—(*Sir Rainald Knightley,*)

—instead thereof.

Mr. CHILDERS said, the question before the House was one of a simple character, and that might be dealt with without any delay; but as his constituents were interested in the matter, perhaps he might be allowed to say a few words upon it. There was now no question that the number of Members of the House was not to be increased, and one of the two propositions before the House must be adopted. In respect of principle, there was nothing to decide; because, though the Head of the Government last year, in his speech at Edinburgh, said that no place ought to be disfranchised, the right hon. Gentleman had distinctly abandoned that principle in the Irish Reform Bill. In addition to the reasons given by the hon. Member for Montrose (Mr. Baxter), he would state some reasons why the Motion of the hon. Member should be supported in preference to that of the hon. Baronet (Sir Rainald Knightley). For instance, a very large proportion of the boroughs with less than 5,000 inhabitants, were boroughs with a very large area indeed of land, as compared with their population. It appeared from the Returns of the Boundary Commissioners, that some of these places had two acres of land to one inhabitant, and in one instance there were nearly three acres of land to one inhabitant, so that they could hardly be called boroughs at all. Thus in Ashburton there were 3,062 persons to 6,966 acres, and in Northallerton 4,755 inhabitants to 10,380 acres. There was no such case among the boroughs of between 10,000 and 12,000 inhabitants. Again, it was proposed to diminish the number of Members for England, in order to make up the number for Scotland to something more in proportion to its population and wealth; but upon that basis it was desirable to see that the Members were taken from those places which were over-represented, and not from those places which were under-represented. Now, all the boroughs with less than 5,000 inhabitants were in counties which were already considerably over-represented, and which would be still over-represented when the Members were taken away from these small boroughs. The boroughs of Ashburton, Dartmouth, and Honiton were in Devonshire, which under the Act of 1867 would return one Member for every 29,000 inhabitants, and would still, after the three Members had been taken away, return one for every 34,000, while the proportion for the whole of England would be one representative for 41,000 persons. Lyme Regis was in Dorsetshire, which returned by the Act of 1867 one Member for every 17,000 inhabitants, and would still return, after one Member had been taken away, one for every 19,000, or more than double the number to which it is entitled in proportion to the representation all over the country. Thetford was in Norfolk, which, excluding Great Yarmouth from both sides of the calculation, would, by the new Reform Act, return one Member for 36,000 inhabitants, and would still return one for 40,000. Wells was in Somersetshire, which returned one Member for every 30,000 inhabitants, and would still return one for every 33,000. Arundel was in Sussex, which now returned one representative for every 23,000 inhabitants, and would still return one for every 25,000. Marlborough was in Wiltshire, which returned one Member for every 16,000, and would still return one for every 18,000. Evesham was in Worcestershire, which returned one Member for every 28,000, and would still return one for every 31,000. The North Riding, in which Northallerton was situated, returned one Member for every 25,000, and would still return one for every 29,000. What was the case on the other side It was proposed to take one Member from Tamworth, in the county of Stafford, which county, under the Act of 1867, would have one Member for 44,000, and would, if one were taken away, only return one for every 47,000. Warwickshire only returned one Member for every 50,000 inhabitants, and if they took one of the representatives from Warwick, the county would then only return one for every 55,000. The East Riding of Yorkshire returned under the new Act one Member for every 39,000 or 40,000 inhabitants, and if they took away a Member from Beverley, the proportion would then be reduced to one in every 47,000. The West Riding returned only one representative for 68,000 inhabitants, and if a Member were taken from Pontefract, the proportion would be reduced to one for every 71,000. There were other arguments in favour of the Motion of the hon. Member for Montrose ; but if these figures did not make out a sufficient case, he did not know by what arguments the House could be convinced.

MR. BAILLIE COCHRANE said, he thought there was something ungenerous in the present discussion. Hon. Members had risen on each side of the House to say who should and who should not be sacrificed. He deeply regretted that the moderate proposal of the First Minister of the Crown had not been acceded to. There need then have been no question of sacrifice. He did not understand last year that the right hon. Member for South Lancashire objected to increasing the number of Members of the House; indeed, he thought the right hon. Gentleman accepted the proposal with the second reading of the English Reform Bill. ["No, no!"] He did not see on what principle the objection was made. There was no ground for supposing that the adoption of such a measure would lead to similar demands year after year, and the question of this very moderate addition was introduced at a time when they were proposing to build a new House, which would accommodate something like 144 more Members. A great principle laid down in the Bill of last year would be entirely set aside if the Motion of the hon. Member for Montrose (Mr. Baxter) were accepted. If the House were to accept one of the two proposals now before them that of the hon. Baronet (Sir Rainald Knightley) seemed much the more reasonable. He felt a double interest on this matter, as a representative of one of the small boroughs, and as a Scotchman; and he considered that if ten more Members were given to Scotland, it was but fair Lanarkshire should have three, for, independently of Glasgow, it contained 200,000 people. Moreover it was divided into three districts having separate interests. Seven new Members were not an adequate number for Scotland. If it was impossible to add to the total number of Members, he trusted the Motion of the hon. Baronet would be carried.

LORD EDWARD HOWARD said, that he believed it was the custom in England when a criminal was about to be sentenced, that he should be asked whether he had anything to say why sentence should not be passed upon him—and as, perhaps, the only criminality of which he was guilty, was being the representative of what an hon. Member called a "miserable pocket-borough," which had sent Members to Parliament for 800 years, he trusted that he might be permitted to say a few words for it. In those 800 years no doubt civilization had made great progress ; but it had been said that history repeats itself, and it had done so in the present case. About 800 years ago there were in the North two nations called the Picts and the Scots, and history said that the Scots after vanquishing the Picts, gave trouble to their neighbours on the southern side of the Tweed. They harried the lands, they invested the towns, they did all the damage they could to the Southrons; and he was sorry to say things were no better now—they were even worse ; because, not satisfied with ravaging a narrow district on the one side of the Tweed, they had come down to the southern coast of this country, circumvented the small towns, and wished to kidnap the Members of these unfortunate towns and take them back to the wild North to use for their own purposes. Now, was such a step absolutely called for ? The Prime Minister, in a remarkable speech upon a remarkable occasion at Edinburgh, said he saw no reason why there should be any disfranchisement of the small boroughs; and he could not think that a person of such mature judgment would have passed such an opinion as that unless there had been a good deal in it. He wished to ask with every respect and consideration for hon. Gentlemen who represented places north of the Tweed, whether, if it were well to take away Members from the small boroughs in England, were there not towns of greater importance in

England than in Scotland to which those Members might be given? In that case it would be only fair to give them to English boroughs; but even then you originated a most inconvenient course of proceeding, for if the House were to re-open the Reform measure of last year upon this question where would legislation stop? Were they to have a Reform Bill every year? There was another inconvenience; for while applications came for additional representation from English and Welsh towns, there was actually on the Paper a Motion by a Member of the Emerald Isle to the effect that Ireland was inadequately represented, and required any Members which England might have to spare. The measure of last year had been called a "leap in the dark." Were they prepared to go further in the same direction? If you disfranchised these small boroughs you went a long way towards establishing electoral districts. Was the country prepared for that? He was not for taking away Members from any boroughs, believing that by the existing system you represented a greater diffusion of interests than would otherwise be possible. At the same time he preferred the Motion of the hon. Baronet (Sir Rainald Knightley) to that of the hon. Member (Mr. Baxter), and should support the former. His votes and those of his predecessors in the representation of Arundel had always been given on the Liberal side, and he was not now going so to stultify those votes as to die, if he must die, without appealing to the House to pause and consider whether the day was yet come for his execution.

Mr. DISRAELI: Sir, I am glad to see that there is one point upon which the House seems now to be agreed—namely, that the representation of Scotland should be increased. At other times and in other Sessions I have heard controversies upon this subject; but on both sides it is now agreed that an increased representation of Scotland is desirable. Well, then, the whole question that now arises is how that increase is to be effected. There are some who are against entirely abolishing the representation of boroughs. They think it is wise that the representation should be distributed generally over the country; they think that if you merely represent numbers and property, located in places particularly flourishing, you may occasion a great monotony of representation, and that the varied interests which exist in an ancient country like this will not be adequately represented. To avoid the evils of dealing recklessly and ruthlessly with the ancient distributed representation of the country, Her Majesty's Government last year proposed that we should give this increased representation to Scotland by increasing the numbers of this House. That proposition, avoiding many of the objections urged against the other plan, and combined, as it was, with very extensive changes in the then existing representation, appeared one which might have been recommended successfully to the adoption of the House. I confess that I have never yet heard any argument against the proposal. Prejudices may exist, prejudices may be expressed, but hitherto no observations have been made which can for a moment be considered as sound arguments. The numbers of this House have been often increased, and the House after each increase has been more effective as a representative and legislative body. It has been considerably increased—far beyond what we proposed—twice in this very century, and on both occasions the House has increased in legitimate influence and legislative effect. I cannot, therefore, understand, so far as experience can guide us, that there are any sound objections on this ground to an increase of our Members. Then there is another class of observations —for I cannot call them arguments— made by Gentlemen who say that the House is too large at present. But is the House too large at present? I am not of that opinion. It is very easy to say that 600 or 700 men form too large a number for a deliberative Assembly; but what do you mean by a deliberative Assembly? This House is, as all assemblies which have legislative powers must be, deliberative in its character; but it has qualities and functions which go beyond that. It is essentially a representative Assembly; in a country with such a variety of interests, and interests so large to represent, it must and ought to be a popular Assembly; and it can never be a popular Assembly if it is to be limited in its numbers, and to ape the character of a Senate, instead of being what I trust it always will be—a House of Commons. It is said that when the ordinary business of the country is to be transacted Members do not appear, and that it is only on occasions of great interest that the Members are really assembled. Well, that is very natural, and is in perfect consonance with the feelings of the country. The ordinary business of the House is performed to the satisfaction of the country, and entirely to the satisfaction of the House generally, by assemblies less numerous than that I have now the honour of addressing. But when great occasions arise touching deeply-cherished principles or affecting great material interests, there is naturally a larger number of Members here, and then they fulfil the functions which the country demands of them, and which are essentially representative, so that the people know that the House of Commons comes to no decision on any important subject without all the interests and even all the passions of the country being represented. Therefore, I, for one, do not consider the numbers of this House any objection to its constitution, but, on the contrary, one of its recommendations. And when there is, as I think decidedly, a fair claim to increased representation on the part of Scotland, and when that claim was urged at a time that we were dealing very extensively with the whole subject of Parliamentary representation, it was, I think, a prudent suggestion that the numbers of this House should be slightly increased; and our doing so need not be regarded as a precedent which will lead to the unheard-of difficulties and dangers which are now announced. Those difficulties and dangers would, I believe, be entirely prevented by the good sense and courage of the House, following the example of our predecessors and the precedent furnished even in the century in which we live, when much more important additions were made to this Assembly, by means of which both its efficiency as a legislative body, and its moral weight in the country, were greatly increased. With these views I regret to perceive what I cannot shut my eyes against, that the House is opposed to the increase of its numbers. I do not regard this as a party question, because I am well aware that a great number of Gentlemen who honour me with their confidence are of that opinion. Well, then, what are we to do? Considering that we have now arrived at a very dispassionate and practical point, and that we must endeavour with as much promptitude as is consistent with good workmanship to bring this question of the reform of the representation of the people to a conclusion, what is the best course under the circumstances to pursue? We have two propositions before us—one, that of the hon. Member for Montrose (Mr. Baxter), the other, that of my hon. Friend the Member for Northamptonshire (Sir Rainald Knightley). Well, at the first blush, I admit there does not appear much, perhaps any, difference of principle in the two propositions. I confess that I agree with the noble Lord (Lord Edward Howard) who has just addressed us in so genial a manner, that I trust, whatever may be our decision, he at least will represent some place in this House. I agree with the noble Lord that it is unwise by totally abolishing some of our borough constituencies that you should disturb the mode in which the representation of the country is distributed, and take a course which may lead you to favour unduly certain parts of the kingdom instead of obtaining that general equality of representation of which I am desirous. Holding these views, I confess that I am more favourable to the proposition of my hon. Friend the Member for Northamptonshire. I cannot help bearing in mind that in a very full House, and after debate, we have twice decided against the proposition which is now made by the hon. Member for Montrose. We are told that this is a deliberative Assembly. What is the use of the House deliberating and coming to resolutions, repeating those deliberations and coming to the same conclusions again, if these decisions are not to govern the Minister whose business it is to bring these matters to a consummation? Well, the principle of the proposition of my hon. Friend the Member for South Northamptonshire has been more than once approved by the House. The principle, or the rule rather—for I cannot call it a principle—which he wishes to follow was originally proposed to a certain extent by the Government. It was so entirely approved of that it was made the basis of an extensive change. And therefore we find ourselves in this position, that on two occasions the House has decided against the plan of the hon. Member for Montrose, and supported the policy recommended by my hon. Friend. Sir, whatever the decision the House comes to, I trust we shall be able to bring it to a practical result as soon as possible. That is of great importance, and, as far as Her Majesty's Government are concerned, they will give their best endeavours to bring the Scotch Reform Bill with promptitude to a satisfactory conclusion. But at the same time I trust the House will remember what they are doing. Neither the proposition of the hon. Member for Montrose, nor the plan of my hon.

Friend the Member for Northamptonshire, secures any particular number of Members for Scotland. It may be open to the House afterwards to consider what proportion of seats Scotland is to obtain. It would be more satisfactory, however, if we had clearer views before us of what is to be done. I think we shall arrive at a better conclusion if we follow the plan indicated by the hon. Member for Northamptonshire. With these general views, and trusting there will be no great delay, I shall give my support to the proposition of the hon. Baronet.

MR. GLADSTONE: Sir, the right hon. Gentleman has very frankly placed this question upon a footing upon which at any rate it is easy for us all to approach it; but that only enhances our obligation to endeavour to give a decision according to the merits of the case. The right hon Gentleman began by observing very justly that we were all now agreed that in some way or other the claim of Scotland must be satisfied. I must, however, congratulate the right hon. Gentleman upon the progress that he has made in this respect; because last year he in this House treated the claim of Scotland as a claim only to be recognized provided the House was willing to increase its own numbers; and upon a memorable occasion in the North he repeated the same declaration. But the force of facts, and the evident justice of the claim of Scotland, have placed this matter beyond dispute in the mind of the right hon. Gentleman. And he has also made another great advance, because, although the right hon. Gentleman not unnaturally made an ingenious argument in favour of increasing the numbers of the House, he ended very fairly by admitting that the opinion of the House was adverse to him, and therefore he would consider that question also as settled. That is another step achieved. The claim of Scotland is to be satisfied, and it is to be satisfied otherwise than by an addition to the aggregate numbers of this House. I do not say one word upon the subject of the aggregate numbers —although I certainly differ very strongly from the right hon. Gentleman—simply because that is not a question that is practically before the House. The right hon. Gentleman expressed in mild terms, involving nothing unfair or inequitable, his preference for the Motion made by the hon. Member for Northamptonshire (Sir Rainald Knightley) rather than that of my hon. Friend the Member for Montrose (Mr. Baxter). Let us consider the grounds of that preference. He says—"Twice the House of Commons last year decided not to disfranchise any place." I think he is in error in that assertion. Once, undoubtedly, the House came to that decision; but the question was not ruled by the House that it would not disfranchise under any circumstances whatever; it was ruled upon the ground that, under the circumstances in which we then stood, we did not think it necessary. I was one of those who did; but the majority did not think it necessary to give that large extension which was proposed to the scheme of re-distribution upon which we had entered. That really was the ground upon which the House then decided, and not the ground of the sacredness of these insignificant boroughs. There is not only no double authority, there is not even a single authority, in favour of any such principle as that wherever representation exists there it is to be maintained. While I was listening to the excellent speech of my noble Friend the Member for Arundel (Lord Edward Howard), I felt the advantage which we derived from having in the House men such as he; but I felt also that the constituency which he has at his back does not add one atom to the weight of the opinions he gives in this House. The truth is, that the towns to which the Motion of my hon. Friend the Member for Montrose (Mr. Baxter) refers are not real towns. Now, whether we have a borough or a county constituency, it is time that we should have a real constituency. It is desirable that every man who speaks in this House—as my noble Friend does, with so much good sense and so much good feeling—should be backed and seconded by the consciousness that he represents some appreciable part of the public opinion of the country. I think the right hon. Gentleman did not hear or did not pay attention to—he certainly did not advert to—the short but very pregnant speech of my hon. Friend the Member for Pontefract (Mr. Childers). That speech was appreciated by the House, and made an impression upon it. It was not delivered in support of this interest or that, but was founded upon the principle that equable division—some approach to equable division—is a thing desirable in your representation; and then when you are making a change you ought to make it in the direction of equable division. Abstract equality, exact mathematical equality, we do not ask; but my hon. Friend (Mr. Childers) showed

—and no one has attempted to shake his argument—that in every case the boroughs from which my hon. Friend the Member for Montrose proposes to take a Member are situated in counties that are over-represented; while in nearly every case the boroughs from which the hon. Baronet proposes to withdraw Members are situated in counties that are under-represented. The boroughs affected by the Motion of the hon. Member for Montrose are generally decaying boroughs. The fortunate circumstance that a large school, admirably well conducted, has been planted in the town of Marlborough has enabled that borough to make a very respectable show; but that has not been the result of the natural growth of the town; and there is not one of these ten small boroughs in which you can say that the principle of life and increase which runs through the town communities of England is at work. On the other hand, the towns with between 10,000 and 12,000 inhabitants are under the influence of that principle. I do not mean to say that if the time had come for a general re-consideration of our representative system the second seat might not very properly be withdrawn from these towns; but if we have a call made upon us, as we now have, to satisfy an immediate necessity, we ought to seek the means of meeting that difficulty in the quarter in which we can obtain them with the greatest equity and justice, and the greatest advantage to the country. The statement is all in favour of the proposal of the hon. Member for Montrose; and if we are to vote upon the principle that no centre of representation actually existing is to be extinguished, I am convinced that if the right hon. Gentleman will form this assertion into an abstract Resolution he will carry with him only a very small minority of the House. Without, therefore, entering into details which would only weary the House, it is, in my opinion, sufficient to say that the proposal of the right hon. Baronet the Member for Northamptonshire tends to a general derangement of the balance of our representation in England, by taking strength from points where it is too weak already, while the Motion of my hon. Friend the Member for Montrose, both as respects England and the kingdom at large, tends to that fair and equable division of representative power which gives strength and security to a system of popular representation.

MR. H. BAILLIE said, he was glad that the Government did not intend to press the proposal to increase the number of Members, which, as they must have felt, was distasteful to the House, especially as there was no necessity for it. It was not a universal opinion that Scotland was entitled to additional representation; for, taking population and wealth as the basis of the franchise, it was maintained by some that the representation of Scotland was three-fold that of the metropolitan districts. He would assume, however, that the claim of Scotland was well founded. Now the union of three Legislatures had led to the largest deliberative Assembly in the world, so inconveniently large that, in any great debate, not half the Members who wished to speak were able to do so. Of this he had had repeated experience, for had he persevered in addressing the House other Members would have had the same right, and the debates would have been so prolonged as to impede Public Business. This consideration was a reason against increasing the present complement; and a more important reason was that were the door once opened it could never be closed. If any Members were jealous of a disturbance of the balance of power between England and Scotland, he would remind them that Scotland was an integral portion of the United Kingdom, and that the transference of the representation of small English boroughs to Scotland was no more open to objection than their transference to Yorkshire or Lancashire. Having listened attentively to the arguments on both sides, he thought the preponderance of reason was strongly in favour of the Motion of the hon. Member for Montrose (Mr. Baxter).

MR. AYTOUN made a few remarks, which, however, were rendered quite inaudible by cries of "Divide!"

MR. YORKE next rose, but being met with the same manifestations of impatience,

MR. DARBY GRIFFITH rose to Order. He wished to ask whether, when an important debate like this was going on, hon. Members were to be allowed to assemble at the Bar and show their opposition by preventing a Member from being heard?

MR. YORKE proceeded with his speech, stating that, having to choose between two propositions, he had come to the conclusion that it was his duty to vote with the hon. Member for Montrose (Mr. Baxter), on the ground that the Reform Act of last year had deprived the small boroughs of their peculiar value, and those boroughs ought no longer therefore to have an undue share in the representation.

Mr. M'LAREN said, he believed the proposition of the hon. Baronet the Member for South Northamptonshire would on the whole work best. The very small boroughs would certainly be disfranchised on a much more extensive scale at no distant date.

Sir HENRY EDWARDS, who rose amidst loud calls for a division, regretted that, although he had risen on no less than six occasions at an earlier stage of the debate, and at a time when the House was less impatient, he had not been fortunate enough to catch the Speaker's eye. He promised, however, to be very brief if permitted to address the House. He had the honour to represent one of the oldest boroughs in the kingdom, which had returned Members to Parliament almost from time immemorial; and he should consider himself guilty of a gross dereliction of duty to his constituency if he gave a silent vote on this all-important occasion. He altogether objected to any infringement of the English Act of last Session. It had been settled by the Legislature, and generally approved by the country; and it was most unfair and impolitic to attempt by any political jugglery, and by a side-wind, to re-open a question which, by general consent so often expressed in debate last year, was to continue undisturbed on our statute books for at least a quarter of a century. Was it then fair that it should be broken in upon merely to serve the purpose of carrying out the views of the right hon. Gentleman the Member for South Lancashire? who, not satisfied with having opposed the Reform Bill most strenuously, and even factiously, at every stage of its progress last year, was now endeavouring, by the aid of his party, to make it imperative upon the Government to abandon their measures of Parliamentary Reform altogether, in order that he (Mr. Gladstone) might drive the Prime Minister from Office and pluck the laurels from the brow of one who, for his political services on the question of Reform alone—independent of other considerations—is so justly entitled to the everlasting gratitude of his fellow-countrymen. As the borough he represented was placed by his hon. Friend the Member for Northamptonshire on the condemned list to lose one representative, he must say the case is one of peculiar hardship on several grounds. For historical antiquity it was one of the most ancient boroughs in the kingdom, returning two Members to Parliament from time immemorial. It had increased very materially within the present century, and especially since the Census of 1861; a large number of houses had been built, and the town did not depend for its prosperity on visitors, or any very extensive manufactories. It was the great agricultural centre and emporium of the corn trade in the East Riding. As the House well knew, Hull and Beverley were the only two boroughs in that division of Yorkshire which returned an aggregate of six Members for a population of 240,359—being at the rate of one representative for each 40,000 persons, as stated by the hon. Member for Pontefract. It was a very hard case that an endeavour should now be made partially to disfranchise a borough so distinguished as the county town—the capital of the East Riding of Yorkshire. It was his intention to vote against the Amendment of his hon. Friend the Member for Northamptonshire, as well as the Instruction of the hon. Member for Montrose. He (Sir Henry Edwards) voted last year in the majority against a similar proposal by the hon. Member for Portsmouth, which was then defeated by a majority of 52 in a very large House; and he had no intention now of stultifying the vote he gave on that occasion by adopting a different course. He had presented a petition that day, very numerously signed by his constituents, against the partial disfranchisement contemplated by the Member for Northamptonshire, which he heartily endorsed.

The LORD ADVOCATE said, he had only risen to point out that there was a great distinction between the two proposals. If they adopted the Motion of the hon. Member for Montrose (Mr. Baxter), the effect would be that they would disfranchise a great number of persons in boroughs which they pledged themselves to maintain last year. The borough of Thetford, for example, was deprived of one of its Members, but it received an assurance that its 800 electors would continue to return one representative. The Motion of the hon. Member for Montrose would disfranchise 700 of these electors, while on the other hand the Amendment of the hon. Baronet would not disfranchise any portion of the electors, but only diminish the weight of the voters in returning Members to that House.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 217; Noes 196: Majority 21.

AYES.

Acland, T. D.
Adam, W. P.
Agnew, Sir A.
Akroyd, E.
Allen, W. S.
Amberley, Viscount
Anstruther, Sir R.
Armstrong, R.
Aytoun, R. S.
Bagwell, J.
Baillie, rt. hon. H. J.
Barclay, A. C.
Barry, A. H. S.
Bass, A.
Bass, M. T.
Bazley, T.
Beaumont, W. B.
Blake, J. A.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Brand, rt. hon. H.
Bright, J. (Birmingham)
Bright, J. (Manchester)
Briscoe, J. I.
Brooks, R.
Browne, Lord J. T.
Bruce, rt. hon. H. A.
Buller, Sir A. W.
Buller, Sir E. M.
Burke, Viscount
Buxton, C.
Buxton, Sir T. F.
Calcraft, J. H. M.
Candlish, J.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Carter, S.
Cave, T.
Cavendish, Lord E.
Cecil, Lord E. H. B. G.
Chambers, M.
Chambers, T.
Cheetham, J.
Childers, H. C. E.
Clinton, Lord E. P.
Clive, G.
Colebrooke, Sir T. E.
Coleridge, J. D.
Collier, Sir R. P.
Cowen, J.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Cremorne, Lord
Davey, R.
Davie, Sir H. R. F.
De La Poer, E.
Denman, hon. G.
Dent, J. D.
Dering, Sir E. C.
Devereux, R. J.
Dillwyn, L. L.
Dixon, G.
Dodson, J. G.
Duff, M. E. G.
Duff, R. W.
Duncombe, hon. Adml.
Dundas, F.
Dunlop, A. C. S. M.
Earle, R. A.
Edwards, H.
Ellice, E.
Erskine, Vice. Ad. J. E.
Ewing, H. E. Crum-
Fawcett, H.
Fildes, J.
FitzGerald, rt. hn. Lord O. A.
FitzPatrick, rt. hn. J. W.
Foley, H. W.
Foljambe, F. J. S.
Fordyce, W. D.
Forster, C.
Forster, W. E.
Fortescue, rt. hn. C. S.
Fortescue, hon. D. F.
French, rt. hon. Colonel
Gaselee, Serjeant S.
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Glyn, G. G.
Goldsmid, Sir F. H.
Goschen, rt. hon. G. J.
Gower, hon. F. L.
Graham, W.
Gray, Sir J.
Grey, rt. hon. Sir G.
Hadfield, G.
Harris, J. D.
Hartington, Marq. of
Hay, Lord J.
Headlam, rt. hon. T. E.
Heneage, E.
Henley, Lord
Hibbert, J. T.
Hodgkinson, G.
Holden, I.
Horsman, rt. hon. E.
Howard, hon. C. W. G.
Hutt, rt. hon. Sir W.
Ingham, R.
Jervoise, Sir J. C.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E
Labouchere, H.
Lawson, rt. hon. J. A.
Layard, A. H.
Leatham, E. A.
Leatham, W. H.
Leeman, G.
Lefevre, G. J. S.
Locke, J.
Lorne, Marquess of
Lowe, rt. hon. R.
Lusk, A.
MacEvoy, E.
Maguire, J. F.
Mainwaring, T.
Marshall, W.
Martin, P. W.
Matheson, A.
Maxwell, W. H.
Melly, G.
Merry, J.
Mill, J. S.
Mills, J. R.
Mitchell, T. A.
Moffatt, G.
Moncreiff, rt. hon. J.
Moore, C.
More, R. J.
Morrison, W.
Neate, C.
Newdegate, C. N.
Nicholson, W.
Nicol, J. D.
Norwood, C. M.
O'Brien, Sir P.
Ogilvy, Sir J.
O'Loghlen, Sir C. M.
Osborne, R. B.
Packe, Colonel
Padmore, R.
Paget, T. T.
Palmer, Sir R.
Parry, T.
Pease, J. W.
Peel, A. W.
Peel, J.
Peel, rt. hon. Sir R.
Pelham, Lord
Philips, R. N.
Platt, J.
Pollard-Urquhart, W.
Potter, E.
Potter, T. B.
Proby, Lord
Ramsay, J.
Rebow, J. G.
Repton, G. W. J.
Robartes, T. J. A.
Robertson, D.
Rothschild, Baron L. de
Rothschild, N. M. de
Russell, Sir W.
Salomons, Mr. Ald.
Samuda, J. D'A.
Samuelson, B.
Sandford, G. M. W.
Scott, Sir W.
Seymour, A.
Sherriff, A. C.
Simeon, Sir J.
Smith, J.
Smith, J. B.
Speirs, A. A.
Stone, W. H.
Stucley, Sir G. S.
Sullivan, E.
Sykes, C.
Sykes, Colonel W. H.
Talbot, C. R. M.
Taylor, P. A.
Thompson, M. W.
Thorold, Sir J. H.
Torrens, W. T. M'C.
Trevelyan, G. O.
Turnor, E.
Vanderbyl, P.
Verney, Sir H.
Vernon, H. F.
Villiers, rt. hon. C. P.
Vivian, H. H.
Waldegrave-Leslie, hon. G.
Walrond, J. W.
Waterhouse, S.
Weguelin, T. M.
Western, Sir T. B.
Whatman, J.
White, J.
Williamson, Sir H.
Woods, H.
Yorke, J. R.
Young, G.

TELLERS.

Baxter, W. E.
Whitbread, S.

NOES.

Adderley, rt. hon. C. B.
Annesley, hon. Col. H.
Anson, hon. Major
Antrobus, E.
Archdall, Captain M.
Arkwright, R.
Bailey, Sir J. R.
Baring, T.
Barnett, H.
Barrington, Viscount
Barttelot, Colonel
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Bective, Earl of
Benyon, R.
Booth, Sir R. G.
Bourne, Colonel
Bowen, J. B.
Bowyer, Sir G.
Brett, Sir W. B.
Bruce, Lord C.
Bruce, Lord E.
Bruce, Major C.
Bruen, H.
Butler-Johnstone, H. A.
Capper, C.
Cartwright, Colonel
Cave, rt. hon. S.
Cavendish, Lord G.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cole, hon. J. L.
Cooper, E. H.
Corry, rt. hon. H. L.
Cox, W. T.
Cubitt, G.
Dalglish, R.
Dalkeith, Earl of
Davenport, W. B.
Dawson, R. P.
Dick, F.
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
Du Cane, C.
Duncombe, hon. Colonel

Dunne, rt. hon. General
Du Pre, C. G.
Dyke, W. H.
Dyott, Colonel R.
Eckersley, N.
Edwards, Sir H.
Egerton, E. C.
Egerton, Sir P. G.
Elcho, Lord
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Finch, G. H.
Fitzwilliam, hn. C.W.W.
Forester, rt. hon. Gen.
Freshfield, C. K.
Garth, R.
Goddard, A. L.
Goldney, G.
Goldsmid, J.
Gordon, rt. hon. E. S.
Gore, W. R. O.
Gorst, J. E.
Grant, A.
Graves, S. R.
Greene, E.
Grey, hon. T. de
Griffith, C. D.
Grove, T. F.
Gurney, rt. hon. R.
Gwyn, H.
Hamilton, Lord C.
Hardy, rt. hon. G.
Hardy, J.
Hartley, J.
Hartopp, E. B.
Harvey, R. B.
Harvey, R. J. H.
Hay, Sir J. C. D.
Hayter, A. D.
Henniker-Major, hon. J. M.
Herbert, rt. hn. Gen. P.
Hervey, Lord A. H. C.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Hildyard, T. B. T.
Hogg, Lt.-Colonel J. M.
Holford, R. S.
Holmesdale, Viscount
Hood, Sir A. A.
Hope, A. J. B. B.
Hornby, W. H.
Hotham, Lord
Howard, Lord E.
Howes, E.
Huddleston, J. W.
Hunt, rt. hon. G. W.
Ingestre, Viscount
Jackson, W.
Jardine, R.
Karslake, E. K.
Karslake, Sir J. B.
Kavanagh, A.
Kekewich, S. T.
Kelk, J.
Kendall, N.
Kennard, R. W.
King, J. G.
King, J. K.
Knight, F. W.
Knox, hon Colonel S.
Laing, S.
Lamont, J.
Langton, W. G.
Lascelles, hn. E. W.
Lechmere, Sir E. A. H.
Lennox, Lord H. G.
Liddell, hon. H. G.
Lindsay, hon. Col. C.
Long, R. P.
Lopes, Sir M.
Lowther, W.
M‘Lagan, P.
M‘Laren, D.
Malcolm, J. W.
Manners, Lord G. J.
Manners, rt. hn. Lord J.
Matheson, Sir J.
Mayo, Earl of
Meller, Colonel
Miller, W.
Mitford, W. T.
Montagu, rt. hn. Lord R.
Montgomery, Sir G.
Morgan, O.
Morris, G.
Mowbray, rt. hn. J. R.
Neville-Grenville, R.
Noel, hon. G. J.
North, Colonel
Northcote, rt. hn. Sir S. H.
Paget, R. H.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Parker, Major W.
Patten, rt. hon. Col. W.
Paull, H.
Pemberton, E. L.
Pim, J.
Powell, F. S.
Pritchard, J.
Pugh, D.
Read, C. S.
Rearden, D. J.
Robertson, P. F.
Royston, Viscount
Russell, Sir C.
Schreiber, C.
Sclater-Booth, G.
Scourfield, J. H.
Selwin-Ibbetson, H. J.
Severne, J. E.
Seymour, G. H.
Simonds, W. B.
Smith, A.
Smith, S. G.
Smollett, P. B.
Stanley, Lord
Stanley, hon. F
Stuart, Col. Crichton-
Sturt, H. G.
Sturt, Lieut.-Col. N.
Surtees, C. F.
Surtees, H. E.
Taylor, Colonel
Thompson, A. G.
Treeby, J. W.
Turner, C.
Vance, Sir W.
Vandeleur, Colonel
Verner, Sir W.
Walker, Major G. G.
Warren, rt. hon. R. R.
Welby, W. E.
Whitmore, H.
Williams, F. M.
Woodd, B. T.
Wyndham, hon. H.

TELLERS.
Knightley, Sir R.
Maxwell, Sir W. S-

Main Question put, and *agreed to.*

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. M‘LAREN said, he rose to move the Amendment of which he had given Notice. He thought it right to bring this question forward, notwithstanding the division which had just taken place, because it was in no sense a division in which Scotland was more mixed up than was Ireland. The question which had been just decided was not a party question, and he repudiated the idea that he brought this Motion before the House in any party spirit. He would be brief in stating his views to the House. It had been thrown out in the course of the debate that, even if the Motion of the hon. Member for Montrose (Mr. Baxter) were carried, it did not follow that the Members thus obtained should be given to Scotland. Now, what he undertook to show was this—that even if the ten Members now at the disposal of the House were given to Scotland without qualification or limitation, they would be far too few to meet the just claims of Scotland. It had been proved a short time since by the hon. Member for Pontefract (Mr. Childers) that one class of English constituencies had, on an average, a Member for 36,000 voters, while another class had only a Member for 40,000 or 46,000 voters. But what was the case with Scotland? Why, that the largest county constituency they were about to enfranchise had 199,000 inhabitants, and only one Member, while the smallest had 107,000, and but one Member. He would not go into general statistics, but wished to state a few facts which were of great importance in considering the present question. A Return recently made showed that Scotland contributed to the purse of the Chancellor of the Exchequer £8,289,000 annually, while Ireland contributed to the same purse only £6,300,000. The sums, however, voted during the same year for Scotch purposes amounted to only £552,000, while the sums voted for Ireland amounted to £2,250,000. In other words, while Scotland paid 35 per cent more to the National Exchequer than Ireland did, Ireland got 400 per cent more out of the Exchequer than Scotland. Surely, it could not be contended that the people of Scotland were to be mere hewers of wood and drawers of water—to bring in money to the public purse, without having any adequate or fair voice in the expenditure of that money. Taking the proportionate contribution to the national expenditure of the three kingdoms, Scotland was entitled to twenty-five Members more than she had at present, while on the scale of population she was entitled to an addition of about eighteen. Under these circumstances, he did not think that Scotland ought to be held bound by the provision in the Treaty of Union, which was made at a time when she contributed only £150,000 a year to the national Exchequer, while England contributed above £5,000,000. Now, Scotland contributed over £8,250,000, or nearly one-eighth of the whole revenue of the United Kingdom. Why, then, should she have but one-twelfth part of the representation? It was one of the watchwords of liberty that representation and taxation should go together, but this principle was not applied in the case of Scotland. He would not go into details, because there were Notices on the Paper which would enable Members to bring up the question in what respect Scotch counties, towns, and Universities ought to be represented, and he should then have an opportunity of stating his views. But he would refer to another subject. They had now disposed of a number of boroughs in England which were supposed to be nomination boroughs, or, as some persons not very politely called them, rotten boroughs. There were also nomination constituencies in Scotland. Scotch Members who joined in abolishing nomination constituencies in England should not forget the county of Sutherland with its 181 electors. Twenty years ago it had 184. Its population had decreased within that time, and surely such a scandal as its representation was should be put an end to. If Members were to be added to the representation of Scotland, surely, Members ought to be taken from constituencies which were over-represented, as the constituency to which he referred undoubtedly was; and it was all the more an aggravated case, because four-fifths of the land in the county of Sutherland belonged to one proprietor. Then there were the Wigton Burghs, which were, to a great extent, under the domination of one proprietor, holding a large amount of property in the most populous of this district of burghs. Again, when they took out of the counties Peebles and Selkirk, the two royal burghs of those names, they had only a population of 16,000 or 17,000 between them. He thought that those two counties ought to be united, and that the Member thus obtained should be given to Hawick and Galashiels. He had been asked to submit the Resolution which he now moved by important bodies in Scotland, by the Convention of Royal Burghs, by the Town Council of Edinburgh, and other bodies; and also in memorials, petitions, and numerous letters from public meetings, and from many of the large constituencies in Scotland, and he should feel it to be his duty to take the sense of the House upon his Motion.

MR. FORDYCE, in seconding the Motion, said, that the demand of the hon. Member for Edinburgh (Mr. M'Laren) was a very moderate one, and that until it was conceded the people of Scotland would not be satisfied.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "no arrangement respecting additional Members can be just or satisfactory which does not treat Scotland, as respects the number of its representatives in Parliament, as an integral portion of the United Kingdom, entitled to be placed on a footing of perfect equality with England and Ireland, in proportion to its present population and the Revenue which it yields to the National Exchequer, as compared with the present population and Revenue of England and Ireland; and that to establish this equality at least fifteen additional Members should now be provided for Scotland,"—(*Mr. M'Laren,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

GENERAL DUNNE said, that the Return which the hon. Member for Edinburgh (Mr. M'Laren) had quoted was not correct, so far as it related to the revenue derived from Ireland. The slightest examination of that Return would show that the revenue of Ireland was stated incorrectly. There was not less than from £1,500,000 to £2,000,000 of revenue paid by Ireland into the Imperial Exchequer which was not credited to Ireland. It was well known, for instance, that the article of sugar paid duty in Scotland, but when imported into Ireland from that country the tax was actually paid by the Irish consumers. He had often endeavoured to obtain a correct Return of the revenue paid by Ireland, but he had never succeeded in getting it. He protested, therefore against the entire basis on which the hon. Member for Edinburgh had constructed his argument. Scotland was certainly not entitled to the increase of Members demanded as against Ireland, either in respect of the proportion of revenue contributed by the two countries, or their population and the present amount of county and borough representation. In Ireland the number of county electors was about 122,000, returning sixty-four Members. In Scotland the number of county electors was 49,000, returning thirty Members. In Scotland the borough electors amounted to 55,000, returning twenty-three Members. In Ireland the borough electors amounted to 30,600, and returned forty-one Members. Altogether the electors in Ireland were much less in proportion than in Scotland.

Mr. CRUM-EWING said, that the article of sugar which paid duty in Scotland and was afterwards sent to Ireland only amounted to £500,000 as was shown by the Customs Returns; but the excess of revenue paid by Scotland over that paid by Ireland was equally manifest in the Inland Revenue and the Post Office Departments. He did not wish to draw invidious distinctions between Scotland and Ireland—they were integral parts of the same Empire, and he hoped very shortly Ireland would be more united than she had ever been to this country; but he quite agreed with his hon. Friend the Member for Edinburgh (Mr. M'Laren) that Scotland was entitled to an addition of fifteen Members. In fact, he held it to be a very small demand that was now made.

Mr. BERESFORD HOPE would be very glad of some direction from the Speaker, or from any other quarter, as to where they stood and what they were engaged in. They were going into Committee on the Scotch Reform Bill, and it seemed to him that the Instruction which had been carried amounted to this—that there should be a provision in the Scotch Reform Bill to upset a part of the English Bill passed last year. That measure was to have been the conclusion of long fighting; it was to give satisfaction to both sides of the House; it was not the Bill of the Government or of the Opposition; it was the Bill of the whole House; it was a Bill, so we were told, based on certain principles, and among them was the preservation for England of its existing number of representatives, and the non-extinction of any centre of representation; but to-night in all these respects the English Reform Act was simply torn to shreds; the distribution of seats, which was settled last year, was to be unsettled, and ancient boroughs were to be extinguished by a vote of that House. They were to carry out that policy in Committee on the Scotch Reform Bill. If that was not so, was it to be embodied in a separate Bill? How was the House justified in respecting so preposterous a conclusion? They were told to expedite the registration, that there should be an autumnal dissolution and a meeting of the new Parliament before Christmas. That was all nonsense; it was equally nonsensical whether it came from the Treasury or Opposition Bench. They had been sitting more or less since November, and it was now the latter half of May, and they were now approaching Whitsuntide, and actually nothing was done—nothing done about the Boundary Bill, except throwing it into utter confusion; nothing about the Scotch Reform Bill; nothing about the Irish Reform Bill; nothing about bribery and corruption; nothing done but to throw the Irish Church and the English Reform Bill into confusion. Having adopted this Resolution, how would they stand? The Resolution in itself was, of course, worth nothing; it was not an act of legislation, but a simple expression of opinion, liable to be recalled or modified, in reference to one subject—that of the borough representation of England—which had, forsooth, to be embodied in a Bill relating to another part of the United Kingdom. They would be instructed in Committee on the Scotch Reform Bill to disfranchise places in England. As to the question of the enlargement of the House, he thought the Government had much too lightly given it up. For his part, he could see no objection to a moderate enlargement, provided only the mystical and too appropriate number of 666 were not hit. He had done his duty in calling attention to the perfect quagmire in which they were floundering—the ridiculous position in which the last old Parliament of England was placing itself by making the Scotch Reform Bill of 1868 the means of altering the English Reform Act of last year.

Sir GEORGE BOWYER said, he had been about to put a similar question. They had passed an Instruction which involved a perfect absurdity. Was the House to go into Committee not only to consider the Scotch Reform Bill, but also to repeal a portion of a statute which received the Royal Assent last year?

MR. SPEAKER said, that if the hon. Member had any objections to the Instruction to the Committee that the proper time to have brought them forward was when the Instruction was under discussion. The House had passed the Instruction, and it was now too late to discuss the point of Order.

SIR GEORGE BOWYER wished to know how they would stand when they went into Committee?

MR. SPEAKER said, there was no difficulty in the matter. The House had chosen to add to the powers of the Committee, and the Committee would have full power to act in conformity with the Instruction.

MR. PIM conceived that the reference to Customs duties was very fallacious, as many articles imported into England and Scotland were consumed in Ireland. The amount of income tax paid would be a better test; but still he maintained that the poor man was as much entitled to the protection of the State as the rich man—so that he thought that the comparison between the three kingdoms should be restricted to population. On this ground, he thought that Scotland was entitled to fifteen additional Members; and he trusted that, when the case of Ireland came before the House, the Scotch Members would support any proposal which might be made for giving an increased representation to that country.

MR. SCHREIBER: I had not the advantage of hearing the speech of the hon. Member for Edinburgh (Mr. M'Laren); but, on my return to the House, I am told that, not content with the vote to which we have just come, he is already like "Oliver, asking for more." I therefore, Sir, as an English Member, representing one of the largest towns that returns a single Member to this House, take the earliest opportunity of informing the hon. Gentleman that there are those among us who do not regard the late transfer of seats with absolute equanimity. We acquiesce in it, of course, for we have no option; but we feel that we have anomalies of our own which call aloud for redress; and we say that, if we are to have any more "charity" in this matter, it ought to be that "charity which begins at home." We hope, therefore, that for the present we shall have no more of these forays over the border. Why, Sir, I hold in my hand a list of twenty-three English boroughs, each of them returning two Members to this House—forty-six Members in all—which had in 1866 an aggregate computed population of 291,334 souls. These boroughs are all included between the limits of 10,000 and 15,000 population. I hold also in my hand, Sir, a list of nine English and Welsh boroughs, returning each of them one Member to this House—nine Members in all—which had in 1866 an aggregate computed population of no less than 434,934 souls. Of these nine boroughs, each has a computed population considerably exceeding 40,000 souls. I next turn, Sir, to the column of "gross estimated rental," and I find that the twenty-three boroughs first mentioned present an aggregate of £1,057,222; but, on turning to the "gross estimated rental" of the nine boroughs—of which my own borough comes second in this respect—I find that they present an aggregate of £1,523,312; and, looking at these things, I must contend that, when the time arrives for a removal or reduction of the existing anomalies in our system of representation, it will be alike unwise and unjust to neglect the earliest opportunity of dealing with the inequalities between the two classes of boroughs, that I have indicated to the House.

COLONEL SYKES said, that, regard being had to revenue and population, Scotland ought to have twenty-five additional Members; but the hon. Member for Edinburgh (Mr. M'Laren's) Resolution demanded, not that so many new Members should be given to Scotland, but that, at all events, some approximation should be made, as respects Scotland, between the population, the revenue, and the representation. In the boroughs which the Committee had been empowered to disfranchise ten Members were returned by 3,088 electors, while the city of Aberdeen, with its 4,000 electors, had only one Member. That was a fact which in itself was an answer to those who said there were no anomalies in the representation of Scotland. What he wanted was that, with regard to Scotland, there should be the same measure of justice dealt out as was given to the English people.

MR. MONCREIFF said, he thought that if an abstract proposition were all that they had to decide, there was much to be said in favour of a large increase in the representation of Scotland; and hon. Gentlemen on both sides had very fairly expressed their opinions on that subject. But the Resolution did not profess to provide any means for giving effect to that which it expressed. They had now resolved that the number of Members in that House should not be increased, and also, that a certain number of seats should be taken from English boroughs, if the Committee saw fit. The present Motion, if pressed, might, however, go far to counteract the generous feeling towards Scotland which the English and Irish Members had expressed. But there was an important point on which he wished to invite the Speaker's opinion. The Resolution being moved as an Amendment to the Motion "that Mr. Speaker do now leave the Chair," if carried, the Resolution would, he apprehended, prevent them from going into Committee on the Scotch Reform Bill at least that night. Nothing should induce him to vote for anything that would throw an obstacle in the way of their going on with a measure which had already been too long delayed; and as it was most important that they should proceed with the Committee, he hoped that his hon. Colleague, having elicited from the House an expression of opinion, in accordance with what he wished, would withdraw his Resolution.

Mr. SPEAKER said, that if the Resolution of the hon. Member for Edinburgh (Mr. M'Laren) were passed it would prevent the Bill being proceeded with in Committee that night.

Mr. P. ROBERTSON hoped the hon. Member for Edinburgh would not, under the circumstances, persevere with his proposal.

Mr. LAING said, he distrusted abstract propositions as to the number of Members to be given to Scotland, in proportion to population and taxation, because he felt that London and some other places might on the same grounds claim a large increase of representation. He preferred to rest the case of Scotland on the specific claims of certain counties and towns to more Members; and to argue that Scotch counties and towns were entitled to be put on the same footing as regarded representation, as they would be if situated South of the Tweed. Proceeding on that principle, he thought that, in addition to the three counties of Lanark, Ayr, and Aberdeen, the county of Perth might also fairly claim to be divided, and to have two representatives. Then, if they turned to large cities and towns, they would find that Glasgow should be put on a par with Manchester. Manchester, with its appendage of Salford, would have five Members under the new Reform Bill; and certainly Glasgow, with its appendages, might put in a fair claim to four Members. Edinburgh, with its large population, and as being the capital of an ancient kingdom, might fairly claim three Members; and if it had been South of the Tweed, he believed, in the division of the representation last year, it would have received three. The claim of Dundee to two Members nobody would question, and the city of Aberdeen, a sort of provincial capital, with a population of 90,000, and a seat of learning, ought surely to have two Members. It possessed a population four times that of York. Again, in the great mineral district of Scotland, a number of boroughs had sprung up which might be grouped into populations of 40,000 or 50,000, and entrusted with Members. One or two Members might be fairly asked for those boroughs. Then as the English Universities were hereafter to have five Members altogether, he thought one Member for the different Universities of Scotland would be a very scant measure of justice. Therefore, ten additional Members would be a very insufficient number to place Scotland on the same relative footing as England; and he did not believe that fifteen would be an excessive number for that purpose.

Mr. M'LAREN said, that, as he did not wish to prevent the House from going into Committee that night, he begged to withdraw his Motion.

Motion, by leave, *withdrawn.*

Mr. REARDEN said, he apprehended that he would now be in Order to proceed with his Motion, the effect of which was, that with a view to an equitable representation of the entire people, the United Kingdom should be divided into 720 equal electoral districts, and that one Member should be elected for each such district, and that Scotland be not entitled to her seventy-five Members until Ireland had received her 145 Members.

Mr. SPEAKER thought the hon. Member, on looking at his Resolution, would see a portion of it relating to Ireland, which was not in Order.

Mr. REARDEN: Am I at liberty to move the latter part of the Amendment?

Mr. SPEAKER: We are on the Scotch Reform Bill, and we have instructed the Committee to take Members from certain boroughs of England; but I do not think the matter of Ireland in Order.

MR. REARDEN: As that is the case I will not now trouble the House, but I will take another opportunity of bringing the subject forward.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 *agreed to*.

Clause 2 *omitted*.

Clause 3 (Occupation Franchise for Voters in Burghs).

MR. BOUVERIE said, that the clause proposed to introduce into Scotland, for the first time, the payment of poor rates as a condition for getting on the register. They all knew that, with reference to the English Reform Bill of last year, there was considerable discussion on the question of payment of poor rates; and that topic was not then considered by the House for the first time, because the Reform Act of 1832 enacted that no occupier of a dwelling-house in a borough above £10 should be put on the register of voters who had not paid his poor rates on the 6th of January. Great objection was entertained in Scotland to the proposition that in that country the payment of poor rates should be made a qualification for getting on the register. The payment of poor rates was altogether irrelevant to the question of the electoral franchise. In Scotland the Poor Law was administered by parochial Boards, who owed their appointment partly to property and partly to election, and had the power of exempting not only persons but whole classes from the payment of poor rate. The practice had been to exempt the classes who paid under a certain amount of rent; besides which there were many parishes in Scotland in which there was no poor rate at all. In the borough of Greenock there was no rating of houses, and therefore there could be no rateable proprietor or occupier who could claim a vote under this clause. It was most undesirable to introduce this new element for the first time into Scotch practice. As a qualification for a vote there was no charm or merit in a man paying a poor rate. What they wanted to ascertain was whether the occupant of a dwelling-house was capable of discharging the duties of a voter, and to ask on such a matter whether he paid poor rates was to ask a question altogether irrelevant. It would, no doubt, be urged, that in making payments of poor rate a condition of the franchise in Scotland, Parliament would only be following out what it had done in the English Bill. But inasmuch as the Scotch Reform Bill of 1832 had not been like the English Bill of 1832 in that particular, he thought there was no reason why the Bill now before the House should make the payment of poor rate necessary merely because the English Act of last year did so in the case of this country.

Amendment proposed, to leave out from the words "has during the time of such occupancy," in line 5, to "fifteenth day of May," in line 11, inclusive. — (*Mr. Bouverie.*)

THE LORD ADVOCATE said, that in 1832 poor rate was not generally levied in Scotland. In fact, at that time there were very few Scotch parishes in which there was a payment of poor rate, the poor being supported very generally by voluntary assessment. Accordingly the Scotch Reform Act did not make the non-payment of that rate a disqualification; but provision was made in the Act that the payment of assessed taxes should be necessary in order to entitle a person to the franchise. That provision still remains in force with reference to voters having a qualification above £10. He supposed that comparatively speaking very few of the persons who would come on the electoral roll under this Bill would pay the assessed taxes. Well, then, was it unreasonable, now that there was a general system of poor rate in Scotland, to require that—being placed on the electoral roll—persons should pay a tax for which they were liable? He saw no reason why the rule which obtained in England should not be also applicable to Scotland; but if there was any reason for making a distinction in this respect between the two countries, the hon. Member opposite (Mr. Bouverie) ought to have stated it. The only reason which had been suggested was that in a few parishes in Scotland, particularly Greenock, no poor rates were paid in respect of the occupation of houses. Now, he admitted that the borough of Greenock was in a very particular position; but in the course of the communications he had had with his hon. Friend who represented that borough (Mr. Dunlop), he had not understood that there was any objection to its coming within the rule applicable to other boroughs, and accordingly a proviso had been introduced into the clause which would put Greenock in exactly the same position as other boroughs. In all other respects the clause had been framed in exact conformity with the clause in the English Act. He submitted that there was no valid reason why a departure should be made from the rule established for England, and that payment of rates ought to be made a condition of the qualification.

Mr. CRUM-EWING said, that household suffrage pure and simple for Scotland was the only franchise which would be fair in that country.

Mr. M'LAREN said, that by the Reform Act of 1832 a different rule was established in Scotland to that applied to England; and why, he would ask, should that rule be altered? To do so in the way proposed would be to make this a disfranchising measure; and what had Scotland done to deserve that punishment? They ought to take the real valuation of property as the basis for the franchise, and not the rating of it. An Act had been passed in 1854 for establishing a system of valuation greatly superior to that which existed in any other part of the United Kingdom. An officer was appointed in each county and burgh to make a personal valuation of all the property in his district. By this Bill they were asked to give a man a £12 franchise by rating in the counties; but why should they give it by rating, when they had the real rent itself? The rating was a mere deterioration of the value of the rent. There was no poor rate at present in some of the counties and burghs of Scotland, and it would be for the Lord Advocate to say why there should be one now. To carry this Bill into effect as it stood large expense would have to be incurred, and it would prove a vexatious, troublesome, and unworkable measure. Why should they undo the simple, common sense rule existing at the present time? He thought it was proposed by the Bill to turn a plain, common sense system into an artificial system, in favour of which no good argument could be adduced.

Mr. ELLICE said, if they adopted the rule of rating, they would introduce into Scotland great confusion. There were the utmost possible inequalities in the system of rating. Some time since he had moved for certain Returns relating to that subject, and he was very much astonished on getting these Returns to find that there appeared to be a strange uniformity in the qualification. He found that it only ranged from £12 up to £15. That was to say, that the deductions allowed to occupiers before assessing for the poor rates, and producing a net rental upon which the poor rate was levied, varied from £3 to £4 a year. That statement—made on the authority of the Crown agent—was, however, wholly at variance with the fact. He had selected at random three or four constituencies only, and he had received communications which sufficiently proved the truth of what he advanced. For instance, in the city of Renfrew eleven parishes were made out in that Return to be subject to no deduction, and £12 was put down as the net rental, which would carry the qualification. He had, however, ascertained in five of those parishes that the occupier was only rated in some upon one-third, and in others upon one-fourth of the rental; and the consequence was, that in those five parishes the gross rental required to carry a vote would be in one £36, in another £45, in another £30, in another £36, and in another £48. ["Name."] The parishes to which he alluded were those of Cathcart, Eastwood, Inverscraig, Port-Glasgow, and another. Only the preceding day he had received a letter from a member of a parochial Board of the parish of Huntly, in Aberdeenshire, in which the writer complained that the Return was untrue, inasmuch as the deduction allowed to tenants in that parish was 6 per cent of the rental. He merely stated that to show that the Returns he held in his hand were quite fallacious. He hoped that the House would cut the knot of all these difficulties by assenting at once to the proposition of the right hon. Member for Kilmarnock (Mr. Bouverie), and putting its foot upon this attempt to introduce a new principle, which would serve no useful purpose, but would introduce into the Scotch system the elements of unbounded confusion.

Lord JOHN BROWNE said, that the hon. Member for Edinburgh (Mr. M'Laren) had suggested that they should take the plain common sense view of the question; and that was exactly what he himself wished to do. In England and in Ireland a man lost his vote unless he paid his rate; and he did not see why the same rule should not be applied in Scotland. It seemed to be a very reasonable provision; and if it were struck out of that Bill it would be impossible to maintain it in England or Ireland. If that clause were removed the Government would do well to throw up the Bill altogether.

MR. BAXTER said, he must remind the noble Lord (Lord John Browne) that the Scotch system was entirely different to that adopted in England or Ireland. He saw no reason whatever why they should be called upon to change a system that had existed so long and worked so satisfactorily, in favour of a new theory. He was not an old enough Member of the House of Commons to recollect the time when the Voting Act was passed; but he remembered when they used to make out the claims for the burghs in Scotland just as they did in England. They now, however, took the valuation roll for a county of Scotland as an electoral roll; and he put it to hon. Gentlemen on both sides, who know Scotland, to say whether that had not worked well. They had found the system adopted in England not to work well in Scotland; and if the noble Lord who had just spoken had lived in Scotland, he would not have made the speech he had just done. There were more than 100 parishes in Scotland where there were no poor-rates at all; and what was to be done with them? He was, as a rule, in favour of assimilating the law in the three countries; but he appealed to the Lord Advocate and the Government not to force upon Scotland a principle which would occasion many difficulties in working, and which was totally unsuited to the system so long in work in that country.

MR. KENDALL said, if the principle of rating was abandoned in Scotland they could not expect its continuance in England. He looked upon the Amendment as the introduction of the thin end of the wedge, in order to throw out the rating provisions adopted last year.

MR. BRIGHT: I put it to both sides of the House whether we have not generally found the Scotch Members to be right on matters relating to their own country? They have taken the very wise plan, of course, of coming to agreement upon those things which they think are fitting to be applied to their part of the United Kingdom. The House of Commons has generally been very willing to deal liberally with them, and to allow them to have their own way; and I believe that is much the easiest way of managing them, or allowing them to manage us. The noble Lord (Lord John Browne), who comes from Ireland, is very much aggrieved because, under this proposition, you will have something very different in Scotland from what you have in England. [Lord JOHN BROWNE: And Ireland.] But there are many other things besides this that differ in the different countries. In Scotland they have no 40*s.* freeholders, though we have them in England; and I do not believe the noble Lord last year voted in favour of establishing a 40*s.* freehold in Scotland. Indeed, I have not known him give one Liberal vote on the question of Reform for the last three or four years. You are not going to have the same franchise in Ireland as in England. Then why get up in this House and pretend to found an argument upon a principle which is not adopted in this House? for neither the Government nor the House have adopted the principle of making everything exactly alike in the three kingdoms. If that principle of forming the franchise upon the rating in Scotland is found to be only a nuisance, what interest have we—what interest has any Irish Member—in forcing upon the whole body of Scotch representatives that which they themselves believe to be needless for any good purpose—and, indeed, to be mischievous? I hope that the House and the hon. and learned Gentleman (the Lord Advocate) will consent to think as favourably of the matter as they can. If they think as highly of the opinion of his countrymen as I do, they will allow them to have their own way.

SIR JAMES FERGUSSON said, he thought the question of rating had been finally settled last year. It would be curious if they now had the battle fought over again in regard to Scotland which occasioned the death of one Government in 1866. The question was then the main subject of prolonged debates, and he had, he thought, sufficiently pointed out the importance of the question when he reminded the House of the momentous issue which had followed the decision upon the point. They were told that that principle was inapplicable to Scotland, though it had been established in England. He was, however, prepared to say that so far from there being special difficulties in the way, there were peculiar facilities in the law of Scotland. They were, for instance, happily free in the northern part of the island from that individual, the discussion of whose untimely fate had occupied so many of their sittings last Session—he meant the compound-householder. He apprehended that the fact of the direct payment of rates by each householder in

Scotland was a most important argument in favour of a rate-paying franchise, though he might qualify that statement in one particular, because at £4 a year the house was clear of rates, the occupier paying none. There was no clearer or plainer qualification for the franchise than the payment of rates. It was not the case, as had been stated by an hon. Gentleman in the early part of the discussion, that the payment of rates was necessary, and, consequently, that every one who was not rated could not vote ; because it was particularly stated in one of the clauses, with a view to meet just such a case, that inhabitants of a town where the poor rates were not levied should have votes. He asked the Committee to consider whether it was just that the principle which had been laid down for the whole of England and Wales, and which was applicable to every town in Scotland but one, should be maintained, or whether for the sake of Greenock alone, that principle should be abrogated. It was as unreasonable to complain of the extension to Scotland of the ratepaying qualification as it would be to complain of the ratepaying system now existing in London, because the rates varied in the different parishes. The hardship which might be entailed upon persons who had accidentally omitted to pay their rates was guarded against by a special section which seemed to have escaped the attention of some hon. Members. They were, however, discussing the question of the burgh franchise, and he understood his hon. Friend's arrangement to apply exclusively to the county rating ; and when the clause applicable to county rating arrived he should be prepared to show that it was founded upon just principles. He could not understand why such an outcry should be made about the extension to Scotland of the principle of rating, remembering that it had been deliberately adopted last year in the case of England. He asked the Committee to consider what would be the effect of the proposal now before it. They had passed an Act which required in England that the fulfilment of a common local obligation should be necessary to the enjoyment of the franchise, and he ventured to say that the principle had been generally approved of as a sound one. [" No, no !"] Did that negative mean that the hon. Gentleman wished to sweep away the general enjoyment of the franchise which had been the result of that principle, or that the hon. Gentleman objected to the limitation imposed by rating ? [" Hear, hear ! "] In the latter case, what became of the argument they had heard so much of, as to the dangerous length which the Government had gone in admitting the residuum? Sweep away the ratepaying provision, which probably limited the franchise by one-half, and the residuum of nonpaying householders then admitted would be much larger and infinitely more formidable than the wide extension under the Act of 1867, which hon. Gentlemen opposite so strongly complained of. The present proposal was one virtually for the admission of persons below the £4 line, that was to say, of persons so poor that no attempt was made at present to levy rates from them. Upon those who were endeavouring to introduce so important a change let the responsibility rest. If the proposition were carried it would be carried more for the purpose of rendering this Act an absurdity than for the purpose of introducing a beneficial change.

Mr. G. YOUNG said, the 3rd section of the 3rd clause—every householder to be entitled to a vote who " has been rated to all rates, if any, made for the relief of the poor"—seemed to him altogether superfluous and meaningless inasmuch as the 16th clause amounted to a distinct and imperative provision that each dwelling-house in Scotland should be separately valued and assessed to the poor rate. The real force was in the 4th section, the effect of which was that a man should be disqualified in case he failed to pay his rates. According to the law of Scotland the parochial authorities had power to exempt occupiers from the half of the rating, for which proportion only they were liable in the case of houses under £4 in value. The operation of the 4th section would be to disqualify every person exempted from the payment of rates, unless for political or other purposes those rates were paid for him. If this was to be the effect of the clause it would be most mischievous. For his own part he had never been able to see why the fact of being in arrear a few shillings to the rate collector should operate to deprive a man of his right to vote. An arrear of a few shillings in this rate was sufficient for this purpose, yet a man might owe £20 to his baker or butcher without any political consequences ensuing.

Mr. DALGLISH said, it would be a wise experiment to maintain the present Scotch system, and if it worked well the House hereafter might adopt it in the case of England as an easy way out of the compound-householder difficulty.

THE LORD ADVOCATE: I think it is right I should answer the appeal made to me by my hon. and learned Friend (Mr. Young) opposite. He says he finds himself unable to see what is the meaning of the 3rd section of the 3rd clause. But I shall read the words in the English Act—

> "Has during the Time of such Occupation been rated as an ordinary Occupier in respect of the Premises so occupied by him within the Borough to all Rates (if any) made for the Relief of the Poor in respect of such Premises."

MR. YOUNG: Is there a clause in the Act which corresponds to the 16th clause in this?

THE LORD ADVOCATE: I rather think so, but I am coming to that. There is a difference between our system and the English system. [*Laughter.*] If hon. Gentlemen will allow me to finish the sentence, they will see what I mean. I say there is a difference in this respect. We have at present a valuation-roll for gross rating that is made up by the assessor, and it is in the power of the magistrates who employ the assessors, and of the Judges and county authorities, to exempt or omit from the valuation-roll the names of parties who are rated as occupiers of tenements at and under £4. The effect of that is that in several burghs you will not find upon the valuation-roll any occupiers under £4. I ask hon. Gentlemen to keep that in view. It is in the power of the magistrates to exclude from the valuation-roll all parties who are rated under £4, and the 16th clause is introduced to prevent any prejudice to anyone on account of that exclusion. I do not know whether there is a similar clause in the English Act. Possibly it would not be required, because in England you proceed upon the principle of taking the poor rate book, and from that you transfer the names to the Parliamentary Roll. We make this provision in order to prevent the valuation-roll—which in many cases excluded the tenants at and under £4—being made the test, and in order that the Poor Law authorities should enter upon the rate-book the name of every householder. In that way we make sure that every householder shall be entitled to exercise the franchise, and all the condition we ask is that he shall have paid his rates. I ask hon. Gentlemen opposite is this an unreasonable condition to make? I put it to them whether a man who is excused from paying his poor rate on the ground of poverty is a fit and proper person to discharge the functions of a voter? I say that under this Amendment there would be a rule by which the Poor Law authorities may, for electioneering purposes, exempt persons from paying the poor rate on the ground of poverty, and yet those persons would be entitled to vote, unless they were in receipt of parochial relief. If a householder is not in receipt of such relief, and has been exempted, there would be no cause which can disqualify him. By this clause you make a national provision that a man who does not discharge his duty properly by contributing to the support of the poor is not a fit person to discharge his duties as a voter at the election of a Member of Parliament. Apart altogether from the authority of the English Act, I think the provision in the Bill a most proper one. I must express my astonishment that hon. Gentlemen should in the least degree consider it as attaching a penalty to the party. On the contrary, I think it is right that the occupier should be called upon to pay his poor rates in the same way that those having houses above £10 must, in Scotland, pay their assessed taxes.

MR. MONCREIFF said, the only effect of the proposal of the Government was to leave a certain floating balance of persons who would or would not have paid their rates, according as the political exigencies of the borough seemed to require.

SIR JAMES FERGUSSON said, there was a provision—a stringent provision—in the Bill specially directed against such practices.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 96; Noes 118: Majority 22.

AYES.

Adderley, rt. hon. C. B.
Akroyd, E.
Baggallay, R.
Baillie, rt. hon. H. J.
Barttelot, Colonel
Beach, Sir M. H.
Beach, W. W. B.
Bowen, J. B.
Brett, Sir W. B.
Brooks, R.
Browne, Lord J. T.
Burrell, Sir P.
Capper, C.
Cartwright, Colonel
Cave, rt. hon. S.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cole, hon. J. L.
Corry, rt. hon. H. L.
Cox, W. T.
Dalkeith, Earl of
Dawson, R. P.
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
Du Cane, C.
Duncombe, hon. Adml.
Dunne, rt. hn. General
Egerton, E. C.
Fellowes, E.
Fergusson, Sir J.
Finch, G. H.
Goodson, J.
Gordon, rt. hon. E. S.
Graves, S. R.
Gurney, rt. hon. R.

Gwyn, H.
Hamilton, Lord C.
Hanmer, Sir J.
Hardy, rt. hon. G.
Hardy, J.
Hartley, J.
Hay, Sir J. C. D.
Herbert, rt. hn. Gen. P.
Hesketh, Sir T. G.
Holmesdale, Viscount
Hope, A. J. B. B.
Hotham, Lord
Howes, E.
Hunt, rt. hon. G. W.
Karslake, Sir J. B.
Karslake, E. K.
Kavanagh, A.
Kendall, N.
King, J. K.
Langton, W. G.
Lennox, Lord G. G.
Lennox, Lord H. G.
Liddell, hon. H. G.
Lindsay, hon. Colonel C.
Lowther, W.
M'Lagan, P.
Mahon, Viscount
Mainwaring, T.
Manners, rt. hn. Lord J.
Mayo, Earl of
Montagu, rt.hn. Lord R.
Montgomery, Sir G.
Morgan, O.
Morris, G.
Mowbray, rt. hon. J. R.
Noel, hon. G. J.
North, Colonel
Northcote, rt. hn. Sir S.
Pakington, rt. hn. Sir J.
Parker, Major W.
Patten, rt. hon. Col. W.
Powell, F. S.
Pugh, D.
Read, C. S.
Robertson, P. F.
Royston, Viscount
Russell, Sir C.
Sandford, G. M. W.
Schreiber, C.
Sclater-Booth, G.
Scourfield, J. H.
Severne, J. E.
Simonds, W. B.
Smith, J. B.
Stanley, Lord
Thompson, A. G.
Turnor, E.
Vance, J.
Vandeleur, Colonel
Warren, rt. hon. R. R.

TELLERS.

Taylor, Colonel
Whitmore, H.

NOES.

Adam, W. P.
Agnew, Sir A.
Allen, W. S.
Anstruther, Sir R.
Armstrong, R.
Aytoun, R. S.
Bagwell, J.
Baxter, W. E.
Bazley, T.
Beaumont, W. B.
Blake, J. A.
Bright, J. (Birmingham)
Bright, J. (Manchester)
Buller, Sir E. M.
Buxton, C.
Buxton, Sir T. F.
Calcraft, J. H. M.
Candlish, J.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Carter, S.
Cave, T.
Chambers, T.
Childers, H. C. E.
Clement, W. J.
Colebrooke, Sir T. E.
Collier, Sir R. P.
Colthurst, Sir G. C.
Cowen, J.
Cowper, hon. H. F.
Craufurd, E. H. J.
Dalglish, R.
Davey, R.
De La Poer, E.
Dent, J. D.
Devereux, R. J.
Dixon, G.
Dillwyn, L. L.
Duff, M. E. G.
Duff, R. W.
Dundas, F.
Dunlop, A. C. S. M.
Eliot, Lord
Erskine, Vice-Ad. J. E.
Esmonde, J.
Ewing, H. E. Crum-
Fildes, J.
Fordyce, W. D.
French, rt. hn. Colonel
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Glyn, G. G.
Graham, W.
Gregory, W. H.
Hadfield, G.
Harris, J. D.
Hay, Lord W. M.
Headlam, rt. hn. T. E.
Heneage, E.
Henley, Lord
Herbert, H. A.
Hodgkinson, G.
Holden, I.
Hutt, rt. hon. Sir W.
Jervoise, Sir J. C.
King, hon. P. J. L.
Kinnaird, Hon. A. F.
Knatchbull-Hugessen, E
Labouchere, H.
Laing, S.
Lamont, J.
Lawson, rt. hon. J. A.
Leatham, E. A.
Leatham, W. H.
Lee, W.
Leeman, G.
Lusk, A.
Mackinnon, Capt. L. B.
M'Laren, D.
Martin, P. W.
Matheson, A.
Matheson, Sir J.
Merry, J.
Mill, J. S.
Miller, W.
Mills, J. R.
Mitchell, T. A.
Moncreiff, rt. hon. J.
Monk, C. J.
Nicholson, W.
Nicol, J. D.
Norwood, C. M.
O'Brien, Sir P.
Ogilvy, Sir J.
O'Loghlen, Sir C. M.
Pease, J. W.
Pollard-Urquhart, W.
Potter, E.
Pritchard, J.
Ramsay, J.
Robertson, D.
Russell, Sir. W.
Salomons, Mr. Aldrmn.
Scott, Sir W.
Sherriff, A. C.
Speirs, A. A.
Sullivan, E.
Sykes, Colonel W. H.
Synan, E. J.
Taylor, P. A.
Thompson, M. W.
Vanderbyl, P.
Verney, Sir H.
Waldegrave-Leslie, hon. G.
Watkin, E. W.
White, J.
Young, G.

TELLERS.

Bouverie, rt. hon. E. P.
Ellice, E.

Mr. BOUVERIE next moved to insert in place of the sections omitted the words—

> "Is and has been for a period of not less than twelve months next preceding the last day of July an inhabitant occupier as a lodger of part of any dwelling-house, such part being of the annual value of £10 or upwards."

The hon. Member said his object in moving the addition of these words was to clear away a doubt that might exist as to there being a lodger franchise in Scotland.

Mr. DISRAELI rose, but was called to Order, as the Chairman had not read the Question before the House.

The CHAIRMAN read the Question in the usual way.

The LORD ADVOCATE said, he did not think there could be any objection to the insertion of the words. It was his understanding that the law of Scotland, as it at present stood, was in accordance with the words; but if there was any doubt, it was better that it should be removed.

Sir JOHN OGILVY thought £10 an excessive rental for a Scotch lodger franchise.

Mr. KINNAIRD said, the figure was put at £10 to make the franchise the same as that in the English Act.

Mr. POWELL said, that there was a difference between this and the English lodger franchise, which said that the lodging must be in the same dwelling-house; but this Bill said it might be in "any dwelling-house."

Mr. DISRAELI: Sir, I rose some time back, but was anticipated by the learned Lord Advocate, to say that the House has come to a very important decision with regard to this Bill. There was a very anxious desire on the part of Her Majesty's

Government to meet the general wishes of the House, and try if possible to bring our deliberations on this Bill to a happy conclusion. But the result has not been of the character we had anticipated. I think, on the whole, that it would be best to move that we report Progress, in order that Her Majesty's Government may have an opportunity of considering the very important decision that has been come to. We have evinced an anxiety to meet the general wishes of the House, and as we have not succeeded, I very much regret it. I move, Sir, that you report Progress, in order that Her Majesty's Government may consider the position in which they now stand.

MR. BRIGHT: I cannot, Sir, join in the tumultuous expression of hon. Gentlemen opposite, and I only rise for the purpose of saying I regret that the right hon. Gentleman at the head of the Government was not present during much of this discussion. I am not blaming the right hon. Gentleman in the least; I was only expressing my regret, because I think that if he had heard the discussion it would have led him to this conclusion, that there really was no necessity for an obstinate persistance in the principle with regard to rating that was contained in the Bill. He would have found that there was a remarkable unanimity amongst Scotch Members in favour of the proposition that has been carried by a majority of 22. I would venture to suggest to hon. Gentlemen opposite, who do not appear to agree with me, that when in this House we have, when treating of a Scotch or Irish Bill, an expression of the honest and settled conviction of the great majority of the representatives of that part of the country, we should do wisely to pay great attention to that expression, unless it asks us to do something absolutely injurious and immoral. I am sure the right hon. Gentleman and his Friends opposite will see from what I am saying that I am not interposing any difficulty in his way. I think it would be unfortunate if the right hon. Gentleman should find himself under the necessity of insisting in this Bill upon a principle which was not found to be beneficial in the English Bill. We know that Prime Ministers and great Statesmen, however eminent, have opportunities of learning and changing their opinions, and as the principle of no disfranchisement was given up in Ireland, it has now by the vote of to-night, and the consent of the right hon. Gentleman, been given up with regard to England, in order that certain additional Members might be given to Scotland. Therefore I do not see why hon. Gentlemen should be so straight-laced, or why there should be the difficulty in the minds of hon. Gentlemen at consenting to a change in this matter, which would not involve a change from anything that has existed in Scotland before; but would simply be continuing what has existed in Scotland ever since the passing of the Reform Act in 1832. I hope the right hon. Gentleman will take this into his consideration, and that his Friends will be forbearing. That the right hon. Gentleman should have moved that Progress be reported, was only natural under the circumstances. In my opinion, if hon. Gentlemen were a little better informed upon this matter they would be disposed to agree in the decision which the House has come to. Let them, therefore, not make it difficult for the Government to accept that decision.

MR. BAILLIE COCHRANE said, as one of the independent Members of the House, he must express his satisfaction at the decision come to by the Prime Minister. No doubt it was excessively disagreeable to the hon. Gentleman opposite. No doubt he desired to come down to the House night after night and support every piece of factious opposition ingenuity could suggest. Was the Government to submit to such treatment? If Lord Derby had remained in Office, the factious opposition of the last four weeks would have had no existence; but immediately the right hon. Gentleman came into power an opposition was organized for the purpose of ousting him from Office. He perfectly understood the annoyance of hon. Gentlemen opposite at the decision of the Government; but at the same time he thought that that decision was most conducive to the interests of the country.

MR. BOUVERIE said, he thought the right hon. Gentleman had taken a discreet course, and he hoped the enthusiastic Gentlemen opposite would allow him to persevere in it. He must remind the Committee that the hon. Member for Honiton (Mr. Baillie Cochrane), who seemed so very hot upon the subject, had not been present during the discussion. [Mr. BAILLIE COCHRANE: I beg pardon, I was here.] The hon. Member seemed not to be aware that the Motion was brought forward by him (Mr. Bouverie), after due deliberation with a large body of Scotch Members, and with the right hon. Gentleman opposite the First Minister of the Crown. He (Mr. Bouverie) would do the right hon. Gentleman the justice of saying, that in all matters connected with Scotland he has shown the greatest anxiety to consult the wishes and opinions of the Scotch Members, and, so far as he conceived it consistent with his sense of duty, he had acted in accordance with those opinions. He did not think the House had any right to complain of the right hon. Gentleman for the course he had taken; but he hoped the right hon. Gentleman would bear distinctly in mind that the decision at which a tolerably full Committee had arrived was to reject an innovation. The right hon. Gentleman had not resolved to continue an existing state of things, but to introduce a system which was repugnant to the great body of the Scotch people.

Mr. LIDDELL said, he rose merely for the purpose of saying that he thought the Government had exercised a wise discretion, and he cordially approved the course they had taken in asking for time to consider the very grave position in which they were at present placed. He was anxious, if the House would pardon him, to say a few words on this occasion, because he had recently given expression to opinions which he knew had caused pain to some whom he was sorry to have offended, and some dissatisfaction to those whom he had the honour to represent. He had taken occasion in a recent debate to say that he disapproved the conduct of Her Majesty's Government in not having resigned on their defeat upon the question of the Irish Church. If, in the expression of such an opinion, he had given pain to any Member of Her Majesty's Government, he was extremely sorry; but he had spoken upon public grounds, and he appealed to recent events for his justification. Long habit and training in that House had inclined him to take a constitutional view of great questions, and he maintained now what he had said then,—that under the circumstances of a great defeat, confirmed by a subsequent vote with an increased majority, the duty of any Government, formed no matter how, could not be evaded, either with credit to themselves or advantage to the country. He had not spoken without thought. He knew at the time that there were great and difficult questions coming on for decision even in the short time the present House of Commons seemed disposed to leave to itself, and that upon those questions great differences of opinion would exist. They had now seen the boundary question re-opened and brought before the House, and, in his humble judgment, left as unsettled by the action of Parliament as it was before the Commission was appointed. They had seen, in the case of the Reform Bill for Scotland, Her Majesty's Government defeated in a serious division on an important point, and again in the division which had just been taken. Now, he would ask the hon. Members opposite to place themselves in the position of those who habitually supported Her Majesty's Ministers. The Government were perfectly right in pressing their opinions on the House; but the House refused to listen to those opinions, and, almost as a matter of course, whenever Her Majesty's Government proposed anything the House of Commons took a different view. The position of the Government was therefore the reverse of what it ought to be, and their whole policy was guided and governed by their opponents. That was a state of things which it would be extremely dangerous to continue, and he said so for the sake of the great party to which he belonged, and the influence of which he did not wish to see in any respect lessened. The Conservative party in this country, when accustomed, night after night, to defeat and humiliation, was not only powerless for good, but might become instrumental for evil. It was on that account he regretted that Her Majesty's Government should have thought fit on a recent occasion to retain power in the difficult position in which an adverse majority had placed them. The constitutional mode of proceeding in the case of an adverse vote was to take one of two courses—either to resign power, or to call on the country to support them. He regretted that Her Majesty's Government had not done one or the other, and he still more regretted the deplorable consequences which had arisen. He looked upon this question in a constitutional light alone, and he maintained that to carry on the Government of the country in the face of a great majority was full of danger, and could only be attended with disappointment and pain to those who attempted it.

Sir CHARLES RUSSELL only wished to say that he earnestly hoped Her Majesty's Government would persevere in the course they had announced. They had got from the hon. Member for Birmingham (Mr. Bright), who appeared occasionally to act as a sort of patron saint to both sides, a little advice. But in his early days he had read the fable of Little Red Ridinghood, and he remembered that when the Wolf tried to lure Little Red Ridinghood to her doom the language he used was just in the same mellifluous tones as those of the hon. Member for Birmingham. He could only say for himself, and for many others on that side of the House, that they wanted no advice from the hon. Gentleman. They were proceeding, as they believed, in a straightforward and honest course, and he could say, for one, that he earnestly hoped that having now arrived on the threshold of an appeal to some other authority outside the House, they would no longer shrink from the issue. He earnestly trusted Her Majesty's Government would not do that which had been insinuated from the other side—namely, resign their Offices. He was speaking from his conscientious conviction when he said that he believed the country appreciated the issue far more than some hon. Members might suppose. He believed that the people were keenly alive to the fact that the real question was a struggle for power between two men, who by their intellect, by their industry, and by their many great qualities had singled themselves out from the ranks, and had challenged one another to a great and signal issue. They had struggled for the highest places, and the one had got first to the top of the tree. He was speaking the truth, and he had small blame to give to anyone who having honestly entered into the struggle wished to displace his rival if he could. Now that was the issue which he believed the country had before it. It was not merely the Irish Church, it was not the Scotch Reform Bill. It was none of these great questions, giant though they were in importance. The real struggle was the struggle for power. He said it most conscientiously that he most earnestly hoped Her Majesty's Government having stepped out into the ring would not retire, at least until they had shown that they were not afraid to face the constituencies.

MR. GILPIN said, he desired to recall the attention of the Committee to the question really before it. The question was not whether the Government were doing wisely or unwisely in retaining their seats, whether they were prepared to go to the country, whether the Irish Church was a great question, or whether the right hon. Member for South Lancashire and the right hon. Member for Buckinghamshire were or were not struggling for power, but it was whether the Chairman should report Progress. He knew that was coming down from the stilts; but it was coming down to the question really before the Committee. He attended to a considerable portion of the discussion, and it appeared to him that the right hon. Gentlemen, not for the first time, had been prepared to take the decision of the House as the conclusive decision upon the shape of the Scotch Reform Bill. He would not speak so much about conscientious feelings as the hon. and gallant Gentleman (Sir Charles Russell), though he might possibly do so with equal truth. But when the hon. Member for Honiton (Mr. Baillie Cochrane) attributed motives to the hon. Member for Birmingham (Mr. Bright) he advised him to take care how, living in a glass house himself, he threw stones, for many believed that the hon. Gentleman himself looked with apprehension to the time when, by the operation of the English Bill, the House might be deprived of the light of his countenance. He hoped the First Minister of the Crown would be prepared to go on with the Bill, believing, as he did that the present Ministry were in many respects better able than the Liberal party to carry a good Reform Bill through the Upper House.

SIR LAWRENCE PALK said, that the vote arrived at that night was one of the most important that had occurred during the Reform debates, reversing, as it did, the whole principle on which the Bill was founded. The principle of the Bill, originally founded on enfranchisement, was now converted into one of disfranchisement. The Scotch Members were quite warranted in insisting upon additional representation; but it ought not to be obtained by plundering England while there were so many large towns in the latter country still unrepresented. He trusted that the Ministry would not accept the vote which had been arrived at that night; but would once for all put an end to a state of things which was neither creditable to Parliament nor to the country, and which, in his opinion, was scarcely creditable to the Ministry itself. He thought the vote arrived at was of such serious importance that they must either decide to throw over the Scotch Bill altogether and appeal to the country, as they might fairly do, on the Reform Bill already passed, or place the Government of the country in the hands of those who appeared to be disposed, relying upon their numbers and their majority, to carry on the business of the country in their own peculiar way.

MR. MONCREIFF said, he wished that there should be no mistake on the subject of the vote to which the Committee had come. When the Reform Bill for Scotland was introduced, the right hon. Gentleman had said, with great fairness and candour, that in these matters he would be greatly influenced by the views of the House, and that he would look to the opinions of Scotch Members especially as a guide in his proceedings. But in the debate which took place at that time, the Scotch Members pointed out in the most explicit manner that the rating principle would be productive of great inconvenience, and having since consulted together upon the subject, they placed their Amendments upon the Paper before Easter, so that the Government had had ample means of knowing what it was that they intended to insist upon. He thought the course adopted by the Scotch Members was perfectly justified, and he hoped they would continue in that course. It was their duty to make this Reform Bill as operative and as beneficial as possible, and whatever might be the result of their votes he hoped they would persevere in their present course. He could have no objection to the right hon. Gentleman taking time to consider the vote, and with the advice he would have, he would probably find that the Scotch Reform Bill had not suffered any great detriment through the omission of the rating clause, which enfranchised and disfranchised nobody.

SIR PATRICK O'BRIEN said, he did not rise to oppose the Motion for Progress which, under the circumstances, he thought to be natural; but he did rise to reply to the observations of the hon. Baronet the Member for Berkshire (Sir Charles Russell). That hon. Gentleman might be justified in speaking the sentiments of the hon. Gentlemen who sat around him when he said that the struggle of that night and the struggles which had been going on for the last two months were for the purpose of placing in power one of the right hon. Gentleman who led parties on either side of that House. Much as he respected and looked up to the right hon. Gentleman who led the party with which he had the honour of acting, he had, as an humble independent Member of that House, to disclaim such a motive as had been attributed to the Liberal party by the hon. Baronet. They were there to struggle for great principles, and not, as the hon. Member had avowed was the motive of his party, to struggle for the ascendancy of an individual. The course taken that night fully exhibited the correctness of the statement he had ventured to make on the night that the right hon. Gentleman the First Lord of the Treasury had stated the course which Government meant to take after the majority of 65 against them. He (Sir Patrick O'Brien) had then entertained the opinion that there were great questions remaining for that Parliament to consider—the Scotch Reform Bill, which they were first considering, the Boundary Bill, and the Irish Reform Bill. He had said then that they were about to proceed to their consideration with the millstone of a dissolution hanging round their necks. The observations of Gentlemen opposite proved that he was right in that statement. His opinion then, as it was before, was, that such a state of things was unconstitutional. They could not consider measures of such a character fairly under such circumstances. There were two courses for the Government to take—resign—that he would not believe they would do—or dissolve Parliament. The hon. Baronet, a distinguished military officer, knew that soldiers went into action ready to risk their lives for their country. He (Sir Patrick O'Brien), much as he and others on both sides of the House would dislike a dissolution, could not imagine that hon. Members would not be ready to risk their seats for great principles. Hon. Members opposite threatened them with dissolution; they—the Liberal party—were prepared for the issue; they believed that the country would give their opinions the seal of their approbation, and they challenged, not individual Members, but the Government to appeal to the country.

SIR JAMES FERGUSSON said, he could not assent to the description which the right hon. Gentleman the Member for Edinburgh (Mr. Moncreiff) had given of the question on which the Committee had just come to a decision. He must remind the Committee that the question really was whether there should be in the towns of Scotland household suffrage, pure and simple? This was put most distinctly to the Committee, and it was not open to hon. Members to say now that it was any other question that had been under consideration. There had been no attempt on the part of hon. Gentlemen opposite to fill up the blank in the clause by putting in any fixed rental as a qualification for the franchise; but what hon. Gentlemen opposite said was, that they would not allow any qualification for the franchise, and the whole of the party opposite voted in that sense. Hon. Members could therefore scarcely be surprised at the Government not accepting the vote at which the Committee had arrived. The right hon. Member for Edinburgh said the Government were aware of the Amendment agreed upon by the Scotch Members; but neither he himself (Sir James Fergusson) nor some other Scotch Members were parties to the consultation of Scotch Members, with reference to this Bill. How were the Government to ascertain which of the Amendments were unanimously adopted at the consultation? Some of the Amendments put on the Paper were most discordant with each other. It should surely, therefore, have been stated in the first instance what had been the unanimous decision of the Scotch Members. He believed great surprise would be excited in Scotland, when it was known that many Gentlemen who were apprehensive of the changes made last year had now voted for household suffrage, pure and simple.

MR. G. YOUNG said, he was surprised to hear a complaint from a Member of the Government that a fixed limit of rental had not been proposed as a substitute for rating. He had supposed that if there was one thing to which hon. and right hon. Gentlemen opposite had a decided objection, it was to what they characterized as a "hard and fast" line. They had themselves decided in favour of another line, which he would characterize as a fast and loose line. The Government, though repudiating a hard and fast line for England, as a matter of principle, had adopted it for Ireland; and they now complained that it had not been proposed for Scotland also. What had been done by the vote which had just been arrived at was simply to put it out of the power of any parties, for political purposes or otherwise, to command the register in any burgh, with respect to persons who, because of the lowness of their rental, might be exempted from or made liable to the payment of rates at the discretion of parochial Boards, and to whom it might not be convenient to pay their rates. This, and nothing more, was the effect of the Amendment.

MR. HEADLAM said, that his sympathies and prejudices on this occasion were with the right hon. Gentleman at the Head of the Government. He took a decided position last Session respecting rating with regard to England. But he had voted for this Amendment on the ground that that principle was not applicable to Scotland. It had not been in force there, and as far as he could learn, was not in accordance with the wishes of Scotch Members. Under these circumstances he thought there should be some other basis for Scotland. He thought the Government might fairly recognize the inapplicability of the principle to Scotland as well as to Ireland, and he hoped they would decide on acquiescing in the decision which had been arrived at, and discover some other satisfactory basis for the Scotch franchise.

House *resumed.*

Committee report Progress; to sit again upon *Monday* next.

PARLIAMENT—PROGRESS OF BUSINESS.—QUESTION.

MR. GLADSTONE asked what arrangement the Government proposed to make with respect to the course of Business?

MR. DISRAELI replied that the Scotch Reform Bill would be fixed for Monday next.

MR. GLADSTONE inquired what Business would be taken on Thursday?

MR. DISRAELI: On Thursday we shall proceed with the Corrupt Practices Bill.

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

> "That a sum, not exceeding £37,100, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for Law Charges, and for the Salaries, Allowances, and Incidental Expenses, including Prosecutions relating to Coin, in the Department of the Solicitor for the Affairs of Her Majesty's Treasury."

MR. KINNAIRD asked whether it was usual to proceed with the Estimates at Eleven o'clock? and suggested that, as it had been expected the whole night would be devoted to the Scotch Reform Bill, some other Scotch Bills on the Paper should be forwarded. He moved that the Chairman report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Kinnaird.*)

MR. GATHORNE HARDY said, that Scotch Members on the opposite side of the House were not quite consistent. Early in the evening they had been anxious that Scotland should be regarded as an integral part of the Empire, but the hon. Member for Perth now wished Scotland to be treated as altogether distinct, and general Business to be stopped, for fear that the interests of Scotland should not be attended to. That the Scotch Reform Bill had not occupied the whole night was no reason for not proceeding with Supply.

MR. KINNAIRD said, that ten Scotch Bills had been put in the Paper for that night, and he wished to know whether those Bills would be proceeded with. He would withdraw his Motion.

Motion, by leave, *withdrawn.*

Original Question put, and *agree to.*

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £163,776, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for Prosecutions at Assizes and Quarter Sessions, formerly paid out of County Rates, including Adjudications under the Criminal Justice Act, Sheriffs' Expenses, Salaries in lieu of Fees to Clerks of Assize and other Officers, and for Compensation to Clerks of the Peace under the same Act, and certain other Expenses of the same Class."

MR. CHILDERS said, he wished to know whether the Attorney General had any further explanation to give respecting the duties of the Clerks of Assize? At present, after the explanation given by the hon. and learned Gentleman on a former evening, and which he heard with pain, he thought that these officers did not discharge duties for which a salary of £1,000 a year was requisite, and that it was incumbent on the Treasury to make inquiry into the salaries of all the offices in this Vote.

THE ATTORNEY GENERAL said, that all he stated the other night was that it was not necessary that a Clerk of Assize should be either a barrister or a solicitor. He would not go at any length into the duties of a Clerk of Assize; but it was absolutely necessary that there should be on every circuit officers to perform duties connected with the administration of justice. He had himself had to sit as a Commissioner on the Western Circuit, and there was sometimes a difficulty in getting a clerk to go into a third and fourth Court. He would repeat that a great portion of the business which devolved upon the Clerks of Assize was not such as to require legal knowledge. He had the control over certain officers, and had to conduct the correspondence with the sheriffs and gaolers, and to assist the Judges in the general arrangements of the business of the different Courts of Assize. He also had to keep an office in town. He would not retract what he had said the other night, that although some legal knowledge was required, it was not necessary he should be a barrister of seven years' standing or a solicitor in order to discharge the duties of his office.

MR. CHILDERS said, that the explanation of the hon. and learned Gentleman was quite satisfactory from his point of view. The Attorney General had shown very clearly that some knowledge of routine and a certain aptitude of organization were required from Clerks of Assize, but it appeared to him (Mr. Childers) to be then undesirable that, taking into account the rates of salary in other departments of the Civil Service, £1,000 would be an excessive salary. He did not complain of Mr. Bovill's appointment, but if a gentleman who a year ago was in a dragoon regiment could in a few months qualify himself for professional duties of this kind, it would be very unfair to the Civil Service generally, that the present salaries should be maintained. He would therefore press the question which he had addressed to the Treasury — namely, whether they would undertake that the salaries of these officers should be re-considered by the Treasury?

THE CHANCELLOR OF THE EXCHEQUER said, that the proposal of the hon. Gentleman (Mr. Childers) that the Treasury should re-consider the salary of these officers with reference to the duties they were called upon to discharge, was deserving of attention. Since the present Government came into Office their attention had not been called to this subject, but he had no hesitation in saying that the matter should be properly inquired into.

MR. FAWCETT moved that the Vote be postponed.

THE CHAIRMAN intimated that this could not be done.

MR. FAWCETT said, he felt so strongly that it was a gross abuse on the part of the Chief Justice of the Common

Pleas to appoint to a legal position one of his sons who twelve months ago was an officer in the army that he would move that the Vote be reduced by £1,000.

Motion made, and Question proposed,

"That a sum, not exceeding £162,776, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for Prosecutions at Assizes and Quarter Sessions, formerly paid out of County Rates, including Adjudications under the Criminal Justice Act, Sheriffs' Expenses, Salaries in lieu of Fees to Clerks of Assize and other Officers, and for Compensation to Clerks of the Peace under the same Act, and certain other Expenses of the same Class."—(*Mr. Fawcett.*)

Mr. SCLATER-BOOTH said, this was a very harsh proposal in reference to this particular appointment. The question in regard to this salary had only been brought under the notice of the Treasury during the last few days, and it had been reserved as a fit subject for consideration. At the same time, they should take into consideration the way these appointments had been made from time immemorial.

Mr. Serjeant GASELEE: I cannot agree that the appointment of Clerks of Assize ought to be made without some legal knowledge on the part of the person appointed. The question is not one of salary, but one of qualification. £1,000 a year is not too much if the office is properly filled; but the question is, whether it is properly filled? Send us to the country if you dare. Send us to the country, but do not threaten us with dissolution, and perpetrate your jobs. ["Divide, divide!"] An hon. Gentleman cries "Divide, divide;" perhaps he is looking out for a Clerkship of Assize.

Mr. GLADSTONE said, he would suggest to the Government that, if the matter was still under their consideration, a postponement of the Vote might be proper and convenient. It would be more satisfactory to the Committee to have the final judgment of Government upon it, and thus approach the consideration of it with more advantage. But, if the Government was unwilling to do this, he must recommend his hon. Friend the Member for Brighton (Mr. Fawcett) to withdraw his Motion. He would submit to his hon. Friend that to disallow the entire salary of the Gentleman in question was the severest condemnation, short of a direct Resolution of the House, that could possibly be passed upon his appointment; and the House was not in a position in point of information to pass such a Motion. If the thing ought to be done at all, it could only be properly done after a much fuller hearing than had yet been given to it. The pledge of the Chancellor of the Exchequer, as he understood it, extended to the consideration of the salaries of all the gentlemen holding similar appointments, of whom he believed there were six or eight; and, indeed, on no ground of fairness ought it to be limited to one particular instance. He should therefore feel bound to accept the pledge of the Chancellor of the Exchequer in the full confidence that a *bonâ fide* and searching inquiry would be instituted.

The CHANCELLOR of the EXCHEQUER said, he believed that, when a Vote had been proposed, it could not be postponed; but he desired it to be clearly understood that he intended that a full inquiry should be made into the present question, and not merely into this particular case. He also learned that the salary of Mr. Bovill had got to be settled by the Treasury; it would be settled upon a fair and just basis, and it would not at all follow, because the sum asked for was voted, that it would be all expended in the salary. But, after this pledge given by the Government, he trusted that the Committee would not take the strong step suggested by the hon. Member for Brighton. In regard to the appointment, he wished to say a few words in defence of Chief Justice Bovill, with whom he had sat for many years in that House, and for whom he and many others had a great personal regard. The Chief Justice had been singled out in a manner hardly fair. It was well known that, for a long series of years past, distinguished members of the Bar had been accustomed to accept high judicial positions, the emoluments of which were much less than those they were earning at the Bar—influenced partly by the knowledge that there would be a certain amount of patronage at their disposal. He was not defending the system, but only stating what it was. For many years he believed that these appointments had been filled either by the sons or the near relatives of the Chief Justice. The practice might be well done away with; but no one could deny that it existed, and that the present appointment was the result of that practice, and it ought not to be charged upon the individual; though it would be most desirable that it should be understood for the future that appointments of this description ought not to be distributed, as a matter of course, among the personal connections of the Chief Justice.

Colonel NORTH said, that, as neither the hon. Member for Pontefract (Mr. Childers) nor the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) had made any inquiry as to the duties of these officers while they were at the Treasury, the zeal with which they now condemned the appointments was, to say the least, very curious. In his opinion, no blame attached to the Lord Chief Justice for following a practice which had evidently been approved by those hon. Members.

Mr. CHILDERS said, that if, during the eight or nine months that he was Secretary of the Treasury, he had ascertained the duty, and compared it with the salary, of every officer of the Government, he must have been a man of superhuman power. He, however, never imagined that Clerkships of Assize were offices which did not require to be filled by persons of considerable legal attainments. If the Government were unwilling to postpone the Vote, he trusted that the Committee would accept the promise of the Chancellor of the Exchequer, which he had not the least doubt the Treasury would faithfully perform. At the same time, he trusted that the House would never for a moment admit that patronage vested in any person in the position of a Judge, was something which was to be looked upon as property, and for which, if he was deprived of it, he was entitled, in some respect or other, to compensation. Any such idea was expressly excluded by a clause of the Act of Parlia- which regulates the offices of Associate and Clerk of Assize.

Sir HARRY VERNEY said, he looked upon the legal profession as one of the safeguards of the Constitution, and if it were to go forth to the world that appointments of this description were to be made a slur would be cast upon the profession.

Mr. FAWCETT said, he regretted that notwithstanding the appeals which had been made to him by the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone), and by the hon. Member for Pontefract (Mr. Childers), he could not withdraw his Motion. He did not wish to raise a general question as to the revision of the salaries of clerks, whom he had no reason to believe overpaid. The right hon. Gentleman the Member for South Lancashire had stated that the Amendment, if carried, would be a severe vote of censure on Chief Justice Bovill. Believing that the Chief Justice had done that which he ought not to have done, he (Mr. Fawcett) was anxious that the Committee should pass a severe condemnation upon him in this matter.

Mr. HIBBERT regretted that after the assurance of the Chancellor of the Exchequer the Amendment had not been withdrawn. He thought it would be much better that the House should lay down some rule that no person should in future be appointed to the office in question who was not of a certain standing at the bar, or a solicitor.

Mr. NEVILLE-GRENVILLE said, he wished to know whether any complaint had been made of any mischief arising out of this appointment? If an improper appointment had been made no doubt notice ought to be taken of it by the House, but he did not think that the present Amendment was the most dignified form. He was rather surprised to hear from the hon. Baronet the Member for Buckinghamshire (Sir Harry Verney), that a gentleman who had been engaged in the profession to which he (Sir Harry Verney) had formerly belonged was incapable of performing the duties of Clerk of Assize. All he could make out from the present debate was, that a gentleman blessed with a legal education was everything that was good, while there was nothing but inefficiency to be expected from a civilian or a military officer.

Mr. CLAY said, that the hon. Member for Brighton had asked the Committee to pass a severe censure on the Chief Justice, and he (Mr. Clay) was therefore anxious to say that, entertaining a high respect for the Chief Justice—which he believed was shared by all who knew him — he hoped the Amendment would not be pressed. If it was, very few Members, he believed, would vote for it. If there was any fault it lay not with the Chief Justice but with that House, which allowed highly-paid places to exist with very slender duties. As long as that was so, they might be sure that those who held the patronage would appoint their own relations. He thought the proposition made by the right hon. Gentleman the Chancellor of the Exchequer the more satisfactory settlement; it would save more money, and without selecting one instance, which was not worse than the others, would put the whole upon such a footing as was worthy of the House of Commons.

MR. ALDERMAN LUSK expressed a hope that the hon. Member for Brighton would divide the Committee on his Motion.

MR. GOLDNEY said, he would remind the Committee that two or three years ago an inquiry was instituted in respect of the Common Law Fee Fund, and it was shown that two previous Chief Justices had appointed their sons to an office relative to the acknowledgments of married women—from which they derived an income of £3,000 a year; and one of them had not been near his office for the previous four years. The House had not however interfered in the matter. Surely this was a justification for the appointment made by the Chief Justice.

MR. SERJEANT GASELEE moved that the Chairman report Progress.

MR. WATKIN seconded the Motion.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Serjeant Gaselee,*)—put, and *negatived.*

Question,

"That a sum, not exceeding £162,176, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for Prosecutions at Assizes and Quarter Sessions, formerly paid out of County Rates, including Adjudications under the Criminal Justice Act, Sheriffs' Expenses, Salaries in lieu of Fees to Clerks of Assize and other Officers, and for Compensation to Clerks of the Peace under the same Act, and certain other Expenses of the same Class,"

—put, and *negatived.*

MR. DARBY GRIFFITH drew attention to the item in the Vote which had reference to the charge for Judges' lodgings. The present arrangement with regard to Judges' lodgings was very unsatisfactory. The sheriff had to pay for the lodgings in advance, and it was in the power of a Judge to fine a sheriff if everything was not to his taste. The money was ultimately paid by the Treasury. He thought it would be as well that the Treasury should pay it in the first instance.

MR. MONK said, he wished to call the attention of the Government to the necessity for the appointment of an officer to conduct criminal prosecutions. An end ought to be put to the present system by which they were left in the hands of the police.

MR. SCLATER-BOOTH, in reply, said, that the matter adverted to by the hon. Member for Devizes (Mr. D. Griffith) was under consideration. A very complicated account had to be settled between the Treasury and the sheriffs every year, and there would be great difficulty in anticipating the period for the settlement of a portion of that account. It did not appear that the sheriffs complained of the present system. He did not say that an improvement might not ultimately be effected in it; but at present he did not see his way to any such improvement. The question of the appointment of a public prosecutor was a large and important question, and could not be properly considered in Committee of Supply.

Original Question put, and *agreed to.*

(3.) £231,000, to complete the sum for the Police.

(4.) £49,283, to complete the sum for Common Law Charges.

(5.) £18,346, to complete the sum for Miscellaneous Legal Charges in England.

(6.) £210,070, to complete the sum for County Prisons and Reformatories, &c.

(7.) £433,674, to complete the sum for County Courts.

SIR COLMAN O'LOGHLEN said, there had been an increase in this item of £352,685, and he should like to know how that occurred. In Ireland the expense of the Court-houses was defrayed out of the rates; and he could not understand why in England the expenditure for works and purchase of sites should be charged on the Consolidated Fund.

MR. SCLATER-BOOTH said, that a large portion of the money was re-paid to the Exchequer in the shape of fees. The increase in the Vote was mainly occasioned by new Courts in various places. It was impossible to resist the applications made from time to time for new Courts.

MR. ALDERMAN LUSK asked if it was fair that the whole expense of these Courts should be defrayed out of the Consolidated Fund, when one-half of the expense of the Sheriffs' Courts in Scotland came out of the rates, as was mentioned a night or two ago?

THE CHANCELLOR OF THE EXCHEQUER said that the Sheriffs' Courts in Scotland were used indiscriminately for civil suits and the administration of criminal justice, while in England the Courts for administration of criminal justice were provided for out of local rates.

Vote *agreed to.*

(8.) £28,950, to complete the sum for Police Courts (London and Sheerness).

Mr. HIBBERT said, that in the country the expenses of the Police Courts were defrayed out of the rates. In London they came out of the Consolidated Fund. He did not see why the metropolis should not bear some portion of the charge.

Mr. LABOUCHERE called attention to the charges for the constabulary in Ireland. He did not see, considering that the population in the metropolis was about half that of Ireland, that the proportion was too much. It was really impossible to levy more money in the metropolis. The whole of the police charge of the metropolis was not charged on the Consolidated Fund; and many of the duties performed by the metropolitan police were not of a local, but of an Imperial character.

Mr. GATHORNE HARDY said, that one item of increase in the Vote was for improving the Police Courts of London, which everybody admitted were in a wretched state. It rested with the Treasury and the Home Office to decide when the police courts required to be re-built; and anyone who would take the trouble of looking into those Courts would admit that they were not such buildings as they ought to be. Although the sum was charged in a different manner, the fact really was that the proportion charged for the metropolis was just the same as in other parts of the country.

Vote *agreed to.*

Sir COLMAN O'LOGHLEN then moved that the Chairman report Progress.

Mr. GATHORNE HARDY said, Progress could be reported when they came to an unopposed Vote.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Sir Colman O'Loghlen,*)—put, and *negatived.*

(9.) Motion made, and Question proposed,

"That a sum, not exceeding £165,524, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for the Metropolitan Police."

Mr. AYRTON inquired when the Bill for the re-organization of the police system was to be introduced?

Mr. GATHORNE HARDY said, that he had given notice of the Bill, and proposed to bring it in on Thursday.

Mr. Alderman LUSK said, he objected to the amount of the Vote and to the entire want of details of the various items. He wished for an explanation why the police did not prevent the explosion at Clerkenwell House of Correction, seeing that they had previous warning of what was likely to happen, and the very day and hour was specified.

Mr. GATHORNE HARDY said, he had on a former occasion given as much explanation as was in his power. The police were on the spot, but they did not anticipate the particular mode that was adopted for blowing down the prison wall. They were under the impression that the wall would be blown up from below, and took precautions against that, but not against the method that was actually adopted. They were more accustomed to the sight of barrels of beer than barrels of gunpowder, and thinking it was a barrel of beer that was placed against the wall they took no steps to remove it.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Watkin.*)

The CHANCELLOR of the EXCHEQUER said, he must remind the Committee they were very backward with Supply this year, and he hoped, as there was then a good attendance in the House, they would be allowed to take a few more Votes that night. If the Committee was adjourned they must sit later to make up the time.

Mr. WATKIN said, the Secretary of State had appealed to the Committee to wait till a Vote was reached which was opposed.

Sir COLMAN O'LOGHLEN said, there were other measures of the Government on the night's Paper; and he would suggest that Progress should be reported after this Vote was agreed to.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(10.) £130,891, to complete the sum for Convict Establishments (Colonies).

Mr. CHILDERS said, he hoped that no more convicts would be sent to Gibraltar. It was an extravagant thing to send convicts there, and it was a bad place to send them to. The convict establishment there was bad in point of discipline.

Mr. SCLATER-BOOTH said, that a reduced Estimate had been received from Gibraltar since the general Estimates were printed, and consequently the Vote had been reduced by £2,000.

Mr. CHILDERS objected to sending convicts to Gibraltar at all. The labour of convicts was required at home.

Mr. GATHORNE HARDY said, there had been a demand from Gibraltar for convicts to be employed on the extensive works there, and he was not aware that the labour of additional convicts was required at home.

Mr. CHILDERS said, the convicts were sent out to Gibraltar and ultimately sent home again, and the process was most expensive.

Vote *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow.*

Committee to sit again upon *Wednesday.*

RAILWAYS (IRELAND) ACTS AMENDMENT BILL.

On Motion of Mr. Serjeant Barry, Bill to amend "The Railways (Ireland) Act (1851)," "The Railways (Ireland) Act (1860)," and "The Railways (Ireland) Act (1864)," as to the trial of Traversers, *ordered* to be brought in by Mr. Serjeant Barry and Mr. Sullivan.

Bill *presented,* and read the first time. [Bill 123.]

LOCAL GOVERNMENT SUPPLEMENTAL (NO. 2) BILL.

On Motion of Sir James Fergusson, Bill to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the districts of Southampton, Bradford, Whitchurch and Dodington, Royton, Kendal, and Sunderland, *ordered* to be brought in by Sir James Fergusson and Mr. Secretary Gathorne Hardy.

Bill *presented,* and read the first time. [Bill 120.]

LOCAL GOVERNMENT SUPPLEMENTAL (NO. 3) BILL.

On Motion of Sir James Fergusson, Bill to confirm a certain Provisional Order under "The Local Government Act, 1858," relating to the district of Tunbridge Wells, *ordered* to be brought in by Sir James Fergusson and Mr. Secretary Gathorne Hardy.

Bill *presented,* and read the first time. [Bill 121.]

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Tuesday, May 19, 1868.

MINUTES.]—Select Committee—On Construction of the House *appointed;* Contagious Diseases Act, 1866, *appointed.*

Public Bills—*First Reading*—Sale of Poisons and Pharmacy Act Amendment* (103); Cotton Statistics* (102); Jurors' Affirmations (Scotland)* (104); Stockbrokers (Ireland)* (105).

Second Reading—Consecration of Churchyards Act (1867) Amendment (16); Alkali Act Amendment (114).

Committee—United Parishes (Scotland)* (84); Duchy of Cornwall Amendment* (94); Endowed Schools* (98).

Report—United Parishes (Scotland)* (84); Duchy of Cornwall Amendment* (94-107).

Third Reading—Customs and Income Tax* (100); Exchequer Bonds (£1,600,000),* and *passed.*

Withdrawn—Friendly Societies (43).

FRIENDLY SOCIETIES BILL (No. 43.)

(*The Earl of Lichfield.*)

BILL WITHDRAWN.

Order of the Day for the House to be put in Committee on the Friendly Societies Bill, read.

The Earl of MALMESBURY said, that before his noble Friend (the Earl of Lichfield) moved the House into Committee on the Bill, he would put it to him to consider whether, under the critical circumstances of the moment, it was not almost impossible that he could succeed in the object—undoubtedly a very important one—which he desired to accomplish. It was now the 19th of May, with the Whitsuntide holidays close upon them, the House of Commons was absorbed in the consideration of other subjects of a difficult character. He thought his noble Friend would only raise a useless discussion by proceeding with the Bill, and he therefore put it to him whether it would not be better to withdraw it? He would not however have his noble Friend think that the Government were opposed to the Bill, or did not think that the subject was worthy of consideration; on the contrary he (the Earl of Malmesbury) agreed with what fell from him (the Earl of Lichfield) the other night, when he expressed a wish for a Royal Commission to consider the whole subject, and although he was not in a position to promise that a Royal Commission should be appointed, he was inclined to regard such a proposition with every favour; because their Lordships would be able to work much more effectually when in possession of the Report of a Commission than under the present circumstances.

The Earl of LICHFIELD said, that he attached great importance to the question, and he had heard no objection of any weight offered against any of the clauses of the Bill which he had brought forward. Under any other circumstances, therefore, he should have been most reluctant to withdraw it. His object, however, had been gained to a great extent—first, by having brought the subject prominently forward, and having, as he believed, attracted the attention of a large portion of the public to this important question, and also in having obtained from Her Majesty's Government an intimation that they approved of the principle of the Bill and were not unwilling that a Commission should be appointed to inquire into the whole subject. Having that prospect before him, and believing that it would be an unnecessary waste of time if he insisted on pressing the measure under the present circumstances, he would adopt the advice given him by the noble Earl and withdraw the Bill.

Earl FORTESCUE said, that having presented a petition from one of the most prosperous friendly societies in the country, stating that the investigation they had made respecting other friendly societies and the experience of their own had convinced them that a general and searching inquiry into the subject was necessary; he desired to express his gratification at the prospect of a Royal Commission being issued; for he felt satisfied that the Commission would render important services to the cause of providence and self-denial, and would lead to securities for the diminution of pauperism, the advantages of which to the country could not be over-estimated.

Bill (by Leave of the House) *withdrawn.*

CONSECRATION OF CHURCHYARDS ACT (1867) AMENDMENT BILL—(No. 16.)

(*The Bishop of Oxford.*)

SECOND READING.

Order of the Day for the Second Reading read.

The Bishop of OXFORD said, that the Bill which he now moved their Lordships to read a second time, proposed a slight alteration in the Act of last Session relating to this subject. That Act provided for the easier consecration of additions to churchyards, and enabled donors of land for such additions to reserve a certain portion of it to serve in perpetuity as a burial-place for their families. It was provided that the land so reserved should not exceed fifty square yards, or one-sixth of the whole land given. Now the legal authorities construed the clause as though the words "fifty square yards" governed the words "one-sixth," and to mean that not more than fifty yards could be reserved under any gift. That, however, was not the intention of those who framed the clause; and this Bill proposed to permit donors to reserve land to any extent, provided it did not exceed a certain proportion of the whole. That proportion, as he had stated, was one-sixth under last year's Act; but, thinking some of their Lordships might deem it inadvisable to allow so large a proportion as that to be reserved, he proposed to fix it in this Bill at one-tenth. At the same time he attached no great importance to this second point, and if one-sixth was thought better than one-tenth, he would not press his opinion either way. It had recently been thought well to render churchyards attractive by planting them, and he desired to give encouragement to donations of land for the purpose of enlarging them, by enabling the donors to reserve a portion as burial-places for themselves and their families.

Moved, "That the Bill be now read 2ª."—(*The Lord Bishop of Oxford.*)

Lord REDESDALE said, it would be as well to guard against making the reserved ground too large, because a donor's successors might neglect to keep it in order, and thus an eyesore would be produced in the neighbourhood of the church instead of an ornament.

The Bishop of CARLISLE suggested that the provisions of the Act of last year should be extended to cemeteries. He had been recently reminded of the necessity of this by a case in his own diocese. The Burial Board of Kendal had made an addition to their beautiful cemetery; but when the case came to be inquired into it was found that the whole of the cumbrous legal formalities attending the consecration of a burial-ground had to be gone through before the addition could be used. For, on carefully perusing that Bill of last Session, which it was now proposed to amend, it was found that by no possibility could it be construed as applying to cemeteries. Indeed, they would seem to have been studiously and purposely excluded from its benefits.

THE BISHOP OF OXFORD said, that the object of the Act of last year was to enable the consecrations of burial-grounds in small and poor parishes to be made without the ordinary fees being paid to the officers of the diocese. It was exceedingly important that men of high character should fill that office, and it would be impossible to induce them to discharge the duties attendant upon it unless they were to receive some remuneration for their services. The system proposed to be introduced by the Act might answer very well in poor parishes; but in the case of large and wealthy parishes the officers should still receive their fees.

Motion *agreed to:* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

ALKALI ACT CONTINUANCE BILL.

(*The Duke of Richmond.*)

(NO. 114.) SECOND READING.

Order of the Day for the Second Reading read.

THE DUKE OF RICHMOND, in moving that the Bill be now read a second time, said, its object was to continue the Act for suppressing the emission of alkaline vapours from chemical works, passed five years ago, on the recommendation of a Committee which was presided over by the noble Earl (the Earl of Derby). The Act had since been in operation to the great benefit of the public, without having inflicted any damage or inconvenience to the proprietors of works of that nature.

Moved, "That the Bill be now read 2^a." —*The Duke of Richmond.*

THE EARL OF DERBY said, the Act had not only conferred a direct benefit on the neighbourhood in which it had been put in operation; but it had proved indirectly beneficial to the manufacturers themselves; for, since it became law, processes had been discovered by which the noxious fumes, formerly evolved from those works, had been utilized. The same noxious gases were thrown off from other works—copper smelting works, for instance. He thought it a pity that a beneficial Act should be confined to chemical works only; and hoped that a Bill would be brought in extending the Act to other manufactories.

THE DUKE OF RICHMOND said, that the question of applying the provisions of this Bill to copper smelting was at present under the consideration of the Government.

LORD STANLEY OF ALDERLEY thought that the extension would be advisable; but at the same time nothing should be done until it had been ascertained that processes similar to those which had been found beneficial as applied to chemical works were equally applicable to other works.

THE EARL OF KIMBERLEY pointed out that under the guise of a Continuance Bill, it really proposed to make the Alkali Act perpetual. He had himself, however, no objection to that proposition, and would rather suggest that it should be made a perpetual Act.

THE DUKE OF RICHMOND said, that perhaps some clauses might have been framed which would have effected the object of his noble Friends; but the Government was not in possession of sufficient information to enable them to deal with the matter in a satisfactory manner. He would propose in Committee to strike out the word "Continuance."

Motion *agreed to.*

Bill read 2^a, and *committed* to a Committee of the Whole House on *Friday* next.

CONSTRUCTION OF THE HOUSE.

SELECT COMMITTEE APPOINTED AND NOMINATED.

THE EARL OF CARNARVON, in moving the re-appointment of the Committee of last Session, said, that he proposed to make only one alteration in the constitution of the Committee—to substitute the name of the Marquess of Salisbury for that of the noble and learned Lord on the Woolsack, whose engagements rendered it impossible for him to give the necessary attention to the subject. He believed that it would only be necessary to hold a few more sittings, and that the Committee might shortly be in a position to make their Report.

Moved, That the Select Committee appointed on 28th June 1867, to consider whether any and what Arrangements can be made to remedy the present defective Construction of the House in reference to Hearing, be re-appointed.—(*The Earl of Carnarvon.*)

Motion *agreed to.*

The Lords following were named of the Committee; the Committee to appoint their own Chairman:—

M. Salisbury
E. Carnarvon
E. Romney
E. De Grey
E. Kimberley
V. Eversley
L. Redesdale
L. Somerhill.

Ordered, That the Evidence taken before the said Committee of last Session be laid upon the Table of the House, in order that the same may be referred to the Select Committee on the Construction of the House of the present Session: The said Evidence was accordingly laid on the Table, and *referred* to the said Committee.

CONTAGIOUS DISEASES ACT, 1866.

Moved, That a Select Committee be appointed to consider the Contagious Diseases Act, 1866: Motion *agreed to:* The Lords following were named of the Committee; the Committee to meet on *Friday* next, at Half past Four o'Clock, and to appoint their own Chairman.—(*The Viscount Lifford:*)—

D. Somerset
D. Cleveland
E. Devon
E. De Grey
V. Lifford
V. Templetown
L. Silchester
L. Clandeboye
L. Penrhyn.

SALE OF POISONS AND PHARMACY ACT AMENDMENT BILL [H.L.]

A Bill to regulate the Sale of Poisons, and alter and amend the Pharmacy Act, 1852—Was *presented* by The Earl GRANVILLE; read 1ª. (No. 103.)

House adjourned at Six o'clock, to Friday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, May 19, 1868.

MINUTES.]—SELECT COMMITTEE—On Queen Anne's Bounty Board *appointed;* on Extradition, Mr. Stansfeld *added.*

SUPPLY—*considered in Committee—Resolutions* [May 18] *reported.*

PUBLIC BILLS—*Ordered*—Fairs*; West Indies.*

First Reading—West Indies* [124]; Medical Practitioners (Colonies)* [125]; Fairs* [126].

Second Reading—(£17,000,000) Consolidated Fund.*

Committee—Vagrant Act Amendment* [102]—R.P.; City of London Gas (*re-comm.*)* [115].

Report—City of London Gas (*re-comm.*)* [115].

Considered as amended—County Courts (Admiralty Jurisdiction)* (94).

ESTABLISHED CHURCH (IRELAND) BILL.—QUESTION.

MR. GLADSTONE: Sir, in conformity with the Notice which I gave several days ago, I wish to ask Her Majesty's Government What course they propose to take on the Second Reading of the Established Church (Ireland) Bill, which stands for Friday, the 22nd instant?

MR. DISRAELI: Sir, as we look upon this Bill as the first step towards the disestablishment of the Church, we intend to give it the greatest opposition we can.

ILLEGAL PUBLICATIONS.

QUESTION.

MR. PERCY WYNDHAM said, he would beg to ask the Secretary of State for the Home Department, Whether he is aware that Publications, the sale of which has been condemned by a Court of Law, are now being openly offered for sale in the Streets of London, and such being the case, whether the Police have power to interfere?

MR. GATHORNE HARDY: Sir, I have made inquiries into the subject of my hon. Friend's Question, and I find that since the decision referred to that book has not been sold in the streets, though there is no doubt—for I hold one of the covers in my hand—that the cover is put on books in order to sell them, but within the cover the purchaser finds a book of a totally different character, and of a harmless nature. The attraction of the title appears to be great, as it is used for advertising and selling books of a very different kind. I am told that the Police keep a register of the books and pamphlets sold in the streets, and interfere when their interference is called for. As to the book referred to by my hon. Friend—for I presume his Question relates to *The Confessional Unmasked*—I find on inquiry at the depôt from which it was issued that all the remaining copies have been destroyed, and that there are none now for sale.

ARMY RESERVE AND MILITIA RESERVE.—QUESTION.

MAJOR WALKER said, he would beg to ask the Secretary of State for War, Whether it is intended to lay upon the Table the Regulations for the Army Reserve and the Militia Reserve?

SIR JOHN PAKINGTON replied that he laid the Papers on the table of the House some time ago.

MONUMENT TO THE DUKE OF WELLINGTON.—QUESTION.

MR. GOLDSMID said, he wished to ask the First Commissioner of Works, What progress has been made during the past year with the monument to the late Duke of Wellington, and whether it is likely to be completed in the course of 1869?

Lord JOHN MANNERS said, in reply, that he had made a general statement as to the condition of the work last week. Upon receiving notice of the Question of the hon. Member he had communicated with the artist, Mr. Stephens, who informed him that he could hardly expect to have the whole of the figures fixed in their places before the end of 1869; but he hoped by that time that great progress would be made.

OFFICERS OF CUSTOMS.

QUESTION.

Mr. LOCKE said, he wished to ask the Secretary to the Treasury, Whether it is the intention of their Lordships to take into their consideration the case of the Outdoor Officers of Customs of the Port of London, as prayed for by them in their Memorial addressed to the Treasury on February 10, 1868, to which no reply has been received?

Mr. SCLATER-BOOTH in reply, said, it was the intention of the Treasury that the Memorial from the Officers referred to should be considered; but the Commission that was sitting to consider the general subject had not yet reached their case. It was probable that an alteration would be made in the Commission before the inquiry was carried further.

MERCHANT SHIPPING ACTS.

QUESTION.

Mr. O'BEIRNE said, he wished to ask the Vice President of the Board of Trade, When he proposes to introduce the Bill which he promised last Session for the consolidation and amendment of the Merchant Shipping Acts?

Mr. STEPHEN CAVE in reply, said, he thought that the state of Public Business for some time past and at the present moment was a sufficient Answer to the hon. Gentleman's Question.

REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL.—QUESTION.

Mr. DALGLISH: I beg leave, Sir, to ask the right hon. Gentleman at the head of the Government, Whether, after the decisions of the Committee on the Scotch Reform Bill last night, it is his intention to proceed with that measure on Monday next?

Mr. DISRAELI: Sir, with the indulgence of the House, I will on Thursday next state the course which Her Majesty's Government propose to take in reference to the vote of last night.

ARMY—(SALE AND PURCHASE OF COMMISSIONS).—RESOLUTIONS.

Mr. TREVELYAN: At the very commencement of what I have got to say I must entreat the House not to regard my Resolutions with the disfavour that is apt to attach itself to anything that promises to be an annual Motion. Whether the suspicion with which hon. Members meet a propositition that is renewed year after year be well-founded or not, at any rate it is undeserved in this case. I do not trespass on the time of the House in order to repeat the arguments brought forward last year against the system of purchase in the army. My object to-night is to supplement those arguments with a definite plan, the adoption of which would allow us to abolish that system at once and for ever. Last year, both in the course of the debate and subsequently in private conversation, many Gentlemen expressed themselves strongly against the existing machinery of promotion in the army, but maintained that it was useless for anyone to meddle with it who could not produce a better. Now, Sir, it is very certain that no one should presume to stir so important a question without having previously thought out the subject to the end. And accordingly I had my scheme of retirement and promotion ready cut and dried. But it was necessary to preface that scheme with a full and complete statement of the shortcomings of the system which we propose to displace. It was necessary to say at length all that could be said against the sale of military commissions. And after the House had listened to me with great kindness for a good hour while I dilated on the main objections to the purchase system, it would have required a far greater right to its attention than a Member of my standing can claim to detain it for another hour over the details of a new system, necessarily extensive and complicated in its nature. Many hon. Members no doubt recollect the line which the discussion took last year. It is needless to recapitulate all that was urged by the speakers on our side of the question. They showed, to the satisfaction of at any rate more than two-fifths of the Members present, as the division proved, that the army could never be a profession in the proper sense of the word as long as the purchase system lasted; for the very essence of a profession is first, that the man who pursues it should be able to live by it, and next, that he should succeed in it more or less in proportion to his professional merits. They showed that both of these essential conditions do not, and could not exist under the purchase system. They showed likewise that all attempts to ameliorate the condition of the officers of our army were rendered nugatory and almost ludicrous by a state of things under which every boon or privilege which we conferred upon the officer, by a certain and immediate process, raised the price which he paid for his commission by exactly the capitalized value of that boon or privilege. And they showed, as indeed has been subsequently borne out by innumerable letters, both addressed privately to Members—in my own case, ever since these Resolutions were on the Paper, they have been coming in at the rate of at least one every day—and inserted in the columns of the military papers, that there was commonly little foundation for the pet phrase so much in vogue at the Horse Guards, that the purchase system is especially dear to the poor officers.

And, Sir, in passing, it is worth observation that people in general do not sufficiently realize the reproach which is cast upon our army by the frequent use, whether at the Horse Guards or in society, of that very expression, "poor officers." In any other profession, when we talk of a person as poor or rich we refer to his success or failure in his professional career. When we speak of a poor barrister we mean one who cannot induce attorneys to give him briefs. When we speak of a poor author we mean one who cannot induce the world in general to buy his books. We do not insult civil servants or lawyers by constant allusions to the allowances which they receive from their fathers, or the legacies which they expect from their relations. But we are for ever throwing it in the teeth of many among the bravest and best of our soldiers that they are poor men—and rightly too—for their want of a good balance at their bankers is their professional fault and drawback, and they must be reminded of it at every turn, just as an idle apprentice must be reminded at every turn of his want of attention or industry. We come forward with our sympathy and compassion, instead of giving them the promotion which they deserve; instead of preventing anyone with money in his pocket from stepping over the heads of his elders and betters. What they want is not sympathy and compassion, but justice. Abolish the purchase system, and you will for the last time have heard any talk about poor officers. Well, Sir, during the debate last year these arguments, some of which I have briefly indicated, had their due effect, as was proved by the admission of the two Leaders of the House on army matters—the Secretary of State for War (Sir John Pakington), and the noble Lord the Member for North Lancashire (the Marquess of Hartington). Sir John Pakington said—

> "I am quite willing to admit, as the result of my own study of this question, that it is impossible to read the Report of the Royal Commission, the various correspondence of Sir Charles Trevelyan, and the pamphlets which he has published on this subject, without being convinced that there are great and serious anomalies in this system of army purchase. There are many things connected with that system which are fairly open to criticism, and which at least suggest very serious doubts whether, if we were to commence anew, we should found promotion upon the purchase system which now prevails."—[3 *Hansard* clxxxvi. 1814.]

The Marquess of Hartington said—

> "I quite agree with the Secretary of State for War that this system of purchase is full of anomalies and objections; and I believe that there is no true friend to the army who would not be glad to see the system abolished if we could only devise a system without similar anomalies and objections." —[*Ibid.* 1821.]

Such a system, free I venture to hope from the anomalies and objections alluded to, I propose to lay before you to-night with all possible brevity and simplicity. And yet with all possible brevity I cannot be very brief, but must ask hon. Members to pay me the attention due not to the weight of the speaker but to the importance of the subject.

Now, Sir, there may be some hon. Gentlemen who hold, in a somewhat vague manner, that the present system ought to be abolished, but who regard the scheme on the Paper as too sweeping, too Radical, and, above all, as too expensive. They may think, as people at the first aspect of new questions are always inclined to think, that it would be better at any rate to begin with a partial measure. Now on this point I will quote the high authority of Earl Grey, than whom no one living has a keener and more correct sense of the defects of our military system; though, speaking with great diffidence and respect, I cannot but think that his Lordship is a little over cautious when the question relates to the remedying of those defects—

"My own conviction is, that if you touch the system of purchase at all it would be wiser to abolish it altogether."

I can likewise adduce the authority of the Duke of Cambridge—for army reformers, it must be confessed, are always very glad to quote the opinion of the Horse Guards whenever it happens to tell for instead of against them—

"I am prepared to say this, that any change which is propounded should be a complete one, and not a partial one."

And again—

"I should be sorry to see any partial change adopted. I think that any change should comprise the whole question, so that there might be security to the officers of the army; for any partial change would lead to doubt and uncertainty."

Now, Sir, this very decided expression of opinion in the highest quarters has been fully borne out by the fact. Two partial and piecemeal attempts have already been made to break into the purchase system. The first was that advocated by Sir De Lacy Evans and patronized by Lord Herbert, which went on the principle of checking purchase at the rank of major, and choosing lieutenant-colonels by selection. This fell through, partly owing to the untimely death of Lord Herbert; partly—as far as the outside world is able to judge of what passes in those elevated and irresponsible regions—from the opposition of His Royal Highness the Duke of Cambridge. There likewise were inherent difficulties in the scheme, of a nature which many hon. and gallant Gentlemen probably know by painful experience, but with which, at anyrate at this part of my speech, I will not trouble the House. I refer to the impossibility which a major would in most cases experience, owing to his not having served the necessary twenty-five years, of making use of the half-pay list to perform that curious transaction by which a colonel about to become a major-general now contrives to get back part of the price of his commissions. This scheme for the mitigation of the evils of purchase never got farther than talk and paper; but unfortunately the next partial measure was carried into effect, in an evil day for the efficiency of the service. About eight years ago, I think, sixty-five cornetcies of horse were going a-begging for a purchaser. Young men could not be found who could support the extravagant current expenses of a Cavalry regiment, and at the same time pay the heavy price demanded for the first commission. About the same time the unattractive, hopeless character of an English private soldier's life in time of peace had succeeded in banishing from our ranks the entire middle-class of the country, and the best of the working classes; and it was found necessary to appoint a Commission to enquire into the falling-off of recruiting. So that our system broke down at both ends. We found ourselves in this ridiculous position, that on the one hand we could not find men poor enough to serve us as soldiers, and on the other we could not find men rich enough to serve us as officers. Then the military authorities began to assist Cavalry officers to buy their commissions at the expense of the Infantry by means of the Army Reserve Fund—that abominable device, very wisely withdrawn entirely from the supervision of your honourable House, and carried on in some hole or corner beyond Parliamentary ken, by which the poorest and most hard-worked class of our officers, the Infantry of the Line, have in the course of five years and six months been forced to contribute upwards of £200,000 to bolster up this rotten and demoralizing system. And with what result? Why, Sir, with the result which must have been foreseen by every-one who has the most superficial acquaintance with the laws of supply and demand; with the result of leaving things exactly as they were, owing to the equalizing operation of the fancy, non-regulation prices. To quote the evidence of Colonel Halliday before Lord Hotham's Committee, an officer who has very clear and matured views on this question—

"The object aimed at has not been attained, for the prices given for commissions in the Cavalry have not been practically diminished, nor is there any probability of their being so while the purchase system continues, since the purchaser naturally always gives the market value of the commission he wishes to get; and therefore if at any future time it should be determined to compensate officers for their vested interests in the actual value of their commissions, it will be found that the total amount of the claims to be extinguished would be as large as if this expenditure to buy up the difference in the prices of Cavalry commissions had never been incurred."

But the strongest argument against the partial and gradual abolition of the purchase system lies in the certainty that, as long as a single shred of the old system is legalized by the Government, so long men will go on buying and selling commissions by secret barter. While any traffic in military appointments is tolerated, the tendency to give and take their real value will be irresistible. There has been some talk in military circles, and some writing in the military Press, as to the probability of the Government abolishing purchase above the rank of captain, and now my hon. and gallant Friend the Member for Truro has embodied the proposition in an Amendment. Now, Sir, army reformers will be thankful for any mercies, however small. We should not repudiate the concession: we should, indeed, think it a very great prize to have been won in so few campaigns. We should consider it to be a step worthy of the Ministry, which last Session did something considerable to improve the position and increase the comforts of the common soldier, and which, during the Vacation, ventured on a bold and a very promising attempt to vivify and adjust the administrative Departments of our army. But we must not be blind to the defects of the plan. If the Government recognizes purchase up to the rank of captain, it is only too certain that every commission throughout the service of every grade will continue to be bought and sold for what it will fetch. Notice what goes on now. At this moment the following Act is in force:—

> "Every officer in Her Majesty's forces who shall take, accept, or receive, or pay, or agree to pay, any larger sum of money, directly or indirectly, than what is allowed by any regulations made by Her Majesty in relation to the purchase or exchange of commissions in Her Majesty's forces, shall, on being convicted thereof by a general Court-martial, forfeit his commission and be cashiered; and the Commander-in-Chief is directed to take measures for giving full effect to the penalties attaching to such offence."

Does the Commander-in-Chief take those measures? No, Sir. When examined before the Royal Commission of 1857, he acknowledged, almost in so many words, that his policy on the subject was nothing but a lifelong connivance. Do our officers observe the law? Do they refrain from accepting, receiving, or paying any larger sum of money than is allowed by the regulations? Sir, I leave it to every hon. and gallant Gentleman here to answer that question to his neighbour. I leave it to every hon. Member who has a son or a nephew in the army to answer it to himself. What young officer is there who has not a purchase grievance connected with the fancy prices? I met one the other day whose regiment had been ordered to the West Indies, and who told me that the junior lieutenant, who had recently purchased his commission for £600 over the regulation price, was willing to dispose of it for £100 less than he gave for it. The senior ensign was down for purchase, and very willing to buy; but his father refused to allow his son to give over the regulation price, and accordingly promotion was stopped for all the youngsters in the battalion. And then he went on to say—and I must beg the House to mark this—that it was foolish to refuse such an offer, because the pay would be capital interest on the money invested. I asked him, if the pay was regarded as interest on the money invested, what the officer would receive for his services? and, from his difficulty in understanding the question, it was evident that the idea had never occurred to him that his services were worth anything at all. Childish as the story is, it surely is important as an illustration of the lesson inevitably learned by our young officers from the teaching of the purchase system. They regard their position as their own right, bought with their own money. They look on their pay as the interest of that money, and they cannot realize that they are the servants of the State. Well, Sir, if the penalties threatened in the statute do not deter officers from exceeding the regulation prices, while those regulation prices are legally recognized, we may be sure that, as long as you leave a trace or vestige of purchase, so long will everything in the army be bought and sold in spite of all our efforts to the contrary. Colonelcies and majorities will be for sale no longer in open, but in secret, market; just as now adjutancies in the Militia and Volunteers are notoriously objects of traffic, and purses are made up for retiring officers in the non-purchase regiments handed over to us from the East India Company. But abolish this system root and branch—train the public spirit of the army to nobler things—cease to place before the eyes of our officers the spectacle of commissions sold, like patent razors, with the stamp of authority upon them, and you may confidently expect to see the day when our military men will scorn such a traffic, just as it is now scorned by our civil servants, both in India and at home. Cease to legalize purchase, and you will put the Commander-in-Chief on his honour to suppress all surreptitious traffic in commissions. You will put our officers on their honour no longer to carry on that traffic; for, in spite of your official regulations, it is idle to say that they are upon their honour now. And when English officers are upon their honour we shall have a stronger guarantee than any written law, or ordinance, or Act of

Parliament, by whatever penalties it may be strengthened and enforced. At present the Commander-in-Chief appears to be so ashamed of being unable to enforce these provisions, that in the last edition of the Queen's Regulations they have been entirely omitted. Our military authorities actually are so powerless against the prohibited custom, that they have been driven to ignore the prohibition, and their conduct in so doing must be regarded as a sign of grace. Finding the law a dead letter, we must all agree they did well to bury it. And this acknowldgment of the impossibility of preventing the abuse of the system must be accepted as a forerunner of the abandonment of the system itself.

And now, Sir, if hon. Members will look at the Paper, they will see that the 1st Resolution is general, following a great example which is fresh in the memory of the House. It was thoroughly argued out last year, and all that could be said about it was said then. It is worth noticing, however, that it is proposed to fix a date after which no sale is to be legal, on the same principle—to use an uncomplimentary comparison, which I hope no hon. and gallant Gentleman will consider to be intended offensively—on the same principle that in calling in clipped money or depreciated paper currency, it is necessary to fix a date after which the condemned circulating medium is not to pass. And as the nation must expect to have to pay the difference between the real and the nominal value of the coinage which it is superseding, so, if we wish to abolish purchase, we must look the expense of that great operation boldly in the face. It will be necessary to compensate our officers not only for the sum which they paid for their commissions in open and legitimate market; we must make up our minds to pay them back all that they gave as a fancy price over and above the legal limit. The justice, the necessity of this hardly requires argument or illustration. The public have hitherto thrown upon our officers the burden of providing their own retiring allowances, and the public must re-pay, in some shape or other, the sums which have been advanced by individuals in support of the system under which their services have been engaged. It is, above every other cause, the respect shown by English reformers towards vested rights that renders English reforms so solid and so durable. A day, then, must be fixed on which every officer on full-pay will be credited with the sum which he could get for his then commission, taking into account both the regulation and the non-regulation prices. The computation would be made by a Commission of experienced military men, versed in the transactions of the military market—men in whom their brethren in arms would feel an implicit confidence. And then if an officer, after whatever lapse of time, resisting the temptations of the revised system of retirements which I propose soon to describe, and unambitious of rising to the rank of general, determines to leave the army by a process which, under the present system, would have involved the sale of his commission, he would receive from the Treasury the sum which stood in his name.

And now perhaps hon. Members who have not had time to look into the more hidden mysteries of the purchase system, may wish me to say a few words about the 4th Resolution. The hon. Members to whom I refer, knowing that a colonel on his promotion to be major-general is not allowed to sell his commission, may be at some pains to understand why an officer in that predicament should under any circumstances be entitled to compensation. But under the present *régime* something of this sort takes place. A colonel has pretty certainly invested too much money in his commission to allow him to sacrifice the whole of it; so he watches his progress on the list of colonels, and when he comes near the top, he lets it be understood that he will retire on half-pay if he can obtain from the next officer down for purchase a sum varying from a third to a half of the value of his commission. Sometimes a purse will be made up in the regiment. Sometimes, if the money is not forthcoming in his own regiment, he will exchange into another where the officers are better off. In one way or another he generally gets back something handsome, unless, as is sometimes the case, while he is bargaining about to the right and left, there is a sudden gush of promotion, and he finds himself a major-general before he has completed his negotiation. This misfortune, which is a terrible bugbear on the military stock exchange, is popularly know as being "caught in a brevet." There was a famous instance in the person of, I think, General Bunbury, who was very widely pitied throughout the army. And it is only the other day that a Cavalry colonel had made himself unpopular in his regiment by refusing to retire when his officers had taken the trouble to make up a purse, preferring to wait his own time. By way of punishment, it was agreed that no one should deal with him when his own time came; and he was allowed to drift into a major-generalship without receiving a farthing back of all that he had laid out. The poor man is said to have lost at a stroke £17,000. The authorities not only winked at all this; but actually in some cases regulated their appointments to high and important commands abroad, by the success and failure of the candidates in this most unprofessional system of brokerage. General Augustus Spencer, giving evidence before the Purchase Commission, speaks as follows:—

> "I have seen inefficient officers get promotion for the purpose of enabling old officers to realize their capital, perhaps on the point of death. I have seen superior officers appointed to high commands, from their not having been previously able to recover their capital through an unexpected brevet."

Now, Sir, there are two capital objections always ready to be brought forward against any proposal to abolish purchase: first, that it will stop promotion, and fill the army with old officers; secondly, that it will give great scope to favouritism in high quarters, because it is maintained that under the present system, however the poor man may suffer, at any rate the rich have a fair field and no favour. But, Sir, if the Government is willing to carry out in all its details some scheme virtually the same as that now upon the Paper, both these objections will fall to the ground. For in order to obviate the first, in order to remove the apprehension lest the extinction of purchase should cause a glut in the channel of promotion, we must extend to the whole army the scheme of retirement with certain necessary modifications, pretty unanimously recommended by Mr. Childers' Committee of last year—a Committee in which there was a strong, and indeed, I may say, a preponderating military element. The main provisions of this scheme are the permission given to every officer to retire on a handsome maintenance after a certain number of years in the army; and the obligation to retire after he has passed the age at which he is fit for service in the field. Now, Sir, I know that the idea of cutting short an officer's career at any age whatever is exceedingly unpalateable to many military men; but the time is coming when in dealing with questions concerning the defence of the nation we must consult public utility and not private sentiment. We must propound this question to ourselves: Are we maintaining our army with a view to peace, or with a view to war? If the latter, we must look for our examples in the annals of war, and not in the annals of peace. We should endeavour to fashion our army after the model, not of what it was when it fought in the Crimea after forty years of peace, but after the model of what it was when it fought at Waterloo after twenty years of war. Sir, it has been stated, and as far as I can learn it has never been contradicted, that the Waterloo army contained only one officer over the age of fifty, and that officer was, indeed, a brilliant exception, for he was General Picton. But whether this sweeping statement be true or not, there can be no doubt whatever that active service soons clears the ranks of all the elderly subalterns and captains. And, therefore, for the sake of the efficiency of the service, and in the interests of the younger officers, we should do for ourselves what the first year of war would do for us. This is the view of one of our best soldiers, Sir William Mansfield, who says—

> "I would place every captain *en retraite* at forty-five years of age, and every field officer at fifty, the latter being available for higher offices if specially suited to hold them."

This has long been the view of the French military authorities, who oblige a captain to retire at fifty-three, and a lieutenant at fifty-two. But, Sir, if this scheme be adopted, besides those officers, who retire compulsorily at a certain age, who, in my opinion, will be very few, and those who are tempted into retirement by a liberal scale of annuities, which, in all probability, will be very many, there will be the vacancies caused by the great numbers of young men of good family who then, as now, will seek the army for a few years as a worthy and noble pastime. I know, Sir, that we are told that it is the purchase system which attracts these young men into our service—which statement, if it means anything at all, must mean that eldest sons, and men of rank join the army because the army is the only profession in which wealth will tell. Sir, in behalf of the younger men of this country, I utterly refuse to credit that aspersion. It is not the right of purchasing steps over their poorer comrades that fills our army with the pick of our gentry and aristocracy. It is the free life of adventure and travel—the pleasant genial fraternity of the mess—and, above all other motives, the hope of doing something in the day of trial for the honour and advantage of England. Change the system as you like, and you will have plenty of gentlemen. I do not believe that there is a higher and better tone in any corps in any army than in our own Artillery and Engineers, where purchase is a thing unheard of. The advocates of purchase tells us that we want gentlemen. Well, Sir, if by gentlemen, they mean men who desire to get an advantage over their less wealthy brethren in arms, all I can say is that those are a class of gentlemen whom we can very well afford to want.

Perhaps some hon. Gentleman may not be able fully to understand why it is that military men imagine that the purchase system quickens promotion by tempting men to leave the army, and acts as a sort of substitute for a system of retiring allowances. At present, when an officer wishes to marry and settle down, he sells his commission, say for £2,500, which is a pretty little sum of money with which to furnish his house and buy a brougham. But, at the first blush of the thing, it would certainly appear that if he had never had occasion to buy those commissions, he would have had the £2,500 in his pocket, with the interest in addition. But officers evidently have an instinct that such would not be the case, and, to a certain extent, that instinct is a true one; for the commissions of a young officer are frequently bought with money which he would not get under any other conditions. When a good opportunity comes for pushing a young fellow up a step, his father spares, and borrows, and begs every farthing he can scrape together. The family friends give something, and the relations anticipate the legacies which they intend to leave. Sir, to use a homely, or, perhaps, rather a vulgar expression, the purchase system is regarded by many of our young officers, and, to a certain extent, rightly so regarded, as a gigantic machinery for screwing money out of the governors. A young officer who, at present, can lay his hand upon £2,000 whenever he thinks fit to sell out, knows very well that, if it were not for the purchase system, one of those thousands would be in his father's pocket, and the other in his maiden aunt's reticule.

And now, Sir, I come to another point. The most reasonable and thoughtful among the advocates of purchase, while they fear lest the abolition of purchase should close the door to rapid promotion, are still more apprehensive lest it should open the door to favouritism. It is to meet this objection that the 5th Resolution has been put upon the Paper, which, now that I come to look at it again, evidently comes too early, and should have changed places with the 6th. The experience of all good armies has proved that the true principle on which promotion should be conducted is that of selection, based upon seniority. According to the French law, the promotion from lieutenant to captain is two-thirds by seniority, and one-third by selection—for a captain to become a field officer, seniority and selection in equal proportions; and after the grade of *chef de battaillon* promotion is exclusively by selection. Colonel Claremont, who had rare opportunities of observation as Assistant Military Commissioner at the French head-quarters in the Crimea, describes the system as follows:—

> "Every year there is an inspection of every regiment in the service; and there are inspectors-general appointed, who are not general officers commanding troops anywhere, but independent men—a certain number for the Infantry, a certain number for the Cavalry, a certain number for the Artillery, and a certain number for the Engineers. Before they start on their tour of inspection, they each get a printed form of instruction, pointing out exactly all the points to which they have to turn their attention; and it keeps up the most perfect uniformity throughout, because these men have not been commanding this particular regiment or that particular regiment. They go amongst them quite unbiassed; they have to turn their attention to the selection of officers for promotion; they are told that in such a district there are so many regiments and so many officers, and there will be so many vacancies. The commanding officer of each regiment presents to the inspector about double the number of officers for promotion than there are vacancies for. The inspector sees these officers, examines them in every way, and marks the best men. All these confidential Reports are sent to the Minister at War, and the inspectors general meet in committee, and form a general return of promotion. In accordance with their return the Minister makes his promotions."

After stating that the army thoroughly understands this somewhat elaborate proceeding, Colonel Claremont makes this most important observation—"They do not grumble at it. Every man seems to get his fair proportion." And he likewise assures the Royal Commission of this fact, in words that must surely have made it blush—"There is not a single money transaction in the French army. Not one." His observations are fully borne out by what we know of French military opinion. General Trochu, whom I do not hesitate to call the first living military authority in the world, especially on all matters relating to the tone of armies, says—I will read his words if the House will excuse an English public school accent—"L'avancement est soumis à des regles fixees par la loi. Il a consequemment rien d'arbitraire." But, Sir, we are told that this is all very well in France, but that the English army would have no confidence in the manner in which the Horse Guards would exercise its patronage; and, strange to say, this language is most common in the mouths of those very men who always, whether within the walls of this House or in the Committee-rooms upstairs, most vehemently resent it when any audacious civilian speaks lightly or disparagingly of that very institution which they dare not trust with the powers so liberally placed in the hands of the French War Office. Well may the Commander-in-Chief say, "Preserve me from my friends." It is the more hard on him that he should meet with such treatment from his trusted allies, because in the last Queen's Regulations he has published very full and detailed instructions to the general officers who are to carry out our half-yearly inspections, which do not lose an atom by contrast with the instructions of the French War Office.

Now, Sir, these instructions afford an excellent substratum on which to found a solid and satisfactory system of selection. Though there is some danger lest hon. Gentlemen who remember the debate of last year on the Motion of my hon. Friend the Member for the Montgomery boroughs should receive what I am now going to say with the laughter of incredulity, it is the fact that, with some most notorious and unhappy exceptions, the promotions made by the Board of Admiralty give fair satisfaction to the service. And, Sir, if it be really the case, which I do not for a moment believe, that political intrigue, or aristocratic exclusiveness, or Royal partiality are so rampant in our public Departments that we must fly to a system which judges merit by the criterion of the longest purse, then indeed those time-honoured institutions of which we are so proud may be said to have been on their trial long enough. No, Sir, a high-spirited officer would surely far prefer some slight and occasional uncertainty about the justice of this or that appointment, to the miserable necessity of turning aside from the cares of his noble profession to the wretched huckstering and chaffering and bargain-making on which his career at present depends. Shortly after the debate of last year I got a very civil letter from an officer, whose name I do not recollect for I tore the letter up, and quote from memory, in which he expresses surprise that I brought forward Lord Clyde's authority against purchase, as Lord Clyde himself profited by purchase, and the writer went on to give his idea of what profiting by purchase meant. He affirmed that Lord Clyde, after waiting many years for promotion, obtained it at length by borrowing money from, if I remember right, a Demerara storekeeper and a Creole widow. Now, Sir, I do not vouch for the truth of this story; for in the first place I do not know the writer personally, and in the next place I have not got the letter by me. But it is worthy of note that any English soldier should believe that the greatest English soldier of our own time should have learned by such an experience to be enamoured of such a system.

Sir, I have no doubt hon. Members who wish to keep things as they are, will insist very strongly upon the ruinous expense which this proposed change would entail upon the country. The change unquestionably will be very costly. It will involve a considerable outlay, spread over a whole generation. For an economical army reformer it is an unsatisfactory reflection that, after the Crimean War, purchase might have been abolished at a comparatively trifling cost, on account of the great number of officers who held commissions which had been obtained without purchase, by death vacancies, and the other casualties of active service. At that period anyone who had contracted to buy up the saleable commissions for £1,500,000, would have gained by his contract. But the Horse Guards refused to take advantage of that most favourable state of the commission market, caused by a war in which the purchase system had confessedly broken down, to the shame and sorrow of the country; and, therefore, if the country should now have to spend three or four times the £1,500,000 which this most salutary and necessary operation would have cost it then, it is at the door of the Horse Guards and not at the door of army reformers that the unpopularity of the increased estimate should lie. If the Secretary at War came down to this House, or at any rate to the coming House, with a plan for the emancipation of our army from its ancient trammels, and asked us to pay the necessary price, is there anyone who doubts that

that price would be paid as willingly as some years ago we voted £7,000,000 for the far more dubious advantage of the Coast Defences?

Several hon. Members have told me that my scheme is all very well, but that the House of Commons is a practical Assembly, and will regard it as Utopian. Sir, let hon. Gentlemen look carefully around the political horizon, and then ask themselves gravely whether Europe in its present condition is in any sense a Utopia! Look at Prussia, the best equipped and best organized of all modern communities. Is she resting on her oars? Read Colonel Crealock's Report about Austria, and see what is being done in that most aristocratic and retrograde of all the continental armies. What is being done in France? Why, Sir, if there be one thing which French officers of the old school regarded as the secret strength of their army—if there was one principle more than another to which they attributed their great historical victories, it was the principle of picked regiments of *corps d'élite.* This belief was carried so far, that out of the annual multitude of recruits, the tallest men with the broadest chests, were taken for the Artillery and the Engineers. The Cavalry had the next choice. Then the battalions of *Chasseurs a piéds* had the right of selection, and what remained was considered good enough for the Infantry of the Line. But not even there did the system of selection stop. The best men who remained were all drafted off for the two flank companies out of the six which compose a French battalion, and the four centre companies were made up exclusively of material which had been rejected on all hands. Well, Sir, it was but last year that General Trochu, in his most eloquent and thoughtful treatise, *L'Armée Française,* a work which has three times the fascination, and, I am glad to say, had three times the sale of the best sensational novel of the year, was bold enough to condemn utterly this system which ever since the last Empire had been worshipped as the special merit and glory of the French army. He courageously told his countrymen that it was because England had no *corps d'élite* that her Infantry was the best in the world. "L'Infantérie Anglaise," he says, "Est l'Infantérie la plus redoutable du monde. Heureusement il n'y en a pas beaucoup." And what was the effect of his remonstrance? Why, Sir, in some of the last accounts from France, we read that the French War Office has determined to abolish the battalions of Chasseurs and the flank companies, and to take the best advice in the teeth of the most honoured traditions. No, Sir, this is not the time to talk of schemes as visionary and Utopian. That was how Austria on the eve of the Seven Weeks' War talked of the Prussian breech-loaders. Whatever we intend to do in the way of searching army reform, this is the end we must begin at; and the War Office knows it well. When the authority determined to reform our Transport corps, the first thing they did was to abolish purchase in the Military Train, and they did it by means of the Reserve Fund, at the expense of the Infantry officers. Let us to-night bid them carry the good work to its completion, and let it be honestly done at the expense of the community.

And, now, Sir, I come to the 7th and last Resolution, which in importance bears the same relation to the others as a lady's postscript proverbially does to the rest of her letter. For if once we could obtain this point; if once we could prevail upon the War Office to set aside some fixed proportion of vacancies, say one-third or one-fourth, for men promoted from the ranks, all else would follow in good time. For that measure would necessitate a complete revolution; a revision of our military system from the highest to the lowest ranks. For, in the first place, men who depended for their subsistence on their calling, would obtain commissions in such numbers that they would feel their own strength, and would introduce into our mess-rooms professional habits and a tone of economy. They would bring pressure to bear which would force the authorities to come to their assistance by abolishing some of the unnecessary expenses, which, at present, weigh down our poorer officers. Regimental bands would no longer be paid for out of their scanty stipends; uniforms would be simplified and changed to the advantage of everybody but the army tailors; hundreds and hundreds of pounds would no longer be spent on sealskins, and embroidery, and gold and silver lace, for an unfortunate man who would fight much more comfortably in a suit of plain broadcloth, which cost twelve or fifteen guineas; there would be an end to the childish meddlings with the cut and pattern of their costumes which vex the hearts of good and poor soldiers; uniforms would be cheaper, and officers would no longer be ashamed to wear them when off duty—a custom which in itself is both a sign and a partial cause of the unprofessional spirit of our army. On the other hand the certain prospect of advancement would draw so many men of a better class into our ranks, that we should be both enabled and obliged to improve the condition and foster the self-respect of the common soldier. We should have such an accession of good recruits that we must then do what we ought to do at once, and that is, make it a point to get rid of all the bad bargains; and when the army is free from scamps and ruffians—when once, as now in the Police, dismissal has become the severest of all punishments—then all those degrading penalties, over which we fight so desperately year after year, will go with the consent of all parties in time of war and of peace alike. Flogging will be a thing of the past, and we shall have heard the last of that shameful stigma, the branding free Englishmen with the letters of shame. Why, Sir, when the Recruiting Commission of 1859 was told to make recommendations, by which the well-being of the English soldier should be increased, one of the remedies which they proposed was the more indelible marking of his back and shoulders—a proposition that was adopted by the Horse Guards with ominous alacrity.

I know we are told that the British soldier likes to be commanded by gentlemen. But I cannot forget that we are told so by the very same men who maintain that the well-conducted private soldier regards flogging and branding with pride and satisfaction. And, Sir, in the hour of need and peril the Horse Guards forgets its own favourite theories. During the stress of the Crimean War and the Indian Mutiny it lost sight of the fact that our troops objected to be officered by any but gentlemen; and in the five years between 1854 and 1858 no less than 483 soldiers were raised from the ranks. But when the danger was over, we went back to our old ways, and slammed the door of promotion in the faces of our rank and file. In the years 1861, 1862, and 1863, respectively, the promotion from the ranks numbered three, four, and eight. We must do something to attract into our ranks the hard-working, well-to-do classes, whether those classes go by the name of upper, middle, or lower: those truly working classes which, in their different professions, trades, and callings, have made England what she is in commerce and in history. We cannot go on much longer officering our army from the froth, and manning it from the dregs of society. An hon. and gallant Member told us last year that if we promoted a ploughman or a linen-draper, because he happened to be smarter than his fellows, and because he could read and write, he would destroy the whole tone of a regiment. Not so thought Cromwell, when he applied himself to form the last army which has ever really represented the full fighting strength of the English people. No, Sir, to use his own language, he sent all the tapsters and broken-down-serving people about their business, and took honest, God-fearing men of recognized position and calling: paid them well, and chose their officers from their own body. Napoleon always looked back with regret upon his first Italian army, as the best force which he ever led; because, as he himself said, that army had been raised from all ranks of society, during the early enthusiasm of the Revolution. If, on the march, he wanted a secretary, he had but to call to the company which happened to be passing, and one-half of the men would start from the ranks; and it was from those very ranks that he selected the most famous fraternity of generals that the world ever saw.

Hon. Gentlemen will talk a good deal, as they have talked in times past, of the system which produced the army which triumphed at Talavera, and Waterloo, and Goojerat: but, Sir, these are not our first or our only laurels. No English army ever gained such successes against such odds as the little bands of heroes who fought in the early wars in France. Creçy and Poictiers and Agincourt were won by national armies containing, in their due proportion, all classes, from the Prince to the peasant. Sir, in the year 1818, Marshal Gouvion St. Cyr introduced the admirable system of promotion, selection, and retirement, which, to this day, prevails in the French army. Referring to that event, the Duc d'Aumale writes thus—"Then," he says, "France felt that she had recovered her army, and the army had got its charter." Sir, what the French can do, we can do. Of all the feelings which actuate the policy of hon. Gentlemen opposite, there is none more honourable than that profound conviction which they entertain, regarding the innate excellence of the British character. At all Conservative banquets and public meetings, we are told that it is ignoble and unpatriotic to be for ever comparing ourselves with foreigners, to our own disadvantage. Therefore, Sir, I appeal to those hon.

Gentlemen to examine the system which France has long ago adopted; which Austria, taught in a bitter school, is beginning to adopt too late for her fame and power —and to tell us what those national failings are which forbid that system to succeed in England. You, at any rate, can surely not be un-English enough to say that red tape and favouritism, and nepotism are so peculiarly native to our soil that we dare not do here what is done at Paris and at Vienna. And to hon. Gentlemen on my own side of the House—and more especially to those who, like myself, do not wince when their opponents stigmatize them with the name of Radical—I adjure them to do their utmost to provide us at the earliest date with an efficient, an intelligent, a national, and, in the truest sense of the word, with a democratic military force. Then, and not till then, England will feel that she has recovered her army, and the army will have got its charter.

Mr. MELLY seconded the Resolution.

Motion made, and Question proposed,

"That the Purchase and Sale of Military Commissions be discontinued after a date fixed for that purpose."—(*Mr. Trevelyan.*)

Captain VIVIAN was bound to say that his hon. Friend (Mr. Trevelyan) had advanced his arguments with great fairness, and wiith a certain amount of moderation, and that he was not surprised he had apologized for the form of his Motion, inasmuch as the Motion of that evening was not a sequence to the Motion of last Session. The Motion of last year was in an abstract form, to the effect that the system of purchase in the army did not conduce to the efficiency of the army. That was a proper and natural Motion to make. It was debated at some length, and was negatived by a large majority. He should have expected that the Motion of this evening would have been a renewal of the one of last year, in the hope of obtaining a reversal of the decision then come to; but his hon. Friend now proposed a long and detailed scheme, whereby purchase in the army should be immediately abolished. The Motion of his hon. Friend was of a much more sweeping character than any ever advocated in that House or out of it, for Sir De Lacy Evans never attempted to abolish the system of purchase at once. He would ask the House to listen to what his view of purchase in the army was, for his hon. Friend had called it a miserable system of bartering and huckstering; but he (Captain Vivian) was amazed that a system said to contain so much vice and so few virtues should have endured so long, and more amazed that their armies should have obtained such glorious victories, which had been in a large degree attributable to the wonderful way in which our men had followed their officers and our officers had led their men. The reference to Creçy and Poictiers was a singularly inapt illustration in behalf of the change proposed; for those victories were won by an army led by one class of men and manned by another, yeomen following knights with marvellous fidelity. This was a question which had been discussed frequently in that House, and which had occupied considerable attention out of it; but it was one which the general public little understood. The hon. Gentleman had declared this to be a question of money against merit, as though money and merit could never go together; but it might as reasonably be argued that a man of merit could have no money. The fact was that money had a subordinate influence in promotion, at least to the higher ranks, because there were at present three requirements for promotion—seniority, efficiency, and, lastly, money. It was said that money enabled the less meritorious to pass over the heads of the more meritorious. No doubt such cases might be found; but, on the other hand, this very system of purchase enabled a man who had merit and money to pass over the head of the man without either. If that was the case, then the description of those who said the system was one of money against merit was unfair. He believed that Lord Clyde was induced to remain in the military profession by being able to purchase over the heads of three of his seniors. But then his hon. Friend would ask him why, under such circumstances, the purchase system was so unpopular in the army; but, so far as he knew, it was by no means unpopular in the army, either amongst the purchase or non-purchase men. If anything was unpopular in the army it was, not the purchase system pure and simple, but the abuses that had crept up about it, such as the increased extra prices paid for commissions now-a-days. That was an abuse which had gone on increasing, and which might well be done away with, but it had nothing to do with purchase pure and simple. If they attempted to do away with the purchase system it would only come up again in another form. In an army lately done away with, where purchase was unknown, there existed the bonus system, which was nothing more nor less than a system of compulsory purchase without control, as against a system of purchase under control. A friend of his, Mr. O'Dowd, who understood the working of the system as well as anyone in England, had lately written a book, in which he described the purchase system as a "self-supporting retirement system by means of deposits." He trusted that the House would pause before they proceeded to revolutionize our regimental system by abolishing purchase. General Trochu stated that the part of our army system which was pre-eminently superior to that of any other country was our regimental system. The effect was to enable our officers to obtain more rapid promotion than in any other army. He had sat upon a Committee presided over by the hon. Member for Pontefract (Mr. Childers) to inquire into the dead-lock in the non-purchase corps. What did the Committee suggest? A system of purchase by the State, so that, after a certain number of years, the State should buy the commissions of officers and get them out of the way. There were grumblers in all professions; but he ventured to say there was not a single officer in that House who would not say that the purchase system was popular in the army. Lately there had been twelve non-purchase corps added to the army. Things had lately come to a dead-lock in these corps, and he had been informed that the right hon. Gentleman (Sir Stafford Northcote) had decided that, in order to secure a flow of promotion, an officer wishing to retire after a certain number of years should receive a sum of money out of the Indian funds. That would be neither more nor less than a system of purchase by the State. But then it was said that the purchase system was unpopular with the poor man, and the case of Sir Henry Havelock was cited. It was said that he was crushed down by the purchase system; and that if it had not been for the siege of Lucknow he would never have risen in his profession. But Sir Henry Havelock exchanged twice out of his regiments in order to get money under the purchase system, and he would have commanded a regiment long before he did if he had remained in his regiments. It was hard to attribute such things to a purchase system when they were acts done by a man himself in furtherance of his own views and objects in life. If the House should, notwithstanding, determine to abolish purchase, was it possible to abolish it in the lower ranks? His hon. Friend admitted that in the lower ranks promotion must go by seniority, and he believed that if he proposed to adopt the principle of selection in those ranks he would open the door to very great unfairness; for they could have in the lower ranks but small experience of the qualities of an officer, and it was not fair that promotion should go by selection. Depend upon it that if they adopted the principle of seniority they would have in one shape or other, a system of buying out. They might pledge an officer never to sell his commission; but what was to hinder him from selling his sword for £200, or his old cob for £500? His hon. Friend had shown a good deal of ingenuity in answering the question what it would cost to do away with the purchase system? His hon. Friend said it might have been abolished in 1856 for about £2,000,000; but he avoided telling the House what it would cost to abolish it now. He would submit to the House certain figures showing what the country must pay to buy up the vested interests of the army. Those figures were placed before the Royal Commission on Purchase issued soon after the Crimean War. Then there were many young officers who had served so short a time that they were not entitled to sell their commissions; but since then our army had been increased by two Cavalry and twenty-seven Infantry regiments. In 1856 the regulation value of the commissions was, in the Cavalry £1,335,290; in the Foot Guards £610,110; and in the Infantry of the Line, £5,180,630 — making together, a total of £7,126,030. But justice required them to pay not only the regulation price, but also whatever additional sums had really been paid under the system now connived at. Mr. O'Dowd had gone pretty closely into that matter in his pamphlet, and, taking first, in respect to the Cavalry, one of the most expensive and one of the least expensive regiments, he found that the average amount above the regulation price paid by a major for a lieutenant-colonelcy was £6,800 in the dearest regiment, and £5,075 in the cheapest. That gave a mean of about £6,000 as the average sum paid above the regulation price for a lieutenant-colonelcy. Thus, it would be necessary to pay to the Cavalry £1,735,000 above the regulation price;

to the Guards £435.000; and to the Infantry of the Line £2,849,000; making together £5,019,000 above the regulation price. To that had to be added the £7,126,030 before mentioned; and thus they arrived at a total of £12,145,030 as representing the real value of the vested interests in the army. He took off 20 per cent as a fair deduction for promotion to the rank of general, retirement on half-pay, and other vacancies. Therefore, the House must be prepared, not in the course of a generation, but at most in twenty years, to spend first of all £10,000,000 in round figures to buy out the vested interests of the army. But that was not all, it would cost them to get rid of purchase; for they would have to revise their whole system of retirement. Officers in purchase corps were now entitled to retire on half-pay after twenty-five years' service; but in the Committee, of which he had been a member, it was suggested, as the only means of increasing the flow of promotion, that officers in non-purchase corps should be able to retire on full-pay after twenty-two years' service. Then, in addition to paying the sums he had already stated, they would have to provide for a system of retirement on full-pay after twenty-two years' service instead of on half-pay after twenty-five years' service. What that would cost, he was not in a position to say; but he thought he was much below the mark when he said that besides the £500,000 that would be added to the Estimates for twenty years at least, they would have to pay £1,000,000 a year for ever, or, in other words, an additional 1*d.* of income tax for ever. Surely, it was idle complaining of the extravagance of the Estimates if, in the pursuit of a chimera, they were to saddle the country with that increased expenditure. He confessed that he should feel much surprised at finding such a proposal supported by the Members of the Liberal party, who had always been the strenuous advocates of retrenchment. But he was not prepared to deny that a good deal of mischief had crept into our existing system. He believed that system had attained to overgrown dimensions, and he particularly objected to the practice of paying for commissions sums largely beyond the regulation price. That was, however, a subject which he would leave in the hands of the Executive, and more particularly of the right hon. Baronet the Secretary for War, who had already shown not only much good-will, but considerable ability, in dealing with military grievances. Another point which he would hand over to the right hon. Baronet was the question whether promotion should take place by seniority or by selection. The Resolution he wished to submit to the House was one a great part of which was not at all novel. The first portion of it provided that in the Cavalry and Infantry there should be no purchase above the rank of captain. Under it nobody could buy the rank of lieutenant-colonel. That would have been carried out by Lord Herbert, had he lived, and was endorsed by Sir De Lacy Evans. After all, it was simply applying to the responsible rank of the command of a regiment the system which at present prevailed in all other responsible positions in the army. They could not buy a major-generalship, nor any Staff appointment; and yet the due performance of the duties of a commanding officer of a regiment required a man to be possessed of qualities by no means inferior to those of the officers of the Staff. It might be said that if they touched the regimental system, and abolished purchase in one part and allowed it to remain in another, they would entirely unhinge it. But the principle he proposed now existed in a branch of the army which was by no means the least efficient. He referred to the brigade of Guards, where purchase ended with the rank of captain; so that when an officer retired he received what he had paid for his company and nothing else. He wished to engraft on the whole regimental system for the rest of the army simply the system now existing in the Guards. He might be asked how he proposed to treat lieutenant-colonels in the transition state? The regulation value of the commissions of field-officers was £883,700, and the extra money paid amounted to £436,000, making a total of about £1,320,000; and a deduction of 20 per cent for vacancies would reduce the sum to £1,056,000. But by the saving effected through the reduction of the regimental ranks that sum would be brought down to £971,000; and therefore, if the House adopted his proposition to abolish purchase above the rank of captain, £971,000 would be the sum which the plan would cost the country. The second part of his proposal, which was to reduce the number of regimental commissioned ranks to three—namely, lieutenant-colonel, captain, and lieutenant—was most important, but would probably meet with less opposition than the other part. He proposed it because at the present moment non-purchase officers met with four obstacles in their career. He might call them the four turnpikes which barred their passage. They had to purchase from ensign to lieutenant, from lieutenant to captain, from captain to major, and from major to lieutenant-colonel. He proposed to do away with three of those turnpikes, and to reduce the regimental commissioned ranks to three —lieutenant-colonel, captain, and lieutenant. He could not see what objection could be taken to that proposition. There were only three kinds of duty in the regimental system. There was the lieutenant-colonel, who commanded the regiment; there was the captain, who commanded a company, and then there was the lieutenant, who was subordinate to that officer. He knew that he should be met with the objection that if the major were done away the second lieutenant-colonel would be made of the same rank as the officer commanding the regiment. That objection might easily be disposed of by giving the officer commanding some distinctive appellation, such as lieutenant-colonel commandant, and by placing him, consequently, in a superior position to the second lieutenant-colonel. He proposed that every major should, on a given day, become a lieutenant-colonel. This would not add considerably to the expenditure of the country, for those officers raised to superior rank might be treated as were officers in the Artillery, who did not get superior pay until they arrived naturally, according to the *rota*, at the superior rank, receiving only 1*s*. a day additional in the meantime. With regard to that part of his Resolutions relating to education, he thought that after the able manner in which the subject had already been discussed in that House, it was unnecessary for him to dilate upon it now. He proposed that the going through a course of practical professional training should be a preliminary condition to the acquisition of a commission in the Cavalry, Guards, or the Line; so that every officer should, immediately on joining his regiment, be able to do his duty. He next came to the great question of whether or not it would be possible to reduce the number of officers in regiments of the Line? One thing was clear—either that the Artillery was under-officered, or that our Cavalry and Line were very much over officered. A battery of field artillery numbered 100 men, with 120 horses, besides guns, a very important command. There were five combatant officers—namely, two captains and three lieutenants to each battery. A battalion of the Line at home numbered 700 men, with thirty-four combatant officers, or double the number of the Artillery. A Cavalry regiment contained about 500 men of all ranks at home, with twenty-seven combatant officers, being also twice the number of the Artillery. The question, then, was whether a proportion of officers which was greater than in any army in Europe was necessary. The last portion of his Motion referred to the retirement; but that he was convinced would not be so expensive as its opponents anticipated. He fully understood that his hon. Friend who moved the original Resolution was actuated by a sincere desire to promote the interest of the army; but he believed that the system of purchase had become so overgrown of late years that the cry against it would never end until some reform was effected. He proposed that the House, if it should give its sanction to these proposals, should furnish the sums necessary for carrying them into effect, and he was sure that they would not shrink from the sacrifice which such a state of things would impose. He had trespassed at some length on their indulgence, and he then left the Amendment of which he had given notice in their hands.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the ground of complaint against the operation of the Purchase System in the Army would be greatly diminished, and the efficiency of the Service improved, by the abolition of Purchase above the rank of Captain in the Cavalry and the Infantry of the Line,"—(*Captain Vivian,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. O'REILLY said, his reason for advocating the total and immediate extinction of the purchase system was that he believed every step towards it would not only more firmly ingrain it in the constitution of the army, but render it more difficult and ultimately more costly to abolish it. The speech of his hon. and gallant Friend the Member for Truro (Captain Vivian) divided itself into two parts—first, a glowing eulogy on the system of purchase, and, secondly, a recommendation of the abolition of at least one-half of it. His hon. and gallant Friend said the great object of the purchase system was that the army should be led by a different class from the rank and file. Now, he cordially accepted that sentiment. But was the distinction between the class that led and the class that followed to consist merely of this—that the one had so many hundred pounds more than the other? The distinction of the officers of our army was this; they were better educated, better trained, superior in acquirement, in elevation of mind and other qualities to those whom they led, and therefore it was the men followed them. His hon. and gallant Friend, in his praise of the purchase system, shut his eyes to the fact that, year after year, generation after generation, regulations had been framed and solemn oaths taken with a view to prevent the abuses of the system; but parties, who would be the last to be guilty of such conduct in any other matter, perjured themselves year after year till oaths and declarations had to be given up, there being no power to prevent this abuse. It was an abuse essential to the system, and one that could not be controlled. The hon. and gallant Member for Truro drew a parallel between compulsory purchase in the Indian Army and the British Army, but the two things were very different. It was generally argued in favour of the purchase system that it accelerated the flow of promotion in the army, and if it was an advantage to have young officers in the army there was no doubt the service gained in that respect; but did it accelerate promotion for non-purchasing officers? Then they were told to look at the non-purchase corps and the stagnation which prevailed there. No doubt there were lieutenants of considerable standing—of ten and twelve years' service—but that was partly attributable to the large entries into those corps during the Crimean war. But in the first fifty regiments of the Line there were fifty-nine lieutenants of thirteen years' standing, and eight lieutenants of fourteen years' standing. These men were therefore all senior in their standing to the average of the lieutenants of non-purchase corps; but look to the list above these, and they would find captains who had entered the army in 1865, and it was for such that the purchase system accelerated promotion. It was said the system provided a retirement; and no doubt when an officer retired he found himself in possession of some few thousand pounds. But did the system give it to him? Why, it was his own money he had paid, and it was no more a retirement provided by the purchase system than if he had placed his money in the first instance in a deposit bank at a reasonable rate of interest. It was no doubt most desirable that our army should be officered by gentlemen, and it always would be in a great majority of instances by men who were born gentlemen, with a few exceptions of men who had fought their way and achieved nobility of blood; but if they fixed the standard of education and qualification as high as they pleased, they would find in the army, as in every other profession, English gentlemen who would qualify themselves for it. The system made everything in the army venal. It made English gentlemen believe that in that particular profession advancement and distinction might be not only purchased, but made the subject of bargaining and huckstering. The original idea was that there should be a regulation price for the various grades; but once admit the purchase system in any shape or for any grade, and it was impossible to even limit the abuses. At first there was no purchase for appointments to the staff of the depôt battalions. But what had sprung up? Those appointments were found to be good positions; they were held during pleasure; and the consequence was that within a very few years large sums were notoriously paid for exchanges to depôt battalions. The Commander-in-Chief thought, and very properly, that those appointments should be only temporary, and accordingly he limited the period for which they were to be held for five years; but his Royal Highness felt obliged to make that rule prospective. It did not apply to those who had been appointed before the Order, but it bore hardly on even many of those gentlemen, because, as the appointments were only to be held for five years, in future they would not succeed in getting back the money they had paid for them as permanent posts. Again, take the office of adjutant of Militia. Every person appointed to an adjutancy in the Militia made a solemn declaration that he had not directly or indirectly paid, or promised to pay, any sum of money, or given or promised any reward, for his appointment. The colonel also made a declaration that he believed in the truth of the adjutant's statement. But what was the case? Why, that adjutancies in the Militia were sold every day, and that there were offices in which their sale and purchase were made. It was the same thing with the adjutants in the Volunteers. As a Member of one of the Royal Commissions, he was sent to the War Office to make inquiry as to the declarations taken by officers. A gentleman had informed him that as a rule no hesitation was shown by officers to make the declaration required of adjutants of Militia, but that some officers were too conscientious to take it. On his asking the gentleman how those who did make it could get over the matter, when it was so notorious that the office was one which every day formed the subject of purchase, he told him that some of them covered over the body of the declaration with a sheet of paper, so that they might subscribe their name without seeing what they were declaring to. The hon. and gallant Member for Truro would permit purchase up to the rank of senior captain, and what would be the effect of that arrangement when the lietenant-colonelcy would no longer have to be purchased? Why, clearly, to make the senior captaincy worth so much more money in the market, and the removal of the three "turnpikes" in the lower grades would only have the effect of raising the demand of the two remaining to that which the five possessed before. The purchase system deprived the Commander-in-Chief of the opportunity of selecting the best officers for the superior ranks of the army. It might be said that the selection of those officers was well exercised. It was as well exercised as it could be under the circumstances; but the selection was confined within a particular pen. You could choose the best man out of those who had got in; but you could not choose the best man out of those whom your purchase system had kept out. Before an Army Commission which sat in 1857 it was stated that from 1817 not one officer had reached the rank of lieutenant-colonel without purchase. He believed that during the Crimean War two officers had reached that rank without ever having purchased, and that one or two had done so since the close of the Crimean War; but not one man had ever obtained the command of a brigade in the field, who for the previous twenty years had not purchased a step. General Havelock had purchased one step, or he would not have reached the command, and so had Lord Clyde. The fact that these men had only reached positions in which they did such service to their country in consequence of the accident of their having purchased one step showed us what men were left behind from want of the ability to purchase. Theoretically it was possible for a man to reach the rank of lieutenant-colonel by death vacancies; but the fact that not one officer had succeeded in doing so between 1817 and 1857 showed that practically the thing was not to be done. His Royal Highness the Commander-in-Chief could appoint no officer to the command of a regiment of Cavalry who had not £16,000 more than the regulation price, and no officer to the command of a regiment of infantry who had not £4,000 or £5,000. A few months ago there was a case of an officer of Cavalry standing out to give no more than the regulation price, and immediately everyone cried out, "What a shameful thing!" As long as you left one turnpike you left the whole system. One was as bad as three. He cordially agreed with the hon. Member's last proposal to extend, enlarge, and liberalize our system of military education. For many years he had pondered over this question, and he ought to state that at the outset he had a strong feeling in favour of purchase in the army; but the more he considered it the more clearly he perceived that it led to evils which were never contemplated when it was originally introduced. He was, moreover, convinced that the system would be soon swept away, and he sincerely trusted it would be replaced by another system, under which we should obtain for our army a supply of gentlemanly and well educated officers. That desirable end could, in his opinion, only be attained by fixing a high standard of education. In conclusion, he expressed a hope that before long the gate of education, and not the gate of purchase, would be the entrance to our army.

COLONEL NORTH said, he thought his hon. Friend who brought forward the Motion (Mr. Trevelyan) could not seriously suppose its result would be at all favourable to his views. Was it likely that the Treasury and the country would be prepared to pay a very large sum of money in order to enable his hon. Friend to carry out certain fancies of his own against the general feeling of the army? Undoubtedly the operation of "purchasing over" was a very disagreeable one to the officers affected by it; but, nevertheless, he had no hesitation in declaring his belief that the genera feeling in the army was in favour of the purchase system. He (Colonel North) was quite prepared to meet any case of real grievance, and he had shown this when he submitted to the House a Motion for meeting the case of officers who had rendered the country long service. It had been asserted by his hon. Friend that there had been, so far as he knew, no instance of an officer who had risen from the ranks to the command of a regiment, and that there was certainly no instance of a person rising from the ranks to the grade of a general officer.

Mr. TREVELYAN explained his meaning to have been that no one had so risen who had never purchased a step. He was referring to the period before the Crimean War.

Colonel NORTH said, he might remind his hon. Friend of the case of Sir John Elley, a distinguished Waterloo officer—at one time a Member of that House—who commanded the Blues for years. He could not at the moment give the names, but he had no doubt that previously to the Crimean War there were many officers in command of regiments and brigades who had never purchased their promotion. If his hon. Friend referred to the evidence given before the Select Committee presided over by Sir James Graham, he would find that the Cavalry had up to that time been officered by young men who either possessed large fortunes themselves or were the sons of gentlemen of property. Many of these officers had graduated at the Universities; but at the time when the sixty-five cornetcies became vacant men of this class, although they would have been able to pass the examination, declined to do so because they did not choose to run the risk of being plucked. His hon. Friend had made a mistake respecting the £200,000 paid out of the Reserve Fund; for the real effect of that payment was to benefit the poor officers. It was true that when the army was despatched to the Crimea our officers had not that experience which the officers of every foreign army possessed; but this was due, not to the purchase system, but to the niggardly conduct of the House of Commons in refusing to grant sufficient supplies to enable our officers to perform their duties. The circumstance of the Army Transport Corps being a non-purchase corps had been particularly dwelt upon in the course of the present discussion; but in point of fact it was a non-purchase corps by necessity, being officered by non-commissioned officers mostly of the Artillery and Royal Engineers. The way in which these men were treated after their return from the Crimea was so shameful that the subject was brought under the notice of the House of Commons, and a Select Committee appointed which resulted in justice being done to them. A noble Lord, who knew the world as well as any one, and who died the Leader of the House, having himself been Secretary of State for War (Viscount Palmerston), defined merit as the opinion one man formed of another, which was sure to be disputed by many who were disinterested, and denied by the friends of the unsuccessful, and therefore that noble Lord doubted whether any system of selection would secure appointments which would be universally acknowledged to be made on the ground of merit alone. As to officers being pained by being passed over, would their feelings be much less hurt by a system of selection? One man knew that another was richer than himself; but would he acknowledge that another was more intellectual and better qualified for a position than himself? Mr. Sidney Herbert, when Secretary of War, had also expressed doubts of the wisdom of the proposed change. Under all the circumstances he felt bound to oppose the Motion. He thought the proposition of the hon. Member for Truro (Captain Vivian) much more reasonable; but it was utterly impossible to reduce the number of regimental officers. It might be done if they were never to be sick, or never to have a day's leave; but as things were the idea could not be entertained.

Colonel SYKES observed, that in the old Indian Service there were no less than 6,000 officers, and yet amongst them discipline, efficiency, and the highest gentlemanly feeling were maintained without the aid of purchase. Promotion was accelerated in the Company's armies by a regimental arrangement that was highly satisfactory up to the time when it was put a stop to by the transfer of the Government of India to the Crown. In the Company's army every officer entered as a cadet, and rose by seniority, as he himself had done; and the arrangement he referred to was the regimental bonus fund, out of which, when an officer up to the rank of lieutenant colonel retired, he received the conventional sum attached to the rank he held. Contributions to that fund were regulated by the proximity or otherwise of the officer to the head of the rank he held, and were not compulsory, as some hon.

Member said; and he knew an instance in which an officer refused to pay his quota. This system still prevailed in the non-purchase regiments in India, and if the purchase system was abolished here, what was to prevent officers coming forward in the same manner, and giving the value of his commission to the retiring officer; the contributor knowing that he would receive back the value of his own commission when he himself retired: thus relieving the country from the payment of the value of the existing commissions? What, then, became of this bugaboo, this *bête noire* of £10,000,000 that it was said would have to be paid if the purchase system were abolished? No doubt, the change would be attended at first with some hardship in the lower ranks, but ultimately they would get the full benefit. If the purchase system was to be continued, in the name of all that was sacred, honourable, and just, he hoped they would not call upon a gentleman to make oath that he had not paid more than the regulation price for his commission when he knew that that was not the fact.

Mr. H. HERBERT said, that there was no such oath.

Colonel NORTH also said, that there was no oath of that kind, and never had been such an oath in the regular army.

Colonel SYKES said, he was sorry that he had made a mistake; but he had thought that there was some oath or declaration of that kind; and his impression still was that some declaration was subscribed by officers appointed adjutants of Militia and Volunteers. In illustration of his argument that the purchase system prevented meritorious officers from rising, he (Colonel Sykes) would mention the case of an officer now senior subaltern, who had been born in the regiment, became sergeant-major, and for distinguished service and high character had an ensign's commission bestowed upon him by the Horse Guards. He saved enough money to buy a lieutenancy, and he had now risen to be the senior subaltern. The regiment being about to go to India, two extra companies had to be added to it, and it became accordingly necessary to have additional captains. He made an application for one of the companies, but the reply he received was, that, as a matter of economy, it was intended to give them to captains whose companies had been reduced on their regiments coming home from service abroad. Such a decision was plausible enough in itself; but its effect was to deprive this meritorious officer of the chance of further promotion. It was small consolation to him to be assured by the military authorities of the War Office, after his case had been brought to their notice, that he should succeed to the first death vacancy. This, however, might not occur for many years to come; and meanwhile officers with means at their command would pass over his head. This case afforded a practical illustration of what was going on in very many regiments. He trusted the time was coming when gentlemen would no longer desire to engage in pursuits so foreign to the military profession as bargaining with money for the attainment of position in the army.

Gneeral PEEL: I do not feel myself called upon to defend the original introduction of the system of purchase into the army, or to deny the objection which in theory exists to anybody being enabled to attain promotion or preferment merely because of his having the means to purchase an advance, while another officer, his equal in point of ability and merit, does not possess that facility. But do not let it be for a moment supposed that the system of purchase is confined to the army. There is not a class of life, from the highest to the lowest, in which people do not obtain appointments by means of money. Take the highest offices in the Church. Livings, which are the first step to those offices, are notoriously purchased. Take, again, the highest offices in the State. These can only be obtained by passing through this House—by a system of purchase, as everybody knows. [*Laughter.*] When I say purchase, I do not mean a purchase of seats, but such an expenditure of money as the law allows. Lawyers, for instance, rise to the summit of their profession by incurring an expenditure which other lawyers, possibly as clever as they, are not able to sustain. Now, as far as the purchase system in the army is concerned there is this consideration, which is not out of place when the subject is discussed in the House of Commons. The system was originally brought into play in consequence of the niggardliness and neglect of the State in not making provision for those who, through sickness, long service, or other circumstances, were desirous of retiring. And even now, by the action of the Army Reserve Fund, money is extracted from the purchasing officers, in order to pay for that which, if paid for at all, ought to be paid for by the State. I certainly think we ought to have a fuller explanation of what the change of system will cost than has yet been given us in this debate. Large as was the sum mentioned by my hon. and gallant Friend (Captain Vivian) I am quite certain that if you are to do justice to everybody that sum will be largely exceeded. The hon. Member for Truro invites you by his Motion to declare—

> "That this House will make good such sums as may be required to give just compensation upon their retirement to existing officers who, in respect either to the then regulation value of their Commissions, or of sums paid by them in accordance with regimental usage, may be liable to pecuniary injury in consequence of the adoption of the above Resolutions."

Tell me what justice that would do in the case of men who are now serving upon the understanding that at the expiration of twenty-one years' service they shall be entitled to sell their commissions as if they had purchased every step. Surely, if you are to do justice, you must credit those men with the value of their commissions. Again, every officer is now entitled to receive £100 or £50 a year, as the case may be, for his service. Do you intend to recognize this, or not? If you act justly there is not a man in a purchasing regiment to whose credit you must not place some amount, whether in respect of what he has paid for his commission, or else in respect of his services. Is the House prepared to grant these officers the sum required, or do you think another House of Commons would be prepared to follow your example, and to carry out an abstract Resolution? This is far too large a question to be settled by a mere Resolution of this House. I object not only to the monetary part of the proposal, and to the great expenditure which it will cause; but I object to the alteration which it will make in the composition of the army. Whatever the faults of the purchase system—whatever anomalies may have attended its operation, at all events it is admitted, even by its opponents, that it causes a flow of promotion—that younger men rise to commands in purchasing than in non-purchasing regiments. Look at the non-purchasing branches of the service, the Artillery and Engineers. It has happened two or three times in my recollection that promotion in the Artillery has come to an entire deadlock, as injurious to the interests of the service as of individual officers. Sir George Murray, then Master General of the Ordnance, told me once that Woolwich had become "a nest of old women." By that he meant that, in consequence of the want of any retiring allowance, the officers held on till they were no longer able properly to discharge their duty. In 1858–9, when complaints were made to me that Artillery general officers did not get commands, I was obliged to point out that there were only four who had not passed the average life of man, there were only three or four at that time who were under seventy years of age. I need hardly say that was no advantage to the service. The Resolution of the hon. Gentleman (Mr. Trevelyan), if carried out, would alter the whole system by which you are to officer your army, and virtually he admitted himself that his object was to democratize the army. By a profession a man should be able to gain as much as will support him. But the hon. Gentleman himself admitted that the military profession is one of the worst going, in a remunerative point of view. We have over and over again been enabled to resist in this House any demand for increased pay on the part of the officers, because the supply has exceeded the demand. On one occasion, it is true, there were vacancies in the Cavalry regiments. But the vacancies existed much more from the stringency of the examinations than from the price of the original commissions. I recollect last year the hon. Member pointed out what I am sure the House is exceedingly proud of, that we have two gallant officers representing the same county and both possessing the Victoria Cross, and he asked in a tone of triumph, "Will not such men be always found where Victoria Crosses are going?" I say certainly—where Victoria Crosses are going. In time of war you have no difficulty in officering your regiments; but we are a peaceable nation, and Victoria Crosses are not always to be had. It is in time of peace that an army becomes dangerous to a country, and no country in the world is so jealous as we are of a standing army. Surely, then, it must be some consolation to know that the officers as a body are men as much interested personally in protecting property as any Gentleman in this House or in the country. My hon. and gallant Friend (Captain Vivian) denied that the non-purchasing officers get any advantage from the purchase system. Why, the non-purchasing officer gets more advantage from the system than any other. There are no deductions from his pay in the shape of interest upon money expended in the purchase of commissions, and he also receives something every year for his services. If any young man without money about to enter the army should ask my views as to the regiment in which he should enter, I should say, "If you can possibly do so get into a regiment where every man but yourself can purchase; as long as there is any one man senior to yourself in the rank you hold you obtain an advantage from purchase. It is only when you become the senior in that rank that you are liable to be prejudiced; but in the long run you gain as much as you lose." The usual three courses are open to us with regard to promotion. There is, first, the present system; then there is the system of strict seniority, and lastly there is the system of partial seniority and partial selection. Now my hon. and gallant Friend who has just sat down quotes an instance to show that contribution is not compulsory, for he says he knew a case in which an officer refused his quota. Well, I have no doubt the general feeling about this officer was that he was a very shabby fellow for thus obtaining an advantage without contributing his share to the cost of it. That sort of thing will always prevail under a system of strict seniority. As to the selection, I have greater objection to it than to either of the two other systems. Depend upon it, you will never introduce a system of selection without creating jealousies and suspicions of unfairness—in all probability perfectly unfounded—which will rankle in the minds of the officers, and which you will be quite unable to remove. Very often the system of selection would necessarily place at the head of a regiment men who are not fit for the position. Take the case of an officer who has gained the Victoria Cross. A man may have gained that distinction by rushing out of the ranks or by some gallant action which has brought his name into the newspapers, and public opinion would raise a loud complaint if he were passed over, yet he might be the most unfit man in the service to take the command of a regiment. It is far from my wish to depreciate the value of the Victoria Cross; but I do not hold that it is a certificate entitling the bearer to everything, command of a regiment included. But it is said, "All this will depend upon the Commander-in-Chief; he will have the power of selection." No doubt; but then cases of another kind will arise. If you give this power to the Commander-in-Chief, you must give him the power of removing officers without Courts-martial; officers guilty of no military offence, but who are thought, from temper or other circumstances, to be unfit men to command a regiment. Why, this House would be inundated with complaints from men so treated. Suppose the senior major is passed over. What is his position? He is pointed out as a man unfit to hold command, and what authority can he have in the regiment afterwards? Yet the commanding officer may be killed in action, and instantly this major will be called upon to command the regiment. Again, the officer under him may be a very fit man, yet because his senior officer is thought incapable, he sees another man brought in and put over his head. I say that nothing would more tend to create jealousies in the army, particularly in time of peace. In my opinion the good officer is the man who goes with his regiment everywhere, and who shirks no service where they may be; but if he goes, for example, to the West Indies with them, what chance has he of being selected for command? Then it is proposed that the army shall be officered by two distinct classes of men, and that a certain number of commissions shall be reserved for men who rise from the ranks. Then you would have on the one hand young officers highly educated, and officers much older than they are, who have risen from the ranks, and whose knowledge would be entirely professional. Do you not suppose that they would be jealous at having over them comparative boys, who might be good mathemeticians, but who knew little of drill or regimental duties? I hold in my hand a letter from an officer who himself rose from the ranks and became adjutant in a regiment in which promotion was not very quick, and what does he say?—

> "Born in the army, and having entered it at about sixteen years of age from school, I naturally feel the greatest interest in everything connected with our military service. I was therefore alarmed when I read in the public prints that in the proposed re-organization of the Departments it is contemplated to abolish the purchase system, and to a certain extent substitute promotion by selection. If the abolition should be adopted for selection, the greatest discontent will exist from the notion of gross partiality. I have the firmest conviction that it would be a most fatal blow to the good feeling which should pervade our ranks of officers (and which happily now exists to the fullest extent), it would engender feelings of jealousy, as no selection during peaceable times can be viewed as impartial (unless by seniority), where there is no opportunity for distinguished conduct.

> . . . . The sooner the rejected leave the service the better for themselves and the regiment, as their influence and authority as officers would to the greatest extent be lost with their men. . . . A father puts his son (a military aspirant) into the army, with a small allowance; he may be able to purchase a lieutenancy for him, but that is the most he can do for him; the purchase system brings numbers into the service who can purchase; these clear a way from the front of the non-purchaser, and give him by a death vacancy, &c., his company without purchase. I have a son-in-law, a captain, now serving in the Line, of about thirty-two years of age, who thus obtained his company under ten years, all without purchase, whereas if there had been no purchase in the army he would now, if a lieutenant at all, be a very junior one."

Then he remarks, and I fear I must agree with him, that a great deal is said on this subject by persons who understand very little about it. He adds—

> "The purchase system, as a rule, is no grievance to the non-purchaser; it in no way whatever interferes with the good feeling between brother officers. The man who cannot purchase feels that the purchase system clears away a great many of his seniors, and thereby gives him the best chance of early promotion without purchase. Of course there are a few grumblers in the service, and always will be under any system. . . . . I feel certain that if the votes of the non-purchasing officers of the army could be taken on this question, the proposition to set aside the purchase system would be swamped. . . . Promotion from the ranks to a limited extent will no doubt be left open in any change. Great care should, however, be taken lest a good non-commissioned officer makes a bad officer, from imperfect education, irritability of temper, &c."

These, I believe, are the feelings of a large majority of the non-purchasing officers; and I do hope that this House will not, for the sake of democratizing the army, engage to pay a sum of money which could not be less than from £10,000,000 to £12,000,000.

MR. GRENFELL said, that the first step towards democratizing the army would be to establish the conscription; and if the country was ready to bear that burden it was entitled to enjoy the other privileges of the French system. Unless, however, hon. Members were prepared to go to this extent it would not be right to democratize only the officers. He thought that the proposition of the hon. Member (Mr. Trevelyan) was one that ought to be ex-examined not only by military officers, but also by those who were engaged in civil pursuits. It happened that he was employed at the War Office when the Purchase Commission was sitting; and he held a position at the India House when the amalgamation of the Queen's and the Company's services was brought about, and from the experience thus gained he had the strongest doubts as to the calculations made in reference to the expenditure that would be necessary to carry out the scheme of the hon. Member (Mr. Trevelyan). He thought that it would require a far larger expenditure than had been proposed; and therefore that they might well hesitate before they assented to the proposition which was brought before them. Of the two he preferred the scheme of the hon. and gallant Member (Captain Vivian); for if they were to abolish the system of purchase to any extent, they had better make up their minds to abolish it altogether. It was hardly becoming a moribund Parliament and Constitution to lay the burden of so vast a change upon their successors as was included in the adoption of either of the two propositions before the House. And as he had the authority of the hon. and gallant Member for Truro (Captain Vivian) for saying that he did not intend to press his Motion to a division he (Mr. Grenfell) would move the Previous Question; and thus, without binding themselves in any way to the system of purchase for the future, they would simply decline, at such a crisis of Parliament and the Constitution, to express any opinion on the subject. There were a few points which had not been adverted to in the debate upon which he wished to touch. The object of Sir Charles Trevelyan—who was the real author of the scheme—was, as he said before the Commission of 1856, to make the army more professional, and to prevent wealthy men from serving in it. But how stood the case? During the long years of peace the military administration of the country under the Duke of Wellington and his illustrious brethren in arms, became exhausted and worn out, and precisely at the time of the Crimean War all those Departments which were not on the purchase system were, whether justly or unfairly he would not say, found fault with. The Staff Corps, which depended entirely on selection—at that time there was no system of examination—was very much decried; so was the Commissariat; the Medical Department was incomplete; the Military Train scarcely existed, and the whole Ordnance *matériel* was below the level of the science of the day. In fact, the only branch of the service which was considered to be in a state of complete efficiency, and admitted so by foreign officers, was the regimental system? Now, could they afford to throw away that which, after forty years of peace, had proved its efficiency, solely for the purpose of making the officers more professional and preventing wealthy men from serving in the army? One of the greatest authorities on questions of this kind—namely, Lord Grey—stated in his evidence before the Commission that he held it to be a benefit conferred upon the country and on the wealthy men themselves that they should serve in the army. A great deal of evidence was given before the Commission to show that the officers of our army were at present indulging in all sorts of luxury, which could be done only by wealthy men. But he would ask, was it only in the army that an alarming increase in luxury had taken place? Did not young men at Oxford, at the Inns of Court, even in the navy, indulge in a similar way? Therefore, the two objects which Sir Charles Trevelyan had in view should not be sufficient to make the House at present declare that purchase should be entirely abolished, or to adopt the change proposed by the hon. and gallant Member for Truro.

General PERCY HERBERT said, he was glad that the hon. Gentleman (Mr. Grenfell) had given notice that he would, if necessary, move the Previous Question, because he felt this was a very large matter, which ought not to be settled by a Resolution of the House. Though in favour of purchase in the army, as furnishing the best system of retirement that he was acquainted with, he was not so wedded to it but that he was ready to accept any other system which might accelerate the flow of promotion, without doing injury to the interests of officers, whether present or prospective. The hon. Member for Tynemouth (Mr. Trevelyan), though disclaiming the accusation as far as he was concerned, yet mentioned, as if he believed there was some truth in it, an allegation that had been made by others—namely, that officers of family sought for employment in purchase corps because they wished to have the pleasure of purchasing over the heads of others. Now, the object of officers of family was almost invariably to get into crack corps; and these were the very regiments in which scarcely more than one or two officers would be found in the whole list that were not for purchase. Therefore, it could not be for the pleasure of purchasing over the heads of others that men of family entered the service. Then the hon. Gentleman said that the longest purses formed the criterion of advance. But he begged to remind the hon. Gentleman that the longest purse would not give a man a single step until he became the senior on the list. Ours was a strictly seniority system, tempered by purchase. The senior on the list was offered the step, unless he was disqualified and the Commander-in-Chief exercised his authority, which was very rarely done, to prevent his advance. That was a point which was very much misunderstood—not only abroad, but even in this country; and he believed he had once before stated to the House that foreign officers who had talked to him on the subject had been greatly surprised when they were made acquainted with the truth. It was an erroneous impression to suppose that a man with £10,000 could purchase any step he pleased in the army. The hon. Gentleman also said that it was a reflection on the Commander-in-Chief for military men to say that if purchase were done away with, and the system of selection adopted, it would open the door to jobbery. But he had always noticed that on occasions of this kind the name of the Commander-in-Chief was paraded with the greatest respect by Members who at other times were fond of denouncing the Horse Guards—the "Horse Guards" being merely a euphemism for the Commander-in-Chief. In fact, there was scarcely a Session in which some of these denunciations were not indulged in by hon. Members. Some expressly desired the army should be democratized; but the late Lord Raglan had told him, about a fortnight before his death, that a French marshal warned him, in the most earnest terms, against so fatal a measure. He offered this opinion of a French officer of high rank to the House, because the French system was continually being pointed out as a model. He was assured, also, that nothing gave the French Government more trouble than the system of retirements in vogue in the French army. Our own police system, too, was often lauded on account of the ease with which it was recruited; but every man in the police force received about £1 1*s.* a week, while the soldier only drew some 9*s.* How could it be expected that artizans would enlist in the army at that price? But, at the same time, it must not be supposed the army was recruited wholly from the vicious classes; the majority of the recruits, although simple fellows, were decent agricultural labourers. He gathered from the *Army List* that 350 officers sold out of the army last year. What would be the increase to the Estimates if the amount paid to these 350 officers on account of retirement had come out of the public purse? It would be very large, and hon. Members would do well to bear this view of the subject in mind. He contended that the purchase system was a benefit, not only to the poorer officers, but also to those non-commissioned officers who were promoted without purchase, and who, by selling their commissions, were able to make a provision for their families. He also desired to remind the House that the introduction of a system providing for succession to higher rank by seniority would result in a system of purchase such as grew up in the Indian army, from which the country would get no benefit whatever, but by which it would lose the inestimable advantage of having an army whose officers were all comparatively youthful. He would not object to the change proposed by the hon. Member (Mr. Trevelyan), if the country were prepared to pay for it; but before voting for the change he stipulated that the House should be enabled to judge of its probable effect on the army.

Sir HARRY VERNEY said, that so large a question as this could only be dealt with satisfactorily by the Secretary of State for War, who alone would be able to obtain all the requisite information. The system which he should like to see tried would be to have young men enter the Infantry for four or six years, say from the age of eighteen to twenty-three. The effect, he believed, would be that almost every family of the middle and lower classes would desire a son to enter the army; and these young men would make excellent soldiers, while the discipline which they would undergo would be very advantageous to them. Many of them would be able to rise to non-commissioned officers, and some, perhaps, to officers. The difficulty that had to be met in our army was, that troops had to be stationed in all parts of the world; but he thought the colonies might, to a great degree, protect themselves; and the system he suggested would, of course, necessitate a separate Indian army—an arrangement which he had always advocated. With regard to officers, he was anxious that they should be better instructed. They were thoroughly brave; but the want of professional knowledge on the part of many of them led, he feared, to the loss of a large number of soldiers, especially at the commencement of a campaign. Every officer should have a certain knowledge of field fortification to enable him to defend himself for a time in any port where he might be placed; and he should also be able to give some description in writing, and by a plan, of any part of a country where war was being carried on. He had been told that at the time of the Crimean war there were 1,600 officers in the French army who were competent for this; but he was afraid that very few in our own army would have been able to do it. Moreover, if good officers were wanted, they should be pushed on when young, and intrusted with important duties when in the vigour of life, and when labour was a pleasure to them. He recollected the Duke of Wellington once saying, speaking of the qualities of a Commander-in-Chief on active service, that he should not be more than forty years old. Every private soldier should be intelligent enough to understand the object of any movement, as was the case in the Prussian army; whereas, the Austrian troops were mostly men of little intelligence, and did not understand what they were ordered to do. The pay ought to be good; for men could not be expected to enter the army if other vocations were more lucrative. He trusted that the right hon. Gentleman would consider the question of enlisting, if it were only two or three regiments, for short terms. He wished to see the system have a fair trial, as he had much hope that it would be attended by success. If that were done, he believed that many a family would regard it as an honour and advantage that one of its members should go into the army, whereas now it is too often thought a misfortune.

Colonel LOYD LINDSAY said, he did not despair of the hon. Member (Mr. Trevelyan) being induced to alter his opinions, with regard to the very sweeping measure he had brought forward. It would have been more candid if he had separated from the purchase system that which in reality had no connection with the subject at all—the money paid over and above the price of the commission. His hon. Friend had alluded to the fact that at one time it was difficult to find officers for commissions in the Cavalry. That was not the case at present, or his hon. Friend would have referred to it in support of his argument. The fact was, that the army was at the present moment a very popular service, and there was no difficulty in obtaining officers, though the pecuniary inducements held out were very trifling. This was owing to the circumstance that there was, in this country, a very large leisure class, who were ready to place their sons or connections in the army. It was from this leisure class—consisting of tradesmen and men in all classes of business who had made money and who were anxious to seal their position by sending their sons into the army—and not exclusively from the aristocracy, that the officers of the army were principally obtained. There was no reason to expect that the supply would fall off; and as long as the two terms of officers and gentlemen were regarded as synonymous, he did not believe that any difficulty would be experienced in finding officers. The hon. Member for Tynemouth had advocated the admission of non-commissioned officers into the commissioned ranks. Now there were no men of whom, as a class, he had a greater respect than for the non-commissioned officers of the army; who, as a body, fulfilled very important duties, in such a manner, as to give satisfaction and procure for them the respect of their superior officers. But they were generally men of a certain age, contented with their position, and not influenced to any great extent by ambitious desires, while their wives were no more capable of entering a new sphere of life than they themselves were. The result of promoting a few of these men would, in his opinion, be to spoil the men so promoted, while the promotion of a large number would inevitably lead to a deterioration of the commissioned ranks. The experiment had been tried, and though it might answer to some extent in time of war; yet, where it had succeeded in one instance, in twenty cases it had failed. He did not believe that the proposal would find much favour even among the non-commissioned ranks. Under the present system of purchase, entry into the army was easy enough. A letter to the Commander-in-Chief, as a rule, at once secured the placing the name of the candidate on the list; and on lodging a certain amount of money, and passing an examination, a commission was obtained. That commission, however, was given in the order in which the candidate came out of the examination, and was not the result of bargain; for a man possessed of great wealth could not get his promotion one day earlier than the man who possessed only a fixed sum. Except in one particular case, too, an officer who had served a certain time would, on leaving the army, have his deposit money returned. Now, he would ask, from whom did the demand for the abolition of the purchase system come? Were they told that the Commander-in-Chief was unable to obtain the services of officers capable of performing the duties assigned to them? or did the demand for this sweeping change come from the officers themselves? On the contrary, those who were at all intimate with the officers of the army would bear him out when he said that they regarded the system with great favour. They did not enter the army without being fully aware of the nature of the system, and they knew, moreover, that by waiting a certain time their advancement would be a matter of great probability, if not of absolute certainty. He maintained that even those officers who did not purchase their promotions benefited by the present system. The hon. Member for Tynemouth said that the effect of the purchase system seemed to be that officers could not be persuaded that they were the servants of the Crown. According to his experience, on the contrary, it was their greatest pride and highest honour that they were serving Her Majesty, and for this they gave up the pleasures of home and took their turn of service abroad. It had been argued as a great advantage in the Indian system that at certain steps officers were called upon to pay a fine and make a contribution as a step towards buying out the officer at the head of the regiment. But these demands upon officers were made at uncertain and unexpected periods, so that officers were sometimes compelled to borrow money at usury. An officer was scarcely a free agent in the matter; for it was well known that if he were to show any spirit of contradiction and refuse to make the contribution expected of him means would be found to make him very uncomfortable in the regiment. Contrasted with such a plan the purchase system was much superior, because no attempt was made to compel an officer to pay more than was convenient to him. Then it was said that, without substituting any other plan for the purchase system, Parliament ought to place officers of the Cavalry, the Infantry, and the Guards in the same position as the Artillery. But had the system worked so well in the Artillery that it ought to be adopted in other branches of the service? On the contrary, promotion was so slow in the Artillery that an officer could hardly expect to be made a captain until he was an old man. He had never heard that officers in the Cavalry, Infantry, and the Guards were less efficient in the discharge of their particular duties than the officers of the Artillery and Engineers. The hon. Member for Tynemouth at the end of his speech made use of a phrase which, he confessed, he hardly liked. He talked of the army being "democratized." Now, the word democratized was generally used in the sense of being less Royal or less the servants of the Crown. He did not think the hon. Member used the word in this sense; he probably used it in the sense of the army becoming more popular. [Mr. Trevelyan intimated his assent.] As he had said, it was the pride of the army that they were the servants of the Crown, and it would be an evil day both for the country and the army if they should ever look to that House for their advancement. He hoped that the army of this country would always be the Royal Army. Certain he was that if promotion in the army were taken away from the Commander-in-Chief it would be a very unfortunate thing for this country. The present Commander-in-Chief had stated that it would not be in his power to do justice if the promotion, instead of being by purchase or seniority were on the principle of selection. There were, for instance, over 1,000 captains. How could it be expected that the Commander-in-Chief could out of that number select the proper officer for promotion? It might be said that this principle had succeeded in the French service. This had not been his experience, for he had found an opinion among officers of the French army that promotion by selection compelled them in many cases to behave in a much more subservient manner to their commanding officer in social matters than Englishmen would like. The French army, moreover, were generally at home or in Algiers, while the British army was scattered over the face of the world. In these distant colonies it would be quite impossible for the Commander-in-Chief to discover the qualities and capacities of the officers of lower rank. No doubt good officers at Aldershot, Windsor, or the Curragh who had influential friends would have a good chance of promotion, while an equally good officer at Jamaica or some distant post would have no opportunity of bringing his qualifications under the notice of the Horse Guards. The greater portion of the scheme of the hon. Gentleman seemed to point to a system of promotion by merit, and was therefore objectionable. Many officers who showed no extraordinary capacity when in a subordinate position had, when promoted, astonished their friends with the abilities they exhibited. It was impossible for a Commander-in-Chief to know intuitively who were good and who were bad officers. The principle of promotion by seniority was well understood, was recognized, and gave no offence. He should not like to see it set aside, and the principle of selection substituted for it.

Mr. OTWAY said, he was unable to agree in the remarks of the hon. and gallant Officer (Colonel Loyd Lindsay) with respect to promotion by selection. Selections were made in the French army on the reports of commanding officers by a Council of Marshals who met once a year in Paris, and no injustice was, as far as he could learn, done to officers who were serving at a distance. The same principle of promotion by selection prevailed also in the Prussian army, and with the best results—the difference being that in Prussia promotions were made by the King in consultation with his Military Cabinet. The right hon. Gentleman the Member for Huntingdon (General Peel) had admitted that if the system of purchase did not exist no one would think of introducing it. It must be confessed that it had about it a surprising vitality, since before the Crimean War every one regarded it as doomed, and yet it was flourishing at the present day. The existence of the system depended, first, on the exceptional conduct of the officers of the British army, who had maintained a character for pluck and honour which was unsurpassed by the officers of any other country, which induced people to say that the system could not be a bad one which produced such officers; and secondly, in the extreme difficulty in getting rid of it on the score of expense. He felt himself placed in a little difficulty by the two different Motions before the House. He was fully sensible of the pernicious effects of the system of purchase, so often exemplified in the fact of an officer possessed of a few thousand pounds being raised over the heads of men who were immeasurably his superiors in professional knowledge and ardour. It was said that the system was a perfectly fair one, having no caprice about it; but this he was far from being prepared to admit. It was said that one illustration was often better than a hundred arguments, and he would mention a case that, in his opinion, remarkably exemplified its unfairness. He did this with reluctance, from the fact of the gallant officer concerned being a near connection of the hon. and gallant Officer opposite (General Percy Herbert) whose professional merits he was happy to acknowledge, and who had well earned every step he had gained. He found by *The Gazette* that on the 9th March, 1867, Major Herbert was the junior major of the 84th Regiment, the senior major having purchased all his steps, and Major Herbert not having purchased his majority. On the 25th April, 1868, this Gentleman suddenly stepped at once to the lieutenant-colonelcy of the 4th West India regiment, jumping at once by that one leap over the heads of 780 officers senior to him, many of whom must have been desirous of purchasing that step. It appeared, therefore, that the system was very far from being fair in its operation. The hon. and gallant Member for Truro (Captain Vivian) had observed that a major-generalship could not be purchased, and pointed out the desirableness of certain situations in the army not being acquired by purchase. Now, was there any situation more important, or that more required to be filled by a man of thorough professional skill and ability than that of commander of a regiment? Yet that situation was placed within the reach of any one who had £1,500 or £2,000 at his disposal. The hon. and gallant Member for Berkshire (Colonel Loyd Lindsay) said that promotion in the Artillery and Engineers was so slow that these corps were in a state of complete stagnation; but was he prepared to introduce the purchase system into them. They had just seen a military expedition conducted with unsurpassed skill and talent; and who was the commander of that expedition? He was a man who had never purchased a step; he belonged to the Engineers; and yet that was the man who had won bloodless battles by the superiority of his engineering and his artillery. Could it be said that the Artillery were inefficient? It was well known that the corps of Artillery, Engineers, and Marines, in which purchase never had existed and never would exist, were constantly referred to as the model corps of the British army. Why not, then, place our Infantry under the same system? He would grant that the systems of purchase might be retained with advantage for one branch of the military service—the Cavalry. That branch of the service was remarkably expensive, and looking at the cost of the uniform, the changes that often took place, and the general expensiveness, it was impossible for a man to enter the Cavalry unless he were possessed of means considerably beyond those which he derived from the State. It was said that many men entered the service for two or three years and then retired, conferring by their withdrawal considerable advantages on the non-purchase men. But he believed the disadvantages of this outweighed the advantages, from the unprofessional tone that was introduced. When the abolition of purchase was proposed in 1855, before the fall of Sebastopol, there had been so many vacancies in the army, and so many promotions without purchase, that if there had then been a Minister in power capable of appreciating the advantages of its abolition, that might have been effected at a cost which would have been but as a drop in the bucket compared with the vast total of expenditure for the Crimean War, and the whole vested interests of the officers of our army might have been purchased for a sum not exceeding £2,000,000. But that which would then have entailed only a charge of no great importance, would now be impossible without making demands on the public purse of a most onerous character. With the prospect of speedily separating and the uncertainty of their all meeting together again, would his hon. Friend (Mr. Trevelyan) like to answer that objection at the hustings? People would naturally say, "To carry out the new system would require an addition to the Income Tax of 2*d.* in the pound, and looking at the way in which your officers fight, and their excellent conduct generally, we do not think it would be at all desirable to saddle the country with such an expenditure." He believed that on account of the vast expense of a change, and for no other reason, it would be desirable that his hon. Friend should not push his Resolution to a division. His hon. Friend had done the cause good service by his able speech, and by eliciting the weakness of the arguments opposed to it, and he hoped and trusted they might live to see a change one day successfully effected.

General PERCY HERBERT craved permission to say a few words in explanation with regard to a gallant Relative of his whose case had been referred to by the hon. Member who had just spoken. The senior major of Major Herbert's regiment had refused to purchase promotion out of the regiment before it was offered to his gallant Relative. Major Herbert had served with his regiment in India; he was serving for the second time in the West Indies; and he had also served in the Crimea. He might add that that case exactly exemplified what he had previously said—namely, that if promotion by selection were made the rule the House would be likely to hear more of these cases of selection.

LORD ELCHO said, the vitality of the purchase system consisted simply in this—that there was both in that House and in the country a strong practical instinct which prevented them from being led astray by theories, and made them unwilling to do away with a system that was found on the whole to work well. His own opinion was that it would be most unwise and most unpractical to abolish the system of purchase as it now existed. Great misapprehension prevailed as to what that system really was. All the talk they had had about trafficking and huckstering, and the discouragement of youthful talent and merit, was only like giving a dog a bad name, and the hon. and gallant Member for Truro (Captain Vivian) had done good service by quoting the very able pamphlet of Mr. O'Dowd, founded on articles which had previously appeared in the *Army and Navy Gazette*. A definition of the purchase system was given by the Earl of Lucan, a general in the army, speaking in "another place" some years ago. The Earl of Lucan stated that it could scarcely be truly said that commissions were purchased; that a certain regulated sum was deposited—he was speaking not of the irregular, but the regular system—when an officer received his commission, which might be held to a certain extent as a security for his good conduct; that it was only by permission that he recovered it; and that there was no transaction between one officer and another. Having lately had to purchase a commission for his own son, he had nothing to do with any other officer selling out, but he received an instruction from the Horse Guards to deposit a certain sum with the agent. Therefore there was no trafficking, no huckstering; it was only under the irregular part of the system that the abuse cropped up which required correction. The hon. Member for Longford (Mr. O'Reilly) had pointed out certain abuses; but they might all be corrected either by the Commander-in-Chief, the Secretary for War, or by the attention of the House of Commons being called to them; they were in no degree inherent, or a part of the system itself. He (Lord Elcho) maintained that the purchase system was not unjust to individuals; because an officer entered the service with his eyes open, and knew what was before him. No man was obliged to purchase, and no man who was willing to purchase could be passed over. The effect of the purchase system was to bring men on faster than any other system. If there were abuses in the system, it was to be hoped that by discussions in that House the abuses would be checked; but he maintained if the system were properly administered there could be no injustice to individuals. Could anyone say that it was an injury to the public service? So far from its being true, as was alleged, that few officers under it could attain the rank of colonel, the fact was quite the contrary, for Colonel Lindsay, when in the House, had shown that between 1833 and 1854 no less than 428 officers attained that rank, and that the period which an officer had to serve before attaining it was on an average twenty-five years, the gallant Colonel stating that those who obtained it by purchase averaged a service of twenty-two years, and those who got the step without got it in twenty-seven, so that there must have been a sufficient number of officers who attained it without to enable the gallant Colonel to form an average. He regretted that the hon. Member for Tynemouth (Mr. Trevelyan) seemed to cast a certain slur on the officers of the army when he said that the military spirit and tone would be encouraged by giving commissions to non-commissioned officers. It was a great advantage to the army to be officered by gentlemen, and the men themselves were more satisfied at being commanded by them than if they were commanded by officers of their own class. It was said that the French army was much more largely officered by men from the ranks. He had been talking over this matter with an English gentleman who held a Staff appointment in the Crimea, and who told him that at a review of the English army a French Staff officer, after expressing approval of all he saw, turned round and said to this gentleman, "How many officers have you under arrest?" The reply was "None." "Ah!" said the French officer, "that is because you are all gentlemen;" implying that a considerable number of officers in the French army were then under arrest. He admitted that the French army was much more likely to get good men for privates on account of the conscription, which brought in all classes. A common French soldier in the Crimea, he recollected being told, had been a civil engineer, and had built a famous bridge over the Loire, or some other French river, but being drawn by the conscription, and not being able to pay for a substitute, he served as a private soldier in the Crimea. Therefore, the French army had privates and non-commissioned officers such as the English army did not possess. But with respect to the proposition of giving commissions to non-commissioned officers—and let it not be supposed that he was opposed to carrying out that proposition in reason and moderation—it was desirable to hear the opinions of the non-commissioned officers themselves on that point. He believed that the hon. Member for Ayrshire (Sir James Fergusson) stated on a former occasion that in his regiment in the Crimea eight non-commissioned officers refused commissions. The sergeant-major in the regiment of Volunteers which he himself commanded was sergeant in the Army in 1863, and, being offered a commission, replied, "I make a very good sergeant, but shall make a very bad ensign." Knowing that this discussion was to come on to-night, he asked that man to write a statement expressing his views and the views of other non-commissioned officers on the subject of promotion from the ranks. He had in consequence written a letter, in which he said that it was necessary that promotion by purchase should continue, or that otherwise promotion would be very slow; that it would take fifteen years to obtain a captaincy, thirty years to obtain a lieutenant-colonelcy, and forty-five years a major-generalship. He went on to state that the proposition to give commissions to non-commissioned officers was a great mistake; for after the first novelty was over the recipients found that they had made a great mistake in accepting them, and that they positively could not live on them; the consequence was that they were continually making applications to the Commander-in-Chief for small Staff appointments, and when they were refused they became more dissatisfied than ever. Very few ever rose to the rank of field-officer; for not being able to bear the expense to which they were put, they either left the service, or sought a living in the Colonies. Nor did the men like to be commanded by those who were formerly of their own class, but always said that they preferred to be commanded by gentlemen, who, if they did wrong, treated them with lenience, and like men; whereas a non-commissioned officer who had been promoted was much too sharp for them. The kind of commission which, in the opinion of the writer, should be given as a reward to deserving non-commissioned officers were commissions in the Commissariat, the Military Train, or the Military Stores Department, which were generally more lucrative, and did not require much moving about. The writer also thought, and he entirely agreed with his hon. and gallant Friend the Member for Berkshire (Sir Charles Russell) in the justice of the claim, that every clerkship in the War Office, the Horse Guards, and the other military establishments should be given to men in the ranks. Civilians, he considered, had no claim to these appointments. He trusted his hon. and gallant Friend (Sir Charles Russell) would be supported in his Motion on this subject. There were 623 clerkships which, in the opinion of this writer, ought thus to be thrown open. There was a story current, he did not know whether it was true or not, that the office-keeper at the War Office—who was in receipt of a major's pay, a position which many an officer's widow would naturally be glad to fill—was held by a French lady's maid. This was the line in which they ought to work in that House, and it would do more in getting good men for the Army than the 1st Resolution of his hon. and gallant Friend (Captain Vivian). Mess expenses ought to be kept down. The purchase system was not responsible for them, but those who administered it. It was all humbug to say that regimental expenses could not be kept down. They could be kept down by having a Report on Regimental Expenses from the General inspecting, and there ought to be no difficulty in the matter. He wanted to know on what authority the present proposition had been brought forward. He maintained that the authorities were all the other way. The Commission of 1840, the speeches delivered in that House, the opinions of officers of the Army, of the civil administrators of the Army—the Duke of Wellington, Lord Raglan, the Duke of Cambridge, Mr. Ellice, Lord Grey, Lord Dalhousie, and Lord Herbert; for no one more strongly objected than Lord Herbert to total abolition—all these were in favour of the purchase system. Who were against it? Were the civil administors of the army against it? They were all in favour of it. Were the generals? They were all in favour of it. Were the non-purchasing officers? Nineteen-twentieths of them were in favour of it. Were the purchasing officers? Five-sixths of them were in favour of it. Were the non-commissioned officers? The letter he had read showed their opinion. Were the privates against it? They preferred to be commanded by gentlemen rather than by those who had risen from the ranks. They were in favour of it. What, then, was the opposition reduced to? Sentiment and theory, and nothing else. It was all very well for that House to indulge in a generous fit before an Election—and they saw the effects of an immediate Election in his hon. and gallant Friend (Mr. Otway), it made him so very cautious seeing he must go to the hustings next week, or perhaps the week after. What was the cost they would have to pay for the hobby of his hon. Friend and that of Sir Charles Trevelyan? *Apropos* of Sir Charles Trevelyan's view of this question, it was very curious, they had heard a good deal of the crisis in Ireland which was Fenianism, and required the abolition of the Irish Church—Sir Charles Trevelyan had published a very able pamphlet, and he re-published it with a second preface; and here also he had discovered a crisis—that Fenianism with the abolition of purchase should be driven out of Ireland, by holding out the prospect of military service to her martial sons. The hobby of his hon. Friend was rather an expensive one. It was to cost at least £10,000,000; and to this they would have to add a retiring list of £1,000,000 per annum, which, if capitalized, would amount to more than another £10,000,000, so that the cost would be £20,000,000—a sum equal to that which was paid for emancipating the blacks in the West Indies. With reference to the substitute proposed, if they did away with purchase would they adopt a seniority system? That was the defect in foreign armies. The feeling of officers was that the present system gave a security against favouritism and jobbery which no system of selection could supply. On these grounds it appeared to him, looking practically at this question as an army reformer, that, whether they began at the top or bottom, whether they followed the course suggested by the hon. Member for Tynemouth (Mr. Trevelyan) or by the hon. and gallant Member for Truro (Captain Vivian), they were beginning at the wrong end in dealing with army reform. He could not do better, in concluding, than to quote words used on an occasion similar to the present by Mr. Ellice, who was liberal enough in his views on all such matters. Mr. Ellice said:—

> "Be careful how you touch the regimental system of this country, because the English soldier is the best pawn on the chess-board of the military world."

Sir JOHN PAKINGTON: Sir, this discussion has occupied so many hours, and so many Members have, like my noble Friend who has just sat down (Lord Elcho), spoken in opposition to the Motion before the House, that I hardly think I can add anything to the arguments by which the Motion has been opposed; but, considering the position I hold, I hope the House will indulge me for a short time while I make some observations on points to which —while endeavouring to avoid repetition— I think I ought to address myself. Before I touch on the question itself, I wish to express my acknowledgments to the hon. Member for Tynemouth (Mr. Trevelyan) for his kindness in postponing his Motion, in consequence of my illness, at a time when he held a very advantageous position on the list. I can assure the hon. Gentleman I am glad that, despite the postponement, he has had an opportunity of bringing forward the question under such favourable circumstances. Only a year has passed since it was my duty to meet the hon. Gentleman on the same subject. He then, as he has done on this occasion, brought it forward in a speech of great abilty and earnestness—a speech in which I believe he was entirely actuated by patriotism and zeal for the welfare of the British army. As I before stated, I am by no means the champion of purchase in the army. On abstract grounds, as a matter of theory, I think there can be no question that the purchase system is full of anomalies and opens up a very serious consideration. I agree with my hon. and gallant Friend who spoke in the early part of the evening, if we were now commencing to form and organize our army, no reasonable man would be likely to think of adopting the purchase system. But all our institutions are full of anomalies and flaws that may be detected by hostile criticism. In our military system there are certainly many anomalies. Is it not an anomaly that, without any question, ours is the most expensive army in the world? Past, present, and future Chancellors of the Exchequer are protesting that there never was anything so abominable as our Army Estimates. But, notwithstanding all that, this House and the country are content to go on with the most expensive army in the world. It does not suit the spirit of our generous people to submit to a conscription or compulsory system. It is the determination of the country to have an army on the voluntary system, and to have that in a highly-civilized country like England makes it necessary that our army should be a very costly one. Is it not a great anomaly that our generals are paid as they are a very inadequate salary, which may become a very handsome one when they are appointed to the honorary command of a regiment? Is it not an anomaly that we should give our soldiers an extravagant rate of pay as compared with what is given to the soldiers of other countries, while we pay our officers a small pittance which is hardly enough—indeed, I may say it is not enough—to enable them to maintain their position? No doubt, in respect of all those matters the Government should introduce such reforms as they may consider necessary; but my duty in dealing with a question like the one now before the House is to consider, not what might be best in the abstract, but what the interests of the army and of the country really required. I hope I may say without any presumption that I have shown I am not indisposed towards army reform. I am at present engaged in the laborious duty of endeavouring to re-organize the Administrative Department; and recently I have introduced a system by which the whole of our Reserve Forces are put under one officer—a system which has already been attended with most beneficial results. When the noble Lord the Member for South Essex (Lord Eustace Cecil) the other day proposed that there should be a Commission on Education in the Army, from the moment he gave his Notice I had no hesitation about supporting his Motion; because I agree with the hon. Member for Longford (Mr. O'Reilly) that the military training of the army is one of the most important questions connected with the subject of military reform. If you persevere in your present system of purchase in the army, it is most important that your officers should have the advantage of a good military education. On the other hand, if the system is to be changed, it would be equally important that you should have well-educated and well-trained officers to take the place of those now attached to the army. Before I proceed to notice more particularly the objections urged against the purchase system, this admission I most distinctly make—namely, that, in one class of cases, a severe grievance does arise from that system, as it is at present in operation. I allude to the cases in which young officers who have bought their commissions die. Many distressing cases of this character have been brought under my notice; and I have no doubt that, speaking of his own experience at the War Office, the noble Lord opposite (the Marquess of Hartington) could make a similar statement. Under a regulation made in recent years, if an officer is wounded, and if he dies within six months, the money paid for his commission is returned to his family; but in case of death from climate or disease, this is not done, and frequently much distress is the consequence. I do think it is well worthy of consideration whether something may not be done to prevent the purchase system from working the harm which it does in that way. Let me now touch on the alleged hardship of the rich man being enabled to purchase over the head of the poor man. I believe that no portion of the subject has attracted so much public sympathy, and created so much prejudice, if prejudice there be, against the purchase system, as this idea of the poor man being purchased over by the rich man. But, I believe—and I think I may challenge contradiction of my statement—that this is an idea rather than a fact. The truth is that the non-purchasing officers of the Line obtain promotion more rapidly under the purchase system than they would in a non-purchasing corps. I hold in my hand a statement of all the lieutenants promoted between April, 1867, and March in the present year. The whole number promoted was 183 by purchase and 51 without purchase. The average service of the former was nine years and sixty-four days; that of the latter eleven years and thirty days—that is, less than two years' longer service than those promoted by purchase. We heard a great deal this evening about the Artillery, and I think there is a great deal of misconception about the present state of that branch of the service. The fact is that if the promotion in the Artillery is not very rapid, the officers have had very little to complain of since the Crimean War. The present state of the Artillery is most satisfactory. The stagnation spoken of this evening may occur some years hence, but certainly it has not come as yet. I find the average period for which an Artillery officer now serves before being promoted to the rank of captain is between eleven and twelve years; which shows that at a time when the Artillery branch of the service is in a very satisfactory state, the officers who do not purchase are not longer in obtaining their promotion under the purchase system than are the Artillery officers, among whom there is no purchase. This fact shows that there is not in the purchase system the hardship to non-purchasing officers which many persons suppose. As to another misconception of the hon. Member, I think the House will be rather surprised to learn that the present average rate of *entrées* for first commissions in the army is as follows—400 officers enter annually by purchase, and 140 without purchase. The number of the latter is much larger, I believe, than hon. Gentlemen are generally led to suppose. Then there is another serious fallacy, to which, I think, Sir Charles Trevelyan and the hon. Member for Tynemouth (Mr. Trevelyan) have lent themselves a great deal—namely, that the present system of purchase is the cause of our army being officered solely by the aristocratic class. Now, I am sorry to see so high an authority as Sir Charles Trevelyan adopting so complete a fallacy. I found the other day in one of the London newspapers a letter signed by Sir Charles Trevelyan, in which he says that the abolition of the purchase system is necessary, if you desire to open the British army to that great body of the British people who occupy the space between the highest and the lowest classes. Here, then, is a broad statement, that the army is composed exclusively of the highest and the lowest classes. But what does experience show us? I see military men around me on all sides; and we all of us know who are the officers in our army. I would ask any man to take up an *Army List* or a newspaper containing the gazette of military promotions and read the names. Why, you do not see there many names which are well-known to every Englishman as the aristocratic names of England; on the contrary, nine times out of ten you see a lot of the oddest names that can be imagined. Indeed, it always seems to me that the oddest names in the country get into the *Army List.* These are the names of the respectable middle classes of England. There is, it is true, a sprinkling of aristocratic names, and I hope there always will be; but the majority are names borne by country gentlemen, small gentlemen, and the respectable trading classes. In fact, if there be one body more than another the members of which are derived from the middle classes, it is the British army. And now I must touch upon that part of the scheme of the hon. Member for Tynemouth where he advocates so very decidedly—as Sir Charles Trevelyan also advocates—promotion from the ranks in a defined proportion. I am entirely opposed to that, as I believe the proposed change would be one of the most unwise which could be introduced into the army. I think we cannot improve on our present system with regard to promotion from the ranks. Proper consideration is shown in the army for every non-commissioned officer who deserves promotion; and, in point of fact, a considerable proportion of them are promoted and receive commissions. And if one fact can be conclusive against a more extended system of promotion from the ranks it is the letter which my noble Friend the Member for Haddingtonshire (Lord Elcho) has read to us this evening, and which was evidently written by a very competent authority. Every well-conducted soldier knows that if he accepts a commission he must try to make himself a gentleman, and that, although he may have been a good sergeant, he is not likely to become a very good gentleman; and, however generous and right it may be to give him an opportunity of attaining a higher position, it is a very doubtful boon to bestow. I cannot help thinking that the hon. Gentleman (Mr. Trevelyan), in advocating so zealously as he does a more extended promotion from the ranks, is led away by the examples of Prussia and France, where the military system is entirely different from ours. My noble Friend the Member for Haddingtonshire has most accurately stated the facts in regard to this part of the subject. In France there is a conscription, and in Prussia a still more widely-extended system prevails, as all classes are compelled to serve in the army for a time. The consequence is that you have in the ranks a considerable number of men who are by birth gentlemen, and who, after being in the ranks, are quite fit to be promoted to commissions. I think the hon. Member for Tynemouth is under the impression that if we do away with purchase we should induce a very different class of men to enter our army as privates. Now, I doubt very much whether that result would follow, and whether we should succeed in obtaining a supply of men qualified to become officers. Before quitting this branch of the subject I must refer to the desire of my noble Friend the Member for Haddingtonshire in connection with this question of promotion—that the object of my hon. and gallant Friend the Member for Berkshire (Sir Charles Russell) should be carried out, and that retired soldiers should be employed as clerks in the public offices. I believe he has impressed upon the House the advisability of extending that system to other public offices; but, as regards the War Office, I may say that it is now, and has been for some time, in full operation. [Lord ELCHO: How many soldiers are there out of the 623 clerks?] I cannot state just at present the exact number; but it must be borne in mind that the system has not been long established. It has only been lately tried; but soldiers are being constantly appointed to such clerkships as they are competent to hold. As to what my noble Friend said about the appointment of a French lady's-maid as housekeeper at the War Office, I can only state that it was not made by me, and that I know nothing about it. I think the cost of doing away with the purchase system would be so great as to justify me in urging the House to pause before they venture on making so large an expenditure for so very doubtful a result. The hon. Gentleman has not even mentioned the whole expense which would be incurred. My hon. and gallant Friend the Member for Truro (Captain Vivian) indeed referred to the fact that, in addition to the purchase money of all the commissions you must also be prepared with a retirement system. But even that is not all, because, upon the showing of the hon. Member for Tynemouth, you must, if you adopt his plan, not only pay the price of the commissions and provide a system of retiring pensions for officers on their leaving the service; but you must in addition introduce a class of officers who would not be content with the present low rate of pay. Thus of course we should be involved in the additional expense of a much higher rate of pay. To these very serious considerations let me add a warning, founded on our practical experience of what is going on at this moment with regard to the Royal Artillery—a non-purchase corps. Last year a Committee was appointed, and presided over by my hon. Friend the Member for Pontefract (Mr. Childers) who understands this subject better than most men in this House. My hon. Friend presented a very able Report as the result of the labours of that Committee, in which a system of retirement in the Royal Artillery was recommended, and he has evinced upon several occasions a great desire that I should carry that proposal into effect. I suspect, if he were a Member of any Government that came into power, he would find it very difficult to induce his Colleagues to carry out so costly a plan as was recommended. I have had the subject under anxious consideration, and, if I may be allowed to say so without pledging myself, I do hope, if I retain my present position, in the course of the present Session to submit a plan which may do something for the Royal Artillery without embarking us in the expense involved in the course proposed by my hon. and gallant Friend. I confess I am rather surprised by the references made to the French army. Without meaning to disparage that noble army, the courage and achievements of which are indisputable, I would say that it furnishes a warning of arrangements with respect to officers to be avoided rather than followed. You ought to have young and vigorous officers; but it is notorious that the French army is not officered by such, and if you see a regiment of French infantry with the line different to what it ought to be, the probability is the irregularity will be due to some portly old captain or lieutenant. In the French army there is a system of compulsory retirement at a certain age, and the retiring pension is so small that the officer clings on to the last moment that the regulations will allow him before exposing himself to the privations consequent on retirement. I rejoice sincerely at the tone of the debate in reference to these proposals for sudden and violent change. I do not pretend that the present system is perfect; but we must be cautious how we deal with our army. I will say the less of the Amendment of the hon. and gallant Member for Truro (Captain Vivian) as I understand it is his intention to withdraw it; but in candour I must say that I cannot view the Amendment in the light in which it has been regarded by some of the speakers who have preferred it. Many seem to think that it would be a great disadvantage to the service if any distinction was drawn between purchase in the higher ranks and purchase in the lower ranks; but it must be remembered, whether purchase in the upper ranks is good or bad, it was recommended by a Royal Commission. I myself think it is wrong to leave so important an appointment as the command of a regiment a matter of purchase. In 1860 Lord Herbert boldly announced his intention to carry out the Report of the Commission, and to arrange a scheme by which promotion should stop after a captain or a major. The Cabinet of Lord Palmerston had consented to this, and the Commander-in-Chief, notwithstanding his objections to the principle, had intimated his readiness to do his best to give effect to the wish of the Government. The matter seems to have gone as far as a change could go which was not carried out; but nothing was done, and the reason was not the death of Lord Herbert, which did not occur until more than a year after. In 1862 Sir George Lewis said the Government had determined to give effect to the recommendations of the Commissioners in regard to the rank of lieutenant-colonel, and the intention was communicated to the House by Lord Herbert, then Secretary of War; but soon afterwards it became necessary for him (Sir George Lewis) to consider the details of the subject with a view of carrying out the decision of the Government; and upon approaching the question more closely it was found to be embarrassed with great difficulties of detail, one of which arose from the amalgamation of the Indian with the British army, and the incorporation of twelve non-purchase regiments into the latter. Lord Palmerston closed the debate in a speech of the same tenour. I do not think the difficulties have been sufficiently appreciated in the course of the debate. The Prussian army is always in Prussia, and that of France in France; but a portion of the British army is habitually scattered all over the world; and whatever may be the inherent difficulties of a system of selection, they will be greatly aggravated when officers have to be found for vacancies in Australia, India, or other parts of the world. Turning, again, to the financial view of the subject, I have a statement which does not accord with that of my hon. and gallant Friend (Captain Vivian). It states that the lowest estimate for compensation is £1,500,000, and the extra prices would make it £2,000,000. The financial cost, although small as compared with the immense cost of doing away with purchase in the Line, still amounts to a considerable sum, and, under these circumstances, I do not support either the Motion or the Amendment; but I am quite willing to accede to the suggestion that this matter should be disposed of by moving the Previous Question. I do not think the hon. Gentleman bears in mind the antiquity of this system of purchase. We have had it, good or bad, for 200 years in the army. All the glory and power of this country have been achieved under it; and I do not think, in the history of this country or of any other, you will find an achievement more creditable than that wonderful expedition to Abyssinia, which has reflected so much honour on Sir Robert Napier, and not so much upon the gallantry as upon the endurance of the force. The facts of that expedition are enough to show that the purchase system has not weakened in any degree the gallantry and spirit of British officers, and I hope no steps will be taken which will undermine the character of the army in this respect.

Mr. TREVELYAN, in reply, said, that his principal object had been to lay before the new or, if necessary, before the old constituencies the system under which our army was officered—a system, as he believed, ominously and dangerously at variance with what promised to be the opinion of the English people. It was now clear that the real argument against the abolition of purchase was the argument of the cost which it would involve; and if that could be got over, they would not hear much of the advantage which poor officers derived from the purchase system. To cite the success of the Abyssinian expedition in proof of the efficiency of the existing system was rather unfortunate, for Sir Robert Napier belonged to a non-purchase corps, the most highly instructed branch of the service—namely, the Royal Engineers. As the debate had thoroughly satisfied him, he did not propose to divide the House.

Amendment and Motion, by leave, *withdrawn.*

AGRICULTURE.

MOTION FOR A SELECT COMMITTEE.

MR. ACLAND rose to call attention to the inconvenience arising from the want of an authority specially charged with the duty of considering questions affecting agriculture and the food of the people, and to move for a Committee to inquire into and report upon the Functions of various Government Offices so far as they affect Questions relating to Agriculture, with a view to provide for the due consideration of such Questions by one Department responsible to Parliament. He had therefore to establish two points. 1. That there are subjects connected with land and agriculture requiring the attention of some public authority responsible to Parliament. 2. That there is *primâ facie* ground for an inquiry into the functions of certain existing Departments of the Public Service, with a view to consolidate their duties connected with land, and to make better provision for the discharge of those duties. His reasons for bringing forward this Motion were, first, because of the very active interest in legislation which was now growing up among agriculturists, and especially among tenant-farmers, evinced by the institution of Chambers of Agriculture; and secondly, because of the discussions likely to occur with reference to the land laws, between which and the cost of the food of the people there was, in the opinion of some persons, an intimate connection. On this second point he quoted the opinion of a very able writer in the volume of *Essays on Questions for a Reformed Parliament.* After speaking of speculations on the price of food in towns, the writer proceeded—

> "Sound or not, these speculations point to one inference, which is—that there is the most intimate connection between the food supply of the cities and the freedom of the land. In whatever degree our agricultural system checks the outlay of capital, or militates against security of tenure, it tends to diminish the productiveness of agriculture and to raise the price of food in towns."

He (Mr. Acland) was well aware that, however some persons might think the prosperity of agriculture bound up with excessively high prices, the county Members of this House were far too well-informed to sanction such a doctrine, or to give any countenance to the opinions that the owners or occupiers of land were jealous of the abundance of food for the people. He wished to clear the ground by stating what he did not propose. He did not propose that the English Government should, as the French Government did, teach the practice and science of agriculture, or undertake duties which were here better left to private effort; but in one respect, perhaps, we might follow the example of our neighbours. The French Minister of Agriculture had under his charge a large number of *haras* for the breeding of horses, and had some authority to prevent unsound stallions from going about the country as they did with us, doing an infinite amount of mischief. He had taken part in the earnest endeavours of voluntary societies to do what could be done by such agency in the way of certificating sound horses in England, but voluntary effort had entirely failed to effect the desired object, and perhaps the Government might interfere with advantage. He would venture to say that if some noblemen would use their abilities—which in some cases were very considerable, and which were not used much to their own advantage on the Turf—in assisting the Government on this subject, they might render great public service to the agriculturists of England. Among the subjects requiring the attention of a provincial or central administration was our system of roads, whether national, county, or parochial. Another point was how we were to get cheap railways—branches from the main lines—carried into the rural districts, where there was no inducement for capitalists to take shares. It had been suggested to him by a county Member sitting on the other side of the House that it might be possible to get such railways with sharp curves and low speed constructed at a cheap rate by means of an assessment on the landed property of the district. He was not prepared to say that this was a practicable plan, but it was certainly one which deserved serious attention. Looking again at our systems of water supply, of drainage, of sewage, and irrigation, it was plain that these could be only carried out effectually when dealing with very large areas. Some attempts had been made by Parliament to dèal with river basins, as in the case of the Thames and the Shannon; but the process was expensive, and the result unsatisfactory. The difficulties in the way of individual landowners, or even of the smaller towns wishing to enter upon improvements of this character, were almost insuperable. At the present moment there was practically a deadlock as to the taking of land for sewage. Towns were forbidden to pour their sewage into running streams, and yet the powers indispensable for the acquisition of lands by them for the purposes of sewage utilization were uncertain. There was a growing necessity for some administrative power to carry out the public Acts which had been passed. On this subject he would read the opinion of a very competent judge, the Secretary of the Local Government Department of the Home Office, Mr. Tom Taylor—

> "All the larger questions of drainage involve most serious difficulties, both as respects the determination of drainage areas, the appointment of proper local authorities for superintending drainage schemes, assessment of their cost, &c., and these questions daily grow more pressing. It is difficult to see how they can much longer be dealt with without some central authority specially charged with the subject. To such an authority would belong the initiation and guidance of inquiries in connection with sewage and its distribution, and the granting powers for the taking of land for the purpose of sewage application."

To this testimony he must add a statement which he had on the authority of the Medical Officer of the Privy Council, and fully established by evidence to be in the hands of Members in a few days—that there is an intimate connection between the amount of phthisis or consumption and the want of drainage in large districts. The conflicting areas of local administration formed another great source of confusion. There were already in existence parishes, townships, hamlets, highway districts, ecclesiastical districts, Poor Law unions, burial board districts, registration districts, special drainage districts, under the Sanitary Act and Sewage Utilization Act, and no two of these were necessarily conterminous. A Parliamentary Return had been called for with a view of ascertaining what had been the effect of recent legislation on the subject of drainage, and out of 700 districts it was found possible to get answers only from thirty, in the other cases there being no correspondence whatever between the areas of drainage and registration. Then they had the action of the Inclosure Commissioners who discharged duties of very high importance, but were not directly responsible to the House; and also of the speculative drainage and improvement companies, who were usually responsible to the Inclosure Commissioners, but exercised powers of their own in the way of charging encumbrances upon posterity, one of them he knew being subject to no limit of time. These various bodies he maintained should be made directly responsible to the House. The manner in which agriculturists, during the prevalence of the cattle plague, had been referred from one Government Department to another had impressed upon them very strongly the desirability of some better organization on all subjects relating to the cattle trade, markets, and fairs. Closely connected with the subject of cattle was the improvement of the veterinary profession — a matter to which no little importance was attached by farmers, who desired that effective measures should be taken for the education of properly qualified practitioners in the different grades. When the cattle police of the country, so to speak, depended upon the opinions of men in such a position, it became of the highest importance that they should be properly trained to the discharge of their duties. With regard to all the subjects which he had enumerated, he submitted that they were either clogged by obsolete customs, or by modern but incoherent legislation, or controlled by persons not practically responsible, or by high Ministers of State having many other duties and no qualified staff of assistants; or they were simply left to take their chance. To what quarter were they to look for improvement in administration or legislation? The questions on which he had touched had several aspects. On their economical side they would naturally look to the Board of Trade, on their sanitary side to the Privy Council; but, as regarded fiscal matters, to the Home Office. The advantage of the public lay in combining these several functions in one office responsible to public opinion. He contended, without any disrespect to the persons at the head of these offices, that in none of these Departments was the fact recognized that special knowledge and training and experience were required to be at the disposal of the office in order to deal with land questions; nor is any one office specially charged with the consideration of these questions as a whole. He was far from advocating the creation of any new or costly Department; on the contrary, he believed that better administration might be obtained with considerably diminished cost. At present the country was called upon to bear the expense of the Inclosure Commission, the Cattle Plague Office, and the Statistical Office. He estimated that the amount voted by Parliament annually for subjects connected with agriculture was for salaries alone above £25,000. If the Office of Woods and Forests, the Board of Works in Ireland, and some temporary charges were included the salaries would be over £70,000, and the aggregate official expenditure nearly £110,000. This amount it was the aim and tendency of his Motion to diminish, not to increase. He referred for the items to a paper which he held in his hand, but he would not trouble the House with all the details. Now having established the fact that there were subjects to be attended to and offices whose functions and expenses called for inquiry, he wished to state shortly what he considered to be the legitimate functions of Government as follows:—To remove obstacles caused by obsolete custom or inconsistent legislation; to protect those who cannot help themselves; to collect information, test its accuracy, and put it into a systematic and accessible form; to stimulate and supervise the discharge of local duties; and, finally, to raise an authoritative standard of competency for public duties. He had endeavoured to show, not with a view to class legislation, nor in the interest of any party, that there were important subjects connected with land, food, and health, which demanded the serious attention of that House, with a view to more comprehensive legislation, and more systematic administration; and that as matters now stood the profitable application of capital to land was impeded. He would ask the House to consider what that meant in its effect on the labouring population. The power of the labourer to pay for a healthy and decent dwelling depended on his wages; his wages depended on demand; the demand on the amount of capital available for agriculture. What he had urged was part only of a very large subject. That subject was not less than a re-construction of our provincial administration guided by the action of a well-informed Government, and supported by public opinion. He reminded the House that there was a growing conviction that something more than honest intentions were expected of a Government. They lived in an age not only of inquiry but of scientific progress; sound government demanded an accurate knowledge of facts, and science was but the systematic accumulation and knowledge of facts. He had shown that their present system was chaotic, and that it was not money that was wanting but organization, both central and local. At present they had in their public offices neither the special training, nor the knowledge, nor the experience, nor the distribution of labour, nor the presiding control needed to help the nation to help itself. If the Government would not agree to the appointment of a Committee in the present state of public affairs, they might appoint a Royal Commission which could continue its sittings in the autumn. The hon. Member concluded by moving for a Select Committee.

Mr. READ rose to second the Motion. He said, that this was a question which deeply interested his constituents, and in which he had taken an interest for a very long time. He disclaimed any desire to revive the old Board of Agriculture, which many said had been a failure, but from which, nevertheless, might be dated almost all our agricultural improvements before steam and cheap education had taught people to help themselves. We had no need of State assistance to do what agricultural societies did much better. We did not want such a Minister of Agriculture as in France, where the Government did everything and the public nothing; but what we wanted was local means of enforcing public regulations; and in order to make any sort of regulations certain, swift, and general, we must possess a better organization than we had at present. There were practical inconveniencies which he had experienced in his dealings with the Government administration with respect to the cattle plague. On the subject of the cattle plague he had a good deal of experience, because he represented the greatest winter-grazing county in England; he had the honour of being a Cattle Plague Commissioner, and the misfortune to be a farmer whose herds had been ravaged by the disease. In his dealings with Government on this subject he had found that if he wanted to know anything about fairs and markets he must go to the Home Department; if about importations he must go to the Privy Council; while on the subject of statistics and cattle transit it was the Board of Trade that must be applied to. So much inconvenience, however, had been found to arise from this distribution of duties, that the Government of the day had thought proper to huddle them up together and to institute a body over which a colonel of Engineers and afterwards a philosophical doctor were appointed to preside. The result was that the only persons satisfied were the butchers of London, who were not very desirous of giving their customers a share of the benefits which the Government conferred upon them. Those diseases which had committed such ravages among our cattle were not of indigenous, but foreign origin. While for some years our losses from pleuro-pneumonia alone averaged more than 50 per cent of all the cattle that died, during 1866, when the traffic was suspended, our losses were only 1 per cent. Why, then, had we not some one to defend us, first of all, from further importations of those diseases; in the next place, from ourselves—for many farmers, when disease broke out among their cattle, were only anxious to get rid of them by sending them to market—then from dealers; and lastly from railroads, which starve the cattle during transit, and from steamboats, which half smother them in the holds? Only a few years ago there was death in the holds of our ships, disease in our railway trucks, and contagion in our markets. Now, he affirmed that diseased cattle meant ruined agriculture and dear meat, while healthy cattle meant prosperity to the farming interest and cheap meat to the people. As nine-tenths of the beef we consume, and nearly nineteen-twentieths of the mutton, was produced in these islands, he hoped hon. Gentlemen opposite would give their assistance to secure that healthy state of things which he was anxious to bring about. One word as to statistics. It unfortunately happened that the Government was known to most of the rural districts only as the organization which sent the taxgatherer among them, and the taxgatherer too often guided his conduct by the rule that every man should be treated as a rogue until the contrary was proved. Yet the collection of agricultural statistics was intrusted to the taxgatherer, with what result the House could easily imagine. Partial information only was gleaned, and Returns were made at irregular intervals. In 1866 two Returns were made—one in February, the other in July. In 1867 only one Return was made, that of June. They were laid on the table in February, 1868, and as soon as the total was published by the newspapers in the autumn, the wool trade concluded there were 8,000,000 more sheep and 30,000,000 lbs. more wool in England this year than last. Wool consequently went down 6*d.* per lb., and remained down until it was discovered that one set of statistics was collected before the lambs were born, and the other after. It was necessary that these affairs should be conducted by a Department thoroughly conversant with rural subjects, and as the Government had suggested a Minister of Education, he hoped the prayer of his hon. Friend opposite (Mr. Acland) would be acceded to, and that at no distant day agriculture would be properly represented in the Administration. He hoped that the time had come when jealousy between town and country was gone; and the country districts simply asked to have applied to agriculture the benefits of enlightened legislation in order that they might increase the production of the country and cheapen the food of the people.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into and report upon the functions of various Government Offices so far as they affect questions relating to agriculture, with a view to provide for the due consideration of such questions by one department responsible to Parliament."—(*Mr. Acland.*)

Mr. GOSCHEN said, he had listened with sincere pleasure to the two hon. Members who had preceded him. His hon. Friend (Mr. Acland) had raised most important issues, and he was sure his remarks on the subject of divided jurisdiction would be heartily endorsed by urban as well as rural populations. The present system made reform of local taxation for sanitary and other improvements utterly impossible. Although it was not likely a Committee would be granted at this period of the Session, administrative reformers could congratulate themselves on one good result which had been gained; five years ago the speech of his hon. Friend would have called up against him charges of aiming a blow at local government, to-day his strictures and conclusions were acquiesced in by hon. Members on both sides of the House. His hon. Friend's experience regarding faulty Returns in agricultural subjects was very similar to his own in reference to local taxation; but the first step towards the remedy for all these defects was to define some uniform method of government for boroughs, counties, or areas generally in the country. Out of doors it was said that the House was indifferent, and not sufficiently industrious as to the question of local taxation; but he (Mr. Goschen) did not think there was a want of either zeal or industry on the part of the House. At present the governing bodies varied so strangely that it was impossible to find an authority for any special purpose; immediately something new had to be done a new department had to be constituted; the present system had no elasticity, it was based on no settled principle, all was chaotic, and any one who contributed anything towards reducing this chaos to order deserved the thanks of the community.

Mr. M'LAGAN deplored the absence of a department which could utilize by bringing into a focus the experience gained by the various agricultural societies scattered throughout the kingdom. Great efforts had been made by some societies to extend a knowledge of veterinary science, particularly in Scotland, where ineffectual attempts had been made to gain a charter for improving the means of veterinary education. Unless Returns were brought together they were comparatively valueless, and a central office would discharge a useful task if they collected and published in an accessible form the agricultural Reports annually received from our Consuls and Colonial Governors which were now scattered through the blue books. In the United States there was a Commissioner of Agriculture, who corresponded with the agricultural societies, collected information at home, and despatched agents to procure information abroad, as well as to bring home the seeds of new plants, which were given to farmers to experiment with. He likewise superintended entomology and other departments of science, as also the industrial arts; and two years ago the subject of his investigations was the question of a substitute for cotton. An officer of this kind would, he thought, be useful in this country, and one subject which would come under his cognizance would be the adulteration of food, which was carried on to so enormous an extent. The Society of Arts was now conducting an inquiry into the various kinds of food and their qualities, and into the sources necessary for the supply of the English people. Now such an investigation would be more properly undertaken by a Government Department. Agricultural statistics, agricultural education, the produce of lands and rivers, enclosures, food, and the cattle plague might all be included in the proposed Department. While, however, prepared to vote for the hon. Member's (Mr. Acland's) Motion, he thought it might be better at this period of the Session to obtain the appointment of a Commission.

Mr. CARNEGIE said, he thought the administrative confusion manifested in the case of the cattle plague was an argument in favour of his hon. Friend's proposition.

Mr. NEWDEGATE said, he listened with anxiety to the proposal of the hon. Member for North Devon, and referring to the subject of local taxation the hon. Gentleman said that a Minister of Agriculture ought to have nothing to do with the matter of local taxation. Some improvements might, no doubt, be made in other matters connected with agricultural Returns, &c.; but the subject could be very well dealt with by the Board of Trade. He did not undervalue what had been said by the various speakers with reference to the cattle plague and its ravages in this country; but the insular position of this country afforded great facilities for preventive measures by the proper regulation of our ports with reference to the provision of proper quarantine sheds and layers for the cattle under directions from the Board of Trade, as a primary means of guarding against the introduction of the disease; but strange to say, objections had been raised to it in the Committee now sitting on the subject. The Royal Veterinary College had sent its professors in each of the two years, previous to the inroad of the cattle plague, to places on the Continent, to watch its progress, and had warned the Government and the public of its approach and of its incurable character. But the knowledge of the veterinary surgeons of this country had been disparaged. He could state from his own knowledge that the veterinary profession warned the country two years before any steps were taken to guard against the disease. He was connected with the Royal Veterinary College, and he knew that the professors were sent for two years to watch the progress of the disease abroad, and through the Royal Agricultural Society repeated warnings were given to guard against the disease, and yet for three months after the advent of the disease, because they could not cure an incurable malady which ought to have been barred out by the Government, they were spoken of in disparaging terms. In answer to what had been said as to Scotland's needing a charter for the veterinary profession, he replied that Scotland had a charter which was obtained through the instrumentality of the Highland Society, and the only real grievance was that an attempt was made to get rid of that charter, and that a separate charter was refused by the Board of Trade. The veterinary knowledge of the country was extending, and what they wanted was a recognition of the status of educated veterinary surgeons, as distinguished from the uneducated farriers, by Parliament. The information and Returns as to the health of cattle ought to be considered with those relating to the sanitary state of the population.

MR. WHALLEY remarked that within his own experience the difficulty of subduing an attack of fever in a country district had been greatly increased by the numerous authorities that had to be consulted in each successive step. He thought that a Committee, or a Commission of Inquiry, should be appointed, not so much with a view to the establishment of a new administrative Department, as the revision and consolidation of the several Acts of Parliament which had been passed during the last ten years for the purpose of suppressing contagious diseases.

MR. GATHORNE HARDY said, he would not enter into all the subjects referred to by the hon. Member for North Devon (Mr. Acland), many of which—such as the whole system of roads throughout the country, the cheap railway communication for the agricultural districts, and the water basins of the country — could hardly be regarded as having any connection with the Motion before the House. The whole of the blame attaching to the present state of things ought not, in his opinion, to fall on the Government, for it was to a great extent attributable to the action of the House, by whom the system of local management had been so strenuously upheld. In the question of health, for instance, a subject which had come before the House with great prominence of late years, there were so many conflicting authorities — the nuisance authorities, the sewer authorities, and so on—that any one desirous of stopping the progress of the disease did not know to what quarter to resort in order to put the requisite powers in force. The attempt to gain for a central authority the necessary powers of enforcing such precautions as might be deemed necessary to the preservation of health had already been attempted ; but the proposals had been so mutilated by the House, that when the measure was passed the lawyers decided that the House had done nothing but create an authority and withhold the power. He was now endeavouring to put into operation the 49th section of the Sanitary Act, but he proceeded with fear and trembling. The consequences, however, of not doing so would be so serious that he ran the risk of resorting to compulsory powers in a case in which nothing but those powers would be of any avail. Now, with regard to the necessity for a central authority, he would remark that where the direction of local affairs was under the control of a Board of Guardians all orders had to come from the Poor Law Board; when the nuisance authorities existed under the Local Government Act the orders came from the Home Office ; and when it was necessary to employ a medical inspector, as there were no such officers at the Home Office or the Poor Law Board, his services could only be secured by application to the Privy Council. It was plain that such a system could not be worked with advantage to the country. Indeed, the whole question was one which had received, and was still receiving, what was called departmental consideration. For his own part, he thought that the Department which watched over the health of the population of this country might also extend its supervision to the health of the brute creation. The question of county finance had already been referred to in Committee upstairs, who might also with advantage, in his opinion, deal with another question of a most important character, and intimately connected with the subject of county finance—the question of roads. But the question of the conflicting local authorities must soon form the subject of legislation. The petty sessional divisions and other divisions of a similar nature, local boards for sanitary purposes, and municipal corporations, were so blended together that their united working was anything but satisfactory. As one result of this system he might refer to a case of great hardship which had occurred in the neighbourhood of London. The main drainage system for the conveyance of the London sewage to Barking had been executed under the direction of the Metropolitan Board of Works. Other places lying between London and Barking desired to have their sewage conveyed in the same direction, but to do so would interfere with the works of the Metropolitan Board, while the main drainage had not been so constructed as to be of advantage to any but the inhabitants of the metropolis. Now, if there had been a central authority these difficulties would, probably, not have arisen. But any proposal for the concentration of these various local authorities must, to be successful, emanate from the people themselves, for until that was the case hon. Members would be compelled by their constituents to vote in support of the system of local management, for which there had always been displayed so strong a predilection. He quite admitted the importance of the considerations upon which the hon. Member for North Devon had dwelt; but the hon. Member would not, he trusted, press his Motion to a division, a course which, in his opinion, would not tend to secure the results at which his hon. Friend was aiming.

Motion, by leave, *withdrawn.*

FAIRS BILL.

On Motion of Mr. DILLWYN, Bill to amend the Law relating to Fairs in England and Wales, *ordered* to be brought in by Mr. DILLWYN, Mr. HUSSEY VIVIAN, and Mr. DENMAN.

Bill *presented,* and read the first time. [Bill 126.]

WEST INDIES BILL.

On Motion of Mr. ADDERLEY, Bill to relieve the Consolidated Fund from the Charge of the Salaries of future Bishops, Archdeacons, Ministers, and other persons in the West Indies, *ordered* to be brought in by Mr. ADDERLEY and Mr. SCLATER-BOOTH.

Bill *presented,* and read the first time. [Bill 124.]

QUEEN ANNE'S BOUNTY BOARD.

Select Committee *appointed,* "to inquire into the management and constitution of Queen Anne's Bounty Board."—(*Mr. Bouverie.*)

And, on May 28, Committee *nominated* as follows:—Mr. BOUVERIE, Mr. CAVENDISH BENTINCK, Mr. HOWES, Lord CHARLES BRUCE, Mr. NEWDEGATE, Mr. BERESFORD HOPE, Mr. AKROYD, Mr. JOHN PEEL, Mr. MONK, Mr. HOWARD, Mr. PEASE, Mr. POWELL, Mr. SCHREIBER, Mr. GREVILLE-NUGENT, and Mr. FEILDEN:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at a quarter after One o'clock.

HOUSE OF COMMONS,

Wednesday, May 20, 1868.

MINUTES.]—PUBLIC BILLS—*Ordered*—Voters in Disfranchised Boroughs*; Probate of Wills, &c. (Ireland).*

First Reading—Voters in Disfranchised Boroughs* [128]; Probate of Wills, &c. (Ireland)* [129].

Second Reading—Entail Amendment (Scotland)* [86]; Railways (Guards' and Passengers' Communication)* [66].

Committee—Libel [3]—R.P.; Mines Assessment* [11]; Partition* [107]; Consolidated Fund (£17,000,000).*

Report—Mines Assessment* [11-127]; Partition* [107]; Consolidated Fund* (£17,000,000.)

Considered as amended—City of London Gas* [115].

Third Reading—County Courts (Admiralty Jurisdiction)* [94], and *passed.*

LIBEL BILL—[BILL 3.]

(*Sir Colman O'Loghlen, Mr. Baines.*)

COMMITTEE.

Order for Committee read.

SIR COLMAN O'LOGHLEN, in moving "That Mr. Speaker do now leave the Chair," expressed a hope that his hon. Friend the Member for North Warwickshire (Mr. Newdegate) would not move the Amendment of which he had given notice, "That this House will, upon this day six months, resolve itself into the said Committee." Last Session the Bill, after very ample discussion, passed that House by a majority of 70 or 80, and this Session, on the Motion for the second reading, it was again discussed at some length. Every objection that had been made could be discussed on going through the clauses in Committee. As the Bill was in no way connected with religion, it was not one in respect of which he should have supposed his hon. Friend would take so extraordinary a step as that of opposing the Motion for going into Committee. It was true that last November some parties issued a circular in which it was stated that the measure was a bribe to the Press to advocate Popery; but he could assure his hon. Friend that the Bill had not emanated from the Jesuits, nor been submitted to the Propaganda.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Sir Colman O'Loghlen.*)

MR. NEWDEGATE observed, that the thin state of the House would in itself be a justification for the Amendment which he intended to move. With respect to the observations of the hon. and learned Baronet the Member for Clare (Sir Colman O'Loghlen), he had only to observe that the hon. and learned Baronet himself had introduced the opinions of the Papacy against free discussion, and that he must leave to the hon. and learned Baronet the responsibility of having cited those opinions. He opposed the Bill because its principle was a reversal of the principle of Lord Campbell's Act. In his early years that eminent lawyer was engaged in reporting in both Houses of Parliament; so that his career afforded him a most favourable means of forming a correct judgment on the question of responsibility for libel. In his Act the publisher was made responsible; but the principle of the hon. and learned Baronet's Bill was to relieve the publisher of a newspaper from the responsibility of publishing any libel contained in the report of a speech, and to make the supposed speaker, who had no necessary connection with the reporter or with the publisher, liable for what the latter had published. This was, in fact, making a man responsible for the acts of another, and that other not his agent. In support of the Bill some hon. Gentleman argued that it was hard to throw upon the publisher the onus of judging whether particular words spoken at a meeting were libellous; but if the Bill passed, the publisher would be bound to publish a refutation of the libel, and the onus of judging whether the refutation was libellous would be thrown on him. Was it not better to compel him to exercise his judgment in that way before any libel whatever was published?

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Newdegate,*)

—instead thereof.

MR. ROEBUCK said, he was in hopes that the hon. Gentleman would have acceded to the request made by the hon. and learned Baronet beside him (Sir Colman O'Loghlen), because all the objections to the Bill might be dealt with when considering the clauses. The Bill did not interfere with Lord Campbell's Act. But did the hon. Gentleman intend to divide? Because if not, he would not trouble the House further at present.

MR. NEWDEGATE said, that he would divide, if only for the pleasure of hearing a speech from the hon. and learned Gentleman.

MR. ROEBUCK said, then he must go on. The Press was a great advantage to this country in propagating information; but the value of reports of public meetings depended on their truth, and their truth on their completeness. Suppose that at a meeting a man in a tipsy state got up and made a slanderous attack upon another. If that incident should be left out of the report it would not be a truthful report. It was not right to punish the man who gave a true account of what took place and to leave unpunished the author of the slander, the *fons et origo mali.* In such a case as that which he had just supposed the slandered person would be able to obtain redress under this Bill. But more than that, the best way to prevent the mischief was to go to the fountain-head, and tell the speaker that if he told a lie he would have to suffer for it. The hon. Member for North Warwickshire (Mr. Newdegate) had suggested that the speaker of the slander might be a man of straw; but there was in truth no force in that objection, because if the man could not pay in purse he would have to pay in person. On every principle this was a right Bill. The hon. Gentleman had said that there was a combination to carry this Bill, and seemed to be under the impression that the Jesuits had something to do with the matter. Did the hon. Member believe that he (Mr. Roebuck) was influenced by Jesuits? Did he believe it; or would he dare to say so? The idea was one of those marvellous hallucinations which every now and then took possession of the hon. Gentleman.

MR. NEWDEGATE reminded the hon. and learned Gentleman that it was not he who had introduced the subject to which he (Mr. Roebuck) was referring.

MR. ROEBUCK said, that the hon. Gentleman had said that there was a combination to carry this Bill, and that behind there was—some terrible phantom of his imagination. He called that an hallucination; and although the hon. Gentleman might object to that word, it was an exceedingly applicable one. He was no friend of the Jesuits; but he did not think that the House of Commons was likely to be influenced by anything that they might do. Hon. Members might relieve their minds from that terrible phantom, and he asked them to look at the matter by the calm light of reason, and not through the lurid gloom of bigotry. He trusted the House would go into Committee.

MR. T. CHAMBERS said, he must point out that it was not the Member for North Warwickshire (Mr. Newdegate), but the author of the Bill, who had introduced the religious element in the present discussion, which ought to be conducted without reference to any supposed combination out of doors. For his own part, he was far from being convinced by the arguments adduced in favour of the Bill. In the first place, he denied the correctness of the proposition that the propagation of all things which happened to be true was for the public advantage. Because a thing was true it did not follow that it ought to be multiplied by millions of copies and spread all over the country. That depended upon whether the propagation of that truth was calculated to do good or evil. Could it be for the interest of any person or class that all the slanders and spite of every petty local meeting should be accurately published? Suppose a gas meeting in some provincial town, the speakers at which departed from its object into personal disputes and slanderous altercation—would anyone say that it was for the public advantage that these slanders should be printed in newspapers, and dispersed over the whole country? Nothing but mischief could follow. Such a report indeed was not true in the proper sense of the word; and the newspaper containing it only became a vehicle for the dissemination of libels that would otherwise have been strangled in the moment of their birth. Newspapers, it should be remembered, were published in the way of trade, and for purposes of profit, and had no care about the propagation of truth. At present there was sufficient security for the fidelity of reports in the mere circumstance that in order to maintain the reputation of a newspaper such fidelity must be a conspicuous feature. The supporters of the Bill asked why the editor should be liable; the answer was that he was the person who did the real mischief. People in the country were not so dexterous as hon. Members in that House in the selection and application of epithets and in running close by the edge of slander, without passing over it. A man under the influence of momentary passion or of liquor made an angry speech at an acrimonious public meeting; the mischief done by his slander was aggravated an hundred, nay, a thousand, times by its publication. Only imagine the pain inflicted by the dissemination of the slander in hundreds or thousands of copies. It was said that the publication was only in the ordinary way of business; but the ordinary way of business ought to be different. It was the obvious duty of a newspaper editor to look through the reports of such meetings, and to take care that nothing was published which was calculated to inflict injury on individuals. It was said that newspaper reports were brought out in a hurry, and that allowance should be made for that circumstance. But journalism was as much a trade as any other calling in life, and those who followed it ought to be as much responsible for what they did in the way of their calling as the chemist or druggist for what he sold in the way of his business. The argument of the hon. and learned Member for Sheffield (Mr. Roebuck), was that the person aggrieved would have a remedy against the original utterer of the slander. Now on this he had to observe, that this was the first time that an attempt was made to punish A B for a crime he did not commit, and to make C D irresponsible for a crime which he did commit. The original utterer was liable already, but not for libel. Such a man might speak from misapprehension; he might be convinced of his mistake a few days after he had made his speech; might offer an apology and have it accepted; and yet, in the course of the following week, several thousand copies of the libel might be circulated over the kingdom in the columns of a newspaper. At the present day the Press was so admirably conducted that he should be sorry to see any measure passed which would tend to make its managers less careful in excluding libellous matter. On these grounds he should certainly support the Amendment of his hon. Friend the Member for North Warwickshire.

Mr. NEATE said, he thought the hon. Member for North Warwickshire (Mr. Newdegate) had done quite right in taking issue before going into Committee, especially as the Bill was a very short one, and as an attempt was about to be made to strike out the 3rd clause, and thereby to deprive aggrieved persons of the remedy which the Bill, taken as a whole, would give them. That remedy, however, was quite insufficient. For instance, it was no uncommon thing, in railway meetings, for some ignorant person to charge Members of that House with having a corrupt interest in railway legislation; and though it might be published in all the newspapers, yet according to this Bill there would be no remedy except against the utterer of the slander, who, as the hon. Member for North Warwickshire had said, might be a mere man of straw. Newspaper editors usually exercised their discretion very judiciously in eliminating objectionable remarks made at public meetings, and as an instance he might mention that the reports of a recent meeting, where very strong intemperate language was used respecting the conduct of the House of Commons, contained no allusion to that language. He was willing to admit that whatever the state of the law was the present race of newspaper editors would take care to publish only that which was fit and just; but if the law were altered, they might have a lower class of editors who would adapt themselves to the tastes of a lower class of readers. The allusion made by the hon. Member for North Warwickshire to a combination had, he believed, no reference to the Jesuits, but to a newspaper association which had the means of exercising considerable pressure upon the Members of that House, and which was at present exercising its influence in rather an objectionable manner.

THE ATTORNEY GENERAL said, that having spoken on this Bill on more than one previous occasion, he would not now trouble the House at any length. He must, however, remind the House that this Bill was not, as the hon. Member for North Warwickshire (Mr. Newdegate) supposed, the introduction of a new principle. The principle had been introduced by the Act 6 & 7 *Vict.*, by which it was provided that where a newspaper editor had without malice repeated the proceedings of a public meeting, he could, in the event of being charged with libel, insert an apology, and plead it in mitigation of damages, paying a small amount into Court by way of acknowledgment that he had been in the wrong, and on payment of costs the action would be stopped. The object of this Bill was to extend that principle, and to provide that where a newspaper proprietor, *bonâ fide* and in the course of his business, published that which did not at the moment strike him as slander, he should not be liable to have an action brought against him by an attorney with the object of compelling him to pay costs up to the time when the apology could be pleaded. The defect of the present law was that actions were sometimes brought against newspapers for the sake of the costs. This he thought was a hardship which newspaper proprietors ought not to be called on to bear. He admitted there might be hardships on the other side; but he was in favour of going into Committee, because he thought that upon the whole the hardships to newspaper proprietors preponderated. But he quite agreed with the hon. Member for Oxfordshire (Mr. Henley) that if the 3rd clause were struck out the Bill would become vicious in principle. If they took away the power of action against a newspaper, they ought to retain it against the original slanderer. He believed that the provisions of the 3rd clause would prevent the occurrence of any of the mischiefs of which some hon. Members had expressed apprehension. A speaker was only made responsible for defamatory words which were spoken at a meeting where reporters were present, and for which he refused to apologize. When the Bill was before the Select Committee, they had some trouble to find a definition which would protect the newspaper proprietor, and they agreed to the definition that if in an action for libel a newspaper proprietor was able to prove that the alleged libel was a true and faithful report of the proceedings of a meeting lawfully assembled for a lawful purpose, open to reporters, and that a reporter was present, and that his report was published in the ordinary course of business, and without actual malice, then the paper should be free from the charge. If, on the other hand, a newspaper published what was scurrilous language, then he had no doubt that the good sense of the jury would find that that had not been published in the ordinary course of business, but from malice. The effect of the whole would be that if an action were brought against a newspaper proprietor for a report of proceedings of a public meeting, it would be a sufficient answer that the newspaper had subsequently published a refutation of the former report, which refutation was required to be of reasonable length and without libellous matter on other parties. This was an extension of the Law of Libel as it was settled in 1843. He did not understand the argument of the hon. Member for North Warwickshire that by this Bill an action would be brought against the wrong person. The person who was alleged to have used the defamatory words was not to be bound by the report of the newspapers. It would be open to him to tender evidence that he did not use those words. But it would not be fair that the person of whom defamatory words were used should not have a right of action; and it would be difficult to show that a person uttering defamatory words in a lawful meeting, open to reporters, did not know that reporters would be present. He admitted there were difficulties in the case; but the advantages, in his view, outweighed the disadvantages, and he considered it would be eminently unfair if the 3rd clause were taken out of the Bill. He altogether denied that any pressure had been put upon him by the Press to induce him to support this Bill; but as, in his opinion, the reasons in its favour preponderated over those against it, he should vote for going into Committee.

Mr. J. GOLDSMID said, he was in favour of the Bill as an extension of the Act of 1843. He thought the hon. Member for Marylebone (Mr. T. Chambers) had absurdly exaggerated what he considered the dangers likely to flow from this Bill. It was not at all likely that any respectable paper, with a large circulation, would trouble itself to insert slanderous or scurrilous matter spoken by some worthless person at a small local meeting. The Committee who had inquired into the subject were of opinion that, when defamatory language uttered at a meeting was afterwards published in the ordinary way in the newspaper, the action should not lie against the proprietor of such paper, but against the person who deliberately uttered the language alleged to be libellous.

Mr. WHALLEY said, he must oppose the Bill. He could not help apprehending that things might occur such as were suggested by the hon. Member for Marylebone (Mr. T. Chambers). He had known things said about himself, conveying the most offensive imputations about the motives of his public conduct and proceedings, which were actually printed and disseminated in newspapers by hundreds and thousands over the country. The mischief that was done by a report of slanderous statements could not be measured by the circulation of the small country paper in which it might originally appear; because that report might be copied into other journals and circulated all over the world. Some severe remarks had been made in a country paper upon his conduct as Chairman of a Railway Company; and though the proprietor was afterwards compelled to confess in a Court of Law that those remarks were false and malicious, yet they were copied into all the journals that were opposed to his (Mr. Whalley's) public conduct; and copies of those journals were forwarded to his constituents. The real object of the Bill was to convert slander into libel; and he submitted no case had been made out for such a change. He called upon the House not to commit itself to a measure which might seriously compromise the public interests. The proper course would be, if a change in the law were to be made, for the Government to take up the question and deal justly in the matter, in a large spirit—not prompted merely by the consideration of cases of individual grievances. For his own part he considered that the change was not required, and that there could be very little doubt that the Jesuits were at the bottom of the matter. The Protestant associations of this country—no matter what might be the contempt with which they were regarded by this House—were likely yet to influence the public opinion of this country considerably, and it was the object of the Jesuits to put them down; and, as a first step to that, to fetter the newspapers which went against Jesuitism, by converting slander into libel. He had declared, Session after Session, for five years—in season and out of season—what would happen. They were not at the end, but at the beginning of their difficulties—brought about, to a great extent, by the perseverance of the hon. and learned Baronet the Member for Clare (Sir Colman O'Loghlen), who was undoubtedly inspired by the Jesuits.

Mr. Serjeant ARMSTRONG said, there was no novelty of principle in the Bill, while the state and progress of public society rendered it a necessity. He thought that the 3rd clause of the Bill was a necessary corollary to the 1st and 2nd; because, if it was just to afford protection to the newspaper proprietor, it would be unfair to give the maligned party no redress against the author of the slander. He believed the Bill would really prevent slander.

Mr. COLERIDGE said, he coincided in the objections which had been taken to the Bill by the hon. Member for North Warwickshire, and should vote with him in case he divided the House, though not from the fear of any combination of Jesuits or other persons. He did not agree with the assertion of the hon. Member for Sligo (Mr. Serjeant Armstrong) that the Bill made no important change in the law, for it really made a most important one in the wrong direction. The strongest argument against it was that it required the introduction of the 3rd clause to make it palatable, and the opinion of the Attorney General was that unless the 3rd clause was retained the Bill would prove most mischievous. Already public comments upon the public acts of public men were privileged. It was only when private character was attacked that the law was stringent, and it was right that in such cases there should be some restriction on publication. Why should a private, harmless man be dragged out of his privacy by the publication of a slander in a newspaper? Why should he be put to the annoyance and expense of defending his character? Why should he be put to the trouble of writing a long letter to a paper to refute that which would not be worth the trouble of refutation but for the importance given to it by its appearance in print. At present protection was given against the publication of defamatory matter, and he did not see why the publication of personal slanders uttered at *quasi*-public or semi-private meetings should have any peculiar and exceptional privilege thrown around them. Under the 3rd clause, if the newspaper proprietor refused to insert a retractation of alleged defamatory matter, the person aggrieved might bring an action against the speaker as if he had written what the newspaper reported. He thought this a very ineffective kind of remedy. The remedy against the utterer of a slander was more difficult than against a newspaper, for there was more difficulty in proving spoken than in proving written words. The Bill would give the remedy against the wrong person, for the great mischief was caused by the publication. The newspaper, and not the obscure slanderer, ought to be held responsible. His hon. and learned Friend the Member for Sheffield (Mr. Roebuck) had said that truth in reporting was the great object. Now, although truth was a most desirable thing, accuracy was not so very desirable if the matter stated was not true.

THE ATTORNEY GENERAL FOR IRELAND (Mr. WARREN) said, he hoped the hon. Member for North Warwickshire (Mr. Newdegate) would persevere in his opposition to the Bill, which would be mischievous and dangerous in its results, and was not called for by the present state of the law. He thought the House ought to hesitate long before introducing the change now proposed. Its object was to protect a newspaper proprietor from liability for printing a libel, provided he did not originate the injury, and he might therefore publish it from printed matter. If newspaper proprietors were thus protected in the publication of second-hand libels there would be no limit to them. The defence had been already set up in Ireland, but without success; and, indeed, if such a defence were admissible, it would be possible to re-produce in this country slander or treason spoken at a legally convened meeting in New York and reported in the American papers. He believed that newspapers had all the protection that was necessary, so long as sufficient care was exercised in their management.

VISCOUNT AMBERLEY said, the main question was—who was the guilty party; the speaker who uttered the libel, or the newspaper which published it? He contended it was perfectly plain that the speaker was the guilty party. He quite agreed that it was not desirable to report every word spoken at every little village meeting; but, at the same time, there was nothing to prevent the newspaper editor exercising proper discretion. There were discussions of great public importance which it was well to have fairly and fully reported, and this was especially the case with respect to the proceedings of great public companies. In his opinion the most dangerous calumny was not a statement in the public Press which might be publicly contradicted, but a private slander repeated from mouth to mouth. For his own part, if a charge were made against him at a public meeting he should prefer the exact words of the speaker to be given in the report. He hoped the 3rd clause would not be omitted, for if it were it would be impossible to bring an action against either the newspaper proprietor or the speaker in the event of the report being accurate. The feeling of the majority of the Members of the Select Committee to whom this Bill was referred was that it was just and right to transfer the responsibility from the newspaper to the person who uttered the libel.

MR. LAWSON, as a Member of the Select Committee to whom this Bill was referred, wished to say a few words on the subject. He conceived it to be the interest of the public to know what took place at public meetings, and this Bill was merely an extension to other cases of a well-known principle already acknowledged in the law, and that was, that if a newspaper gave a *bonâ fide*, truthful report of what took place in a Court of Justice it was protected from any action. And why? Because it was the interest of the public to know what took place in Courts of Justice, and because the fact that a person was merely communicating to the public what had really taken place removed the impression that he was actuated by malice or any other motive that would render him liable to an action. It was often equally the interest of the public to know what occurred at a meeting of shareholders of a public company. Should not the shareholders know what was said at meetings of their company about the doings of their Directors? The Attorney General for Ireland spoke of the case of a Fenian meeting in New York. He (Mr. Lawson) contended that it would be to the interest of the public that the proceedings of the meeting should be made known. The substance of the matter was this—were they to protect the public Press in the *bonâ fide* discharge of a difficult and arduous duty, in which their interest concurred with that of the public, or were they to leave the newspapers subject to frivolous and vexatious actions which were often instituted for the sake of costs? This was the real point of the case. It was not the duty of a reporter to expurgate from the proceedings of a public meeting matter of a libellous nature, but to give an accurate account of what occurred. Was the reporter or editor to constitute himself the judge of what the speaker ought to have said?

Mr. DILLWYN said, he did not desire to restrain the liberty of the Press in any way; but he thought that newspaper proprietors were sufficiently protected at present, and that Parliament should pause before it did anything which would be an encouragement to penniless persons to publish slanders upon private character. That would be the effect, he feared, of this Bill should it become law. He did not think it right that parties should be put to the expense and trouble of repudiating charges which might be altogether unfounded. If slanders were uttered, he trusted Parliament would not give facilities for promulgating them. Generally speaking, the English Press was an honour to the country; but there were badly-conducted journals whose interest it might be to publish calumnies.

Mr. BUXTON said, that law should be founded on justice; and, in the present instance, justice demanded that the man who uttered a libel, being the really guilty party, should alone be made responsible.

The SOLICITOR GENERAL said, the question was not a party question, nor was this a Government Bill. He confessed that he was disinclined to the Bill, which he thought would be a protection for the careless and ill-conducted newspaper, and was not wanted by the well-conducted Press of the country. It was said that the guilty person was he who uttered the slander; but the question was, whether the mischievous person was not he who gave it publicity? Slander when uttered at a small meeting, in a small place, might be of no great importance; but when circulated throughout the country it might have a most injurious effect. He agreed with the Attorney General that if the 1st clause of the Bill were passed the Bill would be a most mischievous one if the 3rd clause were not passed also. His hon. and learned Friend accepted the Bill solely on the supposition that the 3rd clause would be passed if the Bill were passed; but, for his own part, he must say that not even the 3rd clause could reconcile him to the Bill.

Sir COLMAN O'LOGHLEN denied that this was a Bill introduced in the interests of the ill-conducted journals. A hundred petitions had been presented from newspapers in favour of the Bill, together with a petition from the Provincial Newspaper Press Association, which included the proprietors of 200 newspapers; and it would hardly be said that all these were "ill-conducted." The organs of all shades of opinion were in favour of the measure; and he reminded the House of the great expenses to which newspapers were put by actions of this class, though juries might return verdicts against them for merely nominal damages. The privilege which newspapers now enjoyed in publishing the proceedings of Courts of Justice was mere Judge-made law; and it was actually doubtful at this moment whether the same privilege attached to the publication of the proceedings of Parliament. In the case of "Wason *v. The Times*" the Lord Chief Justice of the Court of Queen's Bench had decided that there was such a privilege; but the question was still *sub judice.* This was not a state of the law which ought to be preserved, and it should be decided by statute how far the Press had a right to go in reporting proceedings of Parliament or of public meetings.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 108; Noes 38: Majority 70.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (No Proprietor of Newspaper shall be liable to an Action or Prosecution for a faithful Report of the Proceedings at a Public Meeting, and Proof that it was such shall amount to a Defence).

Mr. SANDFORD moved, instead of the word "proceedings," to substitute "speeches." Persons who were in the body of the meeting might get up and utter slanders — might cry out that such and such a man was a bankrupt or a scoundrel —and that might be reported in the proceedings; and if the names of those who uttered the slanders were not given, the parties aggrieved would have no remedy either for the slander or the libel. Again, a contradiction given to a slander in a public meeting might be suppressed, yet, as the clause stood, the newspaper would not be responsible.

Sir COLMAN O'LOGHLEN said, that in case such a contradiction were given and suppressed it would be for the jury to say whether the publication was, in the words of the clause, a fair report of the speeches in the ordinary course of business.

Mr. ROEBUCK said, that the Amendment would serve no purpose, inasmuch as any sentence uttered in the way of interruption at a meeting was necessarily a speech.

Mr. WHALLEY said, he thought the Committee were entitled to ask the hon. and learned Member for Clare for a fuller explanation than had yet been given of the probable effect of this clause. He hoped the hon. Gentleman would press his Amendment to a division. The Bill was only brought forward in consequence of the importunity of the Press.

Amendment *negatived.*

Mr. NEATE said, that in his opinion the editors of newspapers should not be altogether exempted from the necessity of exercising discretion. He had known at railway meetings charges of general dishonesty brought against Members of that House in consequence of their connection with companies. He moved that at the end of line 15, after the words "*bonâ fide*, without actual Malice, and in the ordinary Course of Business," these words should be added, "and in the exercise by the editor of such newspaper of a reasonable discretion."

Mr. ROEBUCK said, the proposed words would be mere surplusage, inasmuch as the question of the reasonable discretion on the part of the editor or proprietor of a newspaper would be left for a jury to consider.

Mr. J. GOLDSMID said, it would be a physical impossibility for the editor to read every report that was going into his paper.

Mr. T. CHAMBERS contended that, if the hon. Gentleman's argument were valid, that would be the strongest reason for inserting the words, which would make it the duty of the editor either to personally examine the reports or employ others to do so. If slander was published and circulated all over the world, some one ought to be held responsible for exercising a discretion in the publication.

Mr. ROEBUCK submitted that the Amendment would not make the security greater.

Mr. NEWDEGATE said, he felt confident that when the Bill went to the House of Lords it would be rejected.

Mr. NEATE said, he would consent to omit the words, "by the editor of such newspaper," in order to meet the view of the hon. Member for Honiton.

Mr. W. E. FORSTER said, the Amendment would almost nullify the effect of the Bill, because its words might mean that the proprietor of a newspaper, before he published a report, must ascertain whether the words of the speaker were true or false.

Mr. Serjeant BARRY said, he took the same view. By this Bill it was sought to shift the responsibility of a libel from the publisher to the speaker; but if this Amendment were adopted, it would shift the responsibility back again to the publisher. It would involve the clause in considerable confusion, and give rise to a great deal of litigation.

Mr. NEWDEGATE asked whether the hon. and learned Gentleman wished to make the proprietor of a newspaper a co-defendant? [Mr. Neate: No!] He (Mr. Newdegate) did not mean that such a proposal was contained in the Bill; but the hon. and learned Member suggested it in his speech. There would be some sense in such a proposal.

Mr. CRAUFURD said, he held that the words were necessary, because otherwise the whole onus would be thrown on the speaker, while the person who circulated and multiplied the slander was allowed to go entirely free. The law of the land punished the utterer as well as the forger; why not, then, the editor as well as the speaker?

Sir COLMAN O'LOGHLEN said, that if the Amendment was adopted, it would defeat the object of the Bill.

Mr. T. CHAMBERS said, that at the most inconsiderable meeting the reporter might take down the most reckless speaking, and the editor publish it without fear of punishment. Was that a thing which should be allowed? The editor in such a case should certainly be held responsible.

Mr. ROEBUCK said, the Committee

were now re-discussing the principle of the Bill. He protested against arguments, which had been answered over and over again, being dug up in that way. The principle of the Bill had been settled by a large majority, and they had now only to deal with the clauses.

VISCOUNT AMBERLEY said, it was an error to suppose that there would be no responsibility left if this Bill passed. Discretion would still have to be exercised, but by the speaker instead of by the editors of newspapers. Surely, it was better that that discretion should be thrown on the speaker, and that a slander should never be uttered than that it should be uttered but never published.

MR. CRAUFURD held that both the man who uttered, and the man who published, should be liable. It was not right that the person who did most mischief should escape scot free.

THE ATTORNEY GENERAL said, that in that case the hon. Gentleman ought not to have voted for going into Committee. The words in the clause, "*bonâ fide*, without actual Malice, and in the ordinary Course of Business," would, in his opinion, be sufficient to meet the justice of the case without the proposed addition, and would not afford a justification for publications of every description. If the editor of a newspaper published scurrilous matter against any individual, a jury would know how to deal with him. The *bonâ fides* of the publication would still be matter for the jury.

MR. WHALLEY said, he must again protest against this alteration in the law, which had been objected to by Lord Campbell and Lord Wensleydale. The whole weight of legal authority was against the principle of the Bill. A speaker, under the excitement of addressing a public assembly, may scarcely know what he says, or mean what he says, and the law at present takes cognizance of such a possibility; but by this Bill a speaker is to be made responsible for the circulation of his statement throughout the world by another person, and thus the freedom of speech is to be restricted. At present if a man said anything indiscreet, the law considered it merely as slander, and that he should not be held liable to as severe punishment for hasty and inconsiderate expressions uttered in the excitement of the moment as if he had deliberately written the matter. It was the publication that did nearly all the mischief.

MR. NEATE wished to know, whether the other Law Officers of the Crown agreed with the Attorney General upon that point?

MR. NEWDEGATE said, that the Attorney General rested his defence of the clause on the *bonâ fides* of the publication. Now, he wanted to know in what that *bonâ fides* consisted. Was the editor of a newspaper to be held free from malice if he published a report believing that it was full and correct, or was it to be understood that he was still bound to exercise that discretion which the Amendment was intended to secure—a discretion as to the truth, the moral tendency, the political admissibility of the words spoken? The words of the clause *bonâ fide* admitted of such a latitude of interpretation that no one could define their precise intention, and yet it was to rest upon the interpretation of these wide words whether the speech was spoken, and the report published without malice, which words followed, and were governed by the words *bonâ fide.* In one newspaper you might see a report extending over a column, while in another and cheap paper that report might be given in a paragraph. Were both of these to be considered fair reports? The truth was, that this 3rd clause was an apology for the unwarrantable character of the two first clauses of the Bill; for the injustice and the harshness of the principle of those clauses. As he had said before, the Bill was a Bill for publishing slander and legalizing apologies.

MR. SERJEANT GASELEE said, that the argument of the Attorney General only showed the necessity of inserting the words of the Amendment.

MR. SERJEANT ARMSTRONG maintained that the Amendment was altogether unnecessary. The words "actual malice" in the clause had a well-known and clearly defined meaning.

Amendment *negatived.*

Clause *ordered* to stand part of the Bill.

Clause 2 *agreed to.*

Clause 3 (A Speaker of defamatory Matter not amounting to Slander shall be liable in certain Cases to be sued as if the same were printed or published).

SIR ROBERT COLLIER, while approving the principle of the Bill, objected to the extension of liberty to newspapers at the expense of speakers at public meetings. At present a man was not liable for spoken words unless they imputed an indictable offence, or were attended with actual damage, while written words, holding up a person to ridicule or contempt, were actionable. Now, this clause would render actionable spoken words reflecting on a person's character, which, if written, would be libellous. He was not sure whether, but for the privilege they enjoyed, speeches of eminent Members of the House would not come within the scope of this provision. The speeches for instance delivered by the present Prime Minister against Sir Robert Peel certainly had a tendency to bring Sir Robert Peel into ridicule and contempt. It might apply inconveniently to hustings' speeches—such, for example, as that delivered on one occasion by Lord Palmerston at Tiverton, in which he cast such ridicule on a gentleman who had interrogated him as to make him a laughing stock. A certain class of attorneys would always be ready to promote actions where the slightest pretence existed for the charge of holding up a man to ridicule or contempt, and many persons would be inclined to bring such actions on the chance of recovering small damages. The effect of the clause would be to curtail the liberty of free discussion, and to exclude reporters from many meetings to which they were now admitted to the advantage of the public. Railway directors were sometimes suspected of "cooking" accounts, and at present their conduct might be freely canvassed by the shareholders, but this provision would place a restraint on such discussion. It was an attempt to establish something intermediate between slander and libel; and it would make the character and liability of spoken words depend on the mere accident of a reporter being present. He could not help thinking that if the clause were passed reporters would be excluded, very much to the public injury, from many meetings to which they were at present admitted. He was aware that the clause contained words which would to some extent limit its operation; but it appeared to him that it would upon the whole unduly interfere with the freedom of public discussion, and he begged leave, therefore, to move that it be struck out.

THE ATTORNEY GENERAL said, that the Bill had been greatly modified by the Select Committee, and that he now supported it to a certain extent because it appeared to him to be a beneficial measure. He was himself responsible, in a great measure, for this clause, as agreed upon by the Committee. It was quite true that it altered the law of slander to some extent. He thought the clause was a natural consequence of the change in the law which the two preceding clauses would effect. Those clauses would exempt the proprietors of newspapers from any liability on account of fair reports of the proceedings at public meetings; but the same privilege ought not to be extended to persons who uttered defamatory language at meetings at which they must have known that reporters were present, and who afterwards refused to apologize for that language. The clause would not apply to privileged persons—such as railway shareholders who, at meetings of their companies, might attack their directors who were believed to have "cooked" their accounts. The object of the clause was to render actionable defamatory words spoken at a meeting open to reporters, to the extent to which they would have been libellous had they been written. A person defamed at a public meeting obviously ought to have the right either of bringing an action so as to clear his character, or of requiring a retractation.

SIR COLMAN O'LOGHLEN said, he thought the clause was a perfectly fair one, and that it was rendered essentially necessary by the protection given to newspaper proprietors by the two clauses which preceded. He contended that a person who went to a public meeting and deliberately made a statement was not entitled to the benefit of the distinction between slander and libel. The late Lord Lyndhurst, in a speech delivered in the House of Lords in 1858, pointed out the injustice of allowing a man who made a defamatory speech, knowing that it would be published, and probably with a view to publication, to escape with impunity, while the reporter, who could have no malicious motive, and who perhaps did not know the point on which the calumny turned, was made the scapegoat. As to frivolous actions, a jury had to decide whether matters were libellous or not, and if a man who had been ridiculed in *Punch* or elsewhere brought an action they would in all probability decide against him. The clause, as settled by the Attorney General and the Select Committee, rendered the utterer of defamatory statements liable to an action unless he published a full apology and retractation, and he did not believe this would infringe the privilege of public speaking.

Mr. T. CHAMBERS said, he would remind the Committee that, in the warmth of debate or in the excitement attending public meetings, persons often exceeded the bounds of propriety, and used strong language, which they would shrink from committing to writing. The 1st and 2nd clauses conferred exemption from liability on persons who had no claim to it; while this clause inflicted penalties on those who did not deserve them. Generous and high-spirited men were apt, in the agitation of popular debate, to use language from which they would revolt in calmer moments; yet it was proposed to let the person escape who, for his own profit, circulated the slander, and thereby did all the mischief. This was not the case of robbing Peter to pay Paul, but of robbing Peter to make an unnecessary and mischievous present to Paul. The measure, instead of protecting an innocent Press, would remove the responsibility which made the Press a blessing to the country; and it would fetter freedom of speech by requiring the observance of greater caution and self-control than was always possible, under penalty of an action or of a servile apology, to which not one man in fifty would stoop. The argument of Lord Lyndhurst supposed a case which was not likely to occur; and it was, therefore, of no authority in the present discussion. He was ready to admit that if the principle of the 1st and 2nd clauses were adopted it would be necessary to qualify the concession to newspaper publishers. But there was not much in the whole Bill of which he could approve. He should support the Motion of his hon. and learned Friend the Member for Plymouth (Sir Robert Collier) for the rejection of the clause.

Mr. WHALLEY said, the object of the Bill was to convert slander into libel, and to compel everybody to be as careful of what he spoke as of what he wrote. That was certainly a consummation not to be wished. The whole tenour of Lord Lyndhurst's speech in 1858 was contrary to the change now proposed. The existing distinction between words inadvertently spoken and statements deliberately committed to writing ought to be retained. He might illustrate the evil working of this clause by referring to the case of the lecturer Murphy. That gentleman was only the representative of a class of men who went about the country, actuated by strong feeling, with the single desire of making known the doctrines, discipline, laws, and usages of the Church of Rome. It was impossible for these persons to describe these doctrines and usages without speaking in tones of contempt and ridicule of some people who believed in them. Should this clause be adopted it would be out of the question for these conscientious persons to prosecute labours which they believed to be useful and profitable. He would ask whether anyone had pointed out any real grievance in the present law? Riotous persons had interfered with the free discussion in which Mr. Murphy was engaged. [*Cries of* "Divide!" "Oh!" *and* "Question!"] The interruptions to which he was subject was a proof that those matters could not be fairly discussed.

Mr. KNATCHBULL-HUGESSEN said, he objected to the clause because it made speakers at public meetings answerable for words which they might not have uttered, but which were attributed to them in reports which they had had no opportunity of correcting. A speaker's words uttered in haste, and upon the spur of the moment, might be twisted and distorted by a reporter, and the speaker might be prosecuted for an offence which in reality he never committed. There was, therefore, a practical objection to the proposal. Only that morning he had seen words attributed to himself which he had not used; and if they had been libellous he might, under this clause, be sought to be made liable for an authorized report. He objected, moreover, to the provision requiring an apology to be published in any paper selected by the person who felt himself aggrieved—a provision which might be used for purposes of offence; some papers regarding certain individuals with known aversion, and other papers having no other object than to obtain notice, and thus increase their circulation by these means. It would be impossible to treat such papers with contempt, if their unauthorized reports were thus to be made the foundation for proceedings against a speaker. The clause would fetter the freedom of discussion throughout the country, and would, in his opinion, complicate rather than simplify matters; and he would, accordingly, give it his utmost opposition.

Mr. ESMONDE said, he also objected to the clause. Two persons belonging to opposite political parties might have an encounter of words at a public meeting. The editor of the local journal might favour the gentleman who held the same political opinions as himself, and keep out of print anything strong which he might have said; while he might publish all the strong statements of his opponent; and the latter might, in that case, be subjected to an action for libel by the other man, who, perhaps, had made as libellous a speech.

MR. SERJEANT GASELEE said, there were so many objections to the clause and to the Bill that he did not know where to begin in opposing it. It made it dependent upon a reporter whether a man was a libeller or not. A man was to be held liable, not only for words which he had used, but for words which he had never used. The speaker would be at the mercy of the reporter, and unscrupulous journalists might use this power to bring men into trouble and difficulties. Very often a reporter must be highly educated to understand properly what you said. Of course it was some comfort to be reported by an educated reporter. But in many parts of the country reporters were not highly educated, and you could easily hit above their heads. If the party who made a speech said he was entirely misrepresented, what was he to do? How could he be expected to insert an apology? And he was not permitted to justify himself by inserting a denial. The effect of the clause would be frequently to compel a man to apologize for words which he had never uttered. It was a dangerous and uncalled-for Bill; and he hoped it would go back to Ireland and never show its face in that House again.

THE SOLICITOR GENERAL said, that the hon. and learned Gentleman seemed to apprehend that an action could be successfully maintained against a man whose speech had been misrepresented. [Mr. Serjeant GASELEE: Not with success.] If that was the learned Gentleman's objection, anyone was liable to have an unjust action taken against him; but the law provided for such a case by mulcting the plaintiff in costs. The publication of the apology might be made in the paper in which the libel was published; but if that were objected to, a paper might be selected by the person libelled. Having passed the 1st clause, the Committee could not, he thought, do otherwise than pass this; but he was in favour of omitting the words, "reflecting upon the character or conduct of another," and of inserting, "reflecting upon the personal honour or honesty, or professional, mercantile, or business character of another."

MR. W. E. FORSTER said, he did not think that the intention of the Committee was to create a new offence—namely, that of throwing ridicule upon a third person. He did not think that the clause had that effect; but if there was any doubt upon the subject it ought to be removed. Hon. Gentlemen seemed to have forgotten the conditions of public speech in this country. If a man made an oration in public, the probability was that it would be reported; and the man, therefore, who made it ought to do so under the fullest sense of the responsibility he incurred. He did not think it was fair to attempt to shift the responsibility on to the shoulders of others. A person who, at a public meeting, uttered reflections upon another ought to be held liable for so doing. Even if reporters were not present, great mischief might be done; and the slanderer should not be allowed to escape. He did not think that the clause would have the effect of limiting freedom of discussion, or that men like the lecturer Murphy would be rendered liable to action for libel because they saw fit to ridicule the doctrines and tenets of the Church of Rome. But to remove the doubt that had been thrown out, he should move that the words "reflecting upon the character or circumstances of another" be omitted, and the words "reflecting upon the personal honour or honesty or professional, mercantile, or business character of another" inserted.

THE CHAIRMAN reminded the Committee that they were discussing the question whether the clause should stand part of the Bill.

MR. AYRTON said, he wished to point out that the effect of the clause would be to attach the same responsibility to words spoken as now attached to words written. The clause, moreover, made a speaker liable for an action on account of a paragraph in a fragmentary report; whereas, had the whole speech been reported, the passage, which printed alone might appear libellous, might have been perfectly harmless. The clause was a dangerous one; for if a man in the course of a long speech dropped one word to which exception could be taken, he was to be liable to an action for libel. There was no provision that the jury should take into consideration the whole speech, or even that the whole speech should have been properly and fairly reported. If a man had been grossly slandered, and said of his slanderer that he was unworthy of belief, he would have committed an offence under the Bill. He trusted the Committee would not sanction such an alteration of the law. If the Bill were to pass, it would, in his opinion, prove exceedingly destructive to the freedom of public discussion; for it would render public men continually liable to actions at the hands of persons upon whose conduct they thought it necessary to comment. A man who uttered slander at a public meeting was now liable for such slander; a man who furnished a report of his own speech could, if it contained anything libellous, be proceeded against under the present Libel Act; but what the measure now before the Committee proposed to do was to render a man responsible for what might be published by a third party, with whom he had no connection, and in whose profits he had no share. Moreover, the Bill did not refer to public meetings only. A meeting where three persons attended might be brought within the scope of the Act. It might be said that the Bill only applied to open meetings where reporters were present; but it often happened that speakers did not know that reporters were present, and they might utter something which, if reported, would make them liable to an action. The clause did not contain a single word protecting a public speaker. They knew that the most careful and experienced speaker did not always express his meaning precisely, and was often surprised when reminded of what he had really said. But the law was for the whole community, and they all knew that there was rarely a public meeting in which an esteemed Mr. Brown or Mr. Jones was not invited to speak and—although perhaps a very sensible man—found great difficulty in expressing his thoughts in words. It was very rarely, too, that reports professed to give the words employed by the speaker; and they all knew how often letters appeared from gentlemen who stated that what had been attributed to them in print had never been uttered by them, or that if it had it was entirely different from what they had intended to say. The condensation to which speeches were subjected was no doubt advantageous; but still, even in the change from bad to better, the application of the speech might be materially altered, while there could be no doubt that the report, the moment such a change was made, ceased to furnish an exact reflex of the opinions of the speaker. A speaker would be bound hand and foot to the reporter, against whom, on the production of his note-book in a Court of Justice, he would have no chance whatever. If the speaker was to be held liable, it ought only to be where an accurate short-hand note of every word that he had spoken was placed before the jury, to enable them to come to a conclusion as to what he had said, and not the mere impressions of the reporter. For these reasons, he objected to the clause in its present form, and maintained that no case had been made out for altering the law of England on that subject, which had worked well for 500 years.

Mr. HENLEY said, the hon. Member who had just sat down had carried them back 500 years, to the time when a difference was made between written and spoken words, but the distinction between the two things had been drawn long before there was any question of reporting. When a man spoke with reporters before him, and knew that what he said would probably be published, there could be no reason for the existing distinction. The hon. Member for Marylebone (Mr. T. Chambers) had said that it would be a hard thing to call upon a man who had unwittingly gone just beyond the line at a public meeting to make "a servile apology;" but he asked, what necessity was there that the apology should be servile? If led in the heat of speaking to go beyond the truth and beyond what he meant to say, surely the first thing any honourable man would desire to do would be to relieve the person he had unintentionally injured from the injury he had inflicted on him. As to a speaker having no chance against a reporter when he came into Court after the lapse of three months, the speaker might easily answer that his words had been taken down wrongly, or that he had not intended to say what was imputed to him, and that was as good an apology as any man need require, while it was also one which any honest man could readily make. That there was considerable difficulty in the matter he had felt in the Select Committee; but he thought the clause as drawn by the Attorney General in the main met the requirements of the case. He entirely approved the principle of the clause, holding it to be of great public advantage that there should be reporters present at public meetings, and thinking it only just that the Press should be relieved of responsibility if it fairly published what passed.

Mr. W. E. FORSTER thought the clause ought to be more guarded and restricted, and he would suggest, as the words he had proposed could not then be regularly submitted to the Committee, that the hon. and learned Member for Clare (Sir Colman O'Loghlen) should allow the clause to be negatived, with the understanding that another clause embodying his Amendment should be brought up on the Report.

MR. ROEBUCK recommended that the clause should be carried and the Bill be recommitted.

SIR ROBERT COLLIER thought the clause should be postponed.

MR. NEWDEGATE said, the Committee had already decided that defamatory matter, whether spoken intentionally or by accident, should be published; and he maintained that it was morally and practically impossible, by any contrivance, to insure for the subsequent apology and retractation equal publicity with that given to the original slander.

SIR COLMAN O'LOGHLEN asked leave to postpone the clause.

MR. H. BAILLIE thought it ought to be rejected instead of postponed.

MR. CRAUFURD hoped that the clause would be negatived, in order that a better one might be prepared.

MR. WHALLEY wished to confirm what the hon. Member for the Tower Hamlets (Mr. Ayrton) had said as to the absence of proper protection for public speakers. Any observations that he himself ever made on any subject were always misreported. That Bill was intended to give form and substance to a professional and organized system of misreporting. At present there was, he believed, an influence exerted on the Press which rendered it impossible for any person who spoke on a certain subject, to which he need not more particularly refer, to rely upon being fairly and accurately reported. ["Name."] He might mention the name of the lecturer, Mr. Murphy, whose addresses were said to have produced riots and disturbances in the country. His own name having been mixed up by the Press with Mr. Murphy's, he had made two special journeys to Birmingham to ascertain whether the reports in the newspapers purporting to give what that lecturer said were true or untrue. On the one occasion he questioned twelve, and on the other twenty persons on the subject, and he had found that a report professedly of what that gentleman had said had been entirely fabricated to bring derision and obloquy upon him, and make him appear to be responsible for the riots that followed his lectures. A London paper had inserted a detailed contradiction of a report which it had previously published, charging Mr. Murphy with having used language calculated to bring him into general odium and derision.

Motion made, and Question put, "That the Clause be postponed."—(*Sir Colman O'Loghlen.*)

The Committee *divided:*—Ayes 89; Noes 54: Majority 35.

House *resumed.*

Committee report Progress; to sit again upon *Friday.*

VOTERS IN DISFRANCHISED BOROUGHS BILL.

On Motion of Mr. KEKEWICH, Bill to make provision, in the case of Boroughs ceasing to return Members to serve in Parliament, respecting rights of Election which have been vested in persons entitled to Vote for such Members, *ordered* to be brought in by Mr. KEKEWICH, Mr. JARDINE, and Mr. ALFRED SEYMOUR.

Bill *presented,* and read the first time. [Bill 128.]

PROBATE OF WILLS, &C. (IRELAND) BILL.

On Motion of Mr. HENRY B. SHERIDAN, Bill to make admissible, in any part of the United Kingdom, Probate of Wills or Letters of Administration granted or issued in Ireland, *ordered* to be brought in by Mr. HENRY B. SHERIDAN and Mr. Serjeant BARRY.

Bill *presented,* and read the first time. [Bill 129.]

House adjourned at Five Minutes before Six o'Clock.

HOUSE OF COMMONS,

Thursday, May 21, 1868.

MINUTES.]—PUBLIC BILLS—*Ordered*—Water Supply*; Metropolitan Police Funds*; Thames Embankment and Metropolis Improvement (Loans) Act Amendment*; Curragh of Kildare.*

First Reading—Water Supply* [131]; Metropolis Police Funds* [132]; Thames Embankment and Metropolis Improvement (Loans) Act Amendment* [133]; Curragh of Kildare* [134].

Second Reading—Local Government Supplemental (No. 2)* [120]; Pier and Harbour Orders Confirmation, &c.* [118]; West Indies* [124]; Unclaimed Prize Money (India)* [122]; Medical Practitioners (Colonies)* [125].

Committee—Election Petitions and Corrupt Practices at Elections (*re-comm.*) [63]—R.P.; Reformatory Schools (Ireland)* [65]; Vagrant Act Amendment* [102].

Report—Reformatory Schools (Ireland)* [65]; Vagrant Act Amendment* [102-130].
Third Reading — (£17,000,000) Consolidated Fund,* and *passed.*

REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL.

MINISTERIAL STATEMENT.

MR. DISRAELI: Mr. Speaker, with the permission of the House I will now state the course which Her Majesty's Government propose to take with reference to the votes which this House arrived at in Committee a few nights ago on the Scotch Reform Bill. In the arduous labour of attempting to re-construct the electoral system of the United Kingdom Her Majesty's Government are not conscious that they have shown any want of sympathy with the claims of Scotland, or any desire not to treat those claims with the utmost respect and with every wish to arrive at a conclusion which would be generally satisfactory to the House. And I am bound to say, on the part of the Government, that those efforts have been appreciated by the Scotch Members, and that we have received from them, especially last year—that is, from Gentlemen who are not politically connected with us —a warm and generous support in carrying the principal provisions of the great English measure. And we are sensible of the value of that support, and in no instance more than in our efforts to establish a household rating franchise, against the opinions of those who would have advocated one on a principle of restriction. When I say "restriction" I mean an arrangement similar to that which was familiarly described last year in this House as a "hard and fast line," and which had been proposed both for England and Scotland. I felt that in those efforts when we have attempted at all times to uphold a rating franchise against any artificial restrictions of the kind, we have received much support from Members from Scotland who are in no degree connected with myself or my Friends. Now, the other night—on Monday night—two important decisions were arrived at with respect to the Scotch Reform Bill. The first related to the distribution of seats. It is unnecessary for me to remind the House that by the plan which Her Majesty's Government proposed they hoped they might give, if not an adequate, at all events a considerable addition to the representation of Scotland, in a manner which would be consistent with maintaining the general privileges of the other portions of Her Majesty's dominions. That plan, we ascertained, was one which did not find favour in this House—or at least not sufficient favour to insure its passing; and there were many of our Friends—Gentlemen of influence — who were opposed, though, as we thought, on insufficient grounds, to any plan for increasing the number of the Members of this House. Then there were two other propositions made in order to satisfy the claims of Scotland—or, at any rate, partially to satisfy them—and which were before the House—one proposed by the hon. Member for Montrose (Mr. Baxter), and the other by the hon. Member for Northamptonshire (Sir Rainald Knightley). Neither of these propositions was agreeable to Her Majesty's Ministers — they were not in harmony with our original views; but, as we were very anxious to carry a measure for Scotland which should be on the whole satisfactory, and desirous, as every Member of this House is, to bring these great labours to a happy conclusion, we expressed our willingness to defer to the feeling of the House, and whether the Motion of the hon. Member for Montrose, or that of the hon. Member for the county of Northampton were adopted we said we would consider the decision of the House, and endeavour to frame upon it such a proposition as would on the whole give general satisfaction. I need not dwell further on that point—I think I have said enough to remind the House of what they will in justice admit—namely, that there has been at no time any desire on our part to meet the claims for the increased representation of Scotland in a niggard spirit, or, indeed, any other desire than to bring about, if possible, an arrangement which would be satisfactory not only to Scotland, but also to the other portions of the kingdom.

And now, Sir, I come to the decision arrived at under different circumstances, and which is, in the opinion of Her Majesty's Government, of a different character. I refer to the Motion of the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie), which, if adopted, would establish a household suffrage in Scotland without any qualification or condition whatever, and this, too, in a country where, we should remember, householders do not dwell in houses. Therefore, that proposition was of a very serious character. Now, Sir, with regard to that decision, I must say on the part of Her Majesty's Government that I deeply deplore that the Committee should have arrived at it. But it is their opinion that the Committee arrived at that conclusion under a considerable degree of misapprehension. I can say certainly for Gentlemen who sit generally on this side of the House, that after the vote had been taken upon the Motion of the hon. Member for Montrose there was a general apprehension —indeed, I may say it was founded on an authoritative statement made by one who, from his position, influences the conduct of hon. Gentlemen as far as their attendance in the House is concerned—there was a general apprehension from the nature of that vote that our proceedings in Committee would close, and that Progress would be reported in order that the Bill might be adapted to the Motion of the hon. Gentleman. [" No! "] I do not say it was a just apprehension, but undoubtedly there was such an apprehension. Hon. Gentlemen were not at that time aware that the first part of the Bill referred merely to the franchises of Scotland, and that, therefore, it was open to us to proceed with the Committee, and impossible for us to resist any claim for continuing the business of the Committee. But there is no doubt whatever there was a general apprehension on the part of hon. Gentleman — certainly on this side of the House—that the Committee would close, and report Progress after that division; and, therefore, the greater portion of the House broke up without any idea that we were going to proceed further with the consideration in Committee of the Scotch Reform Bill. I believe that to be an accurate statement: and I think there were signs even on the other side of the House that there was not an apprehension that we should be proceeding in Committee after the vote on the Motion of the hon. Member for Montrose. I will not, however, dwell further upon that. Statements have been made to me that such was the case, but of course I cannot speak with the same knowledge as I can with regard to Gentlemen sitting on this side of the House. I think that under these circumstances the Committee arrived at a somewhat precipitate conclusion —that it was a conclusion not preceded by that degree of discussion or accompanied by that attendance which I should have expected, whatever their decision might be, and which was especially desirable when the decision was to be taken on a point of such paramount importance. I do not wish to conceal from the House that the opinion of Her Majesty's Government on this Motion of the right hon. Member for Kilmarnock is such that it would have the most serious consequences on their conduct as regards their responsibility in carrying on the Bill; for it is not only in itself, as we believe, highly detrimental and disadvantageous to Scotland, but in its ultimate consequences on the whole electoral fabric of the kingdom it must be of the most injurious description. And therefore I do hope that, with that anxious wish which pervades both sides of the House to carry the Scotch Reform Bill to a satisfactory conclusion, I may induce the Committee to re-consider the determination which they came to on Monday night, so that with a larger attendance and a more complete discussion we may all of us clearly understand what point we are arriving at, that we have contemplated all the consequences of the issue at stake, and that if we do feel it our duty to uphold the Resolution adopted by the Committee the other night, at least it shall not be said of us by those whom we represent that we have arrived at that conclusion in a precipitate and careless spirit. With these views, it is my wish to propose on Monday next certain words in Committee which will obviate the inconveniences and injury which we think will accrue if we do not take some remedial course of that kind. I shall not propose to restore the two clauses which have been struck out by the Committee. I shall propose to add words—which we shall place on the table in the course of the evening—to the effect that no elector in a Scotch borough shall be entitled to exercise the suffrage who is not rated to the poor and who has not paid his rates. That will assert the principle which we wish to uphold, and will provide against the infringement of the principle of the English Bill. In answer to those Gentlemen who have talked of innovation, and who spoke the other night as if we were proposing regulations which were perfectly unknown to the people of Scotland, and to which they were quite unaccustomed, I beg to state that the language in which I shall endeavour to secure this end and to vindicate the principle which I have already vindicated for England in a House of more than 600 Members, is the language which I find in a clause regulating the exercise of voting under the Poor Law Act of Scotland. Therefore, hon. Gentlemen opposite need not be afraid of any innovation or of anything to which the people of Scotland are not accustomed, because the provision will be the same as that which has so long influenced their conduct in the performance of one of their most important municipal duties. With this view I shall place these words upon the table in the course of the evening, so that they will be in the hands of hon. Members to-morrow morning; and I do hope we shall come to a unanimous conclusion, by accepting the words to which the people of Scotland are accustomed, and which entirely vindicate the principle of the English Law, which the House adopted so decidedly last year. And if that be so we may, I trust carry the Scotch Reform Bill to a happy conclusion, and that within a few days.

Mr. PERCY WYNDHAM said, he desired to say a few words on this question; and, to put himself in Order, would conclude with a Motion. He should not have ventured to obtrude himself, had he not thought the statement they had just heard would have been more satisfactory if the right hon. Gentleman had told the House that, in the event of his not succeeding in inducing the House to reverse the decision arrived at the other night, Her Majesty's Government would resign. Let hon. Members look back for a moment upon what they had lately seen in that House within the last few days. He would not dwell on the votes on the question of the Irish Church carried by majorities sufficient at any other time to make Government resign their places; but what could they say of the conduct of a Government who had seen the House disallow the proceedings of a Royal Commission, that Royal Commission being appointed by themselves? He would not say that the Instructions to that Royal Commission were not imprudent and unjust ones; but having given those Instructions, and having limited and restricted the Commissioners, he maintained that, by not making their decision the starting point for the decision of that House, but by going through the farce of appointing a select Committee to consider the subject, the Government had shown a disrespect to the Commissioners. Would the House, or the Government, respect the decisions of the Committee? From the way the Government had treated the whole Boundary business, nothing was clearer than this — that every question relating to it would be decided upon the floor of that House, and nowhere else. This would set all the electioneering agents in the country agog. The fact was the government of the country and the direction of legislation on all important questions no longer remained in the hands of the Government; it did not even rest with the Opposition, as a distinct body properly so called; it rested in the hands of the House, as a whole—that is, in a vast Committee of nearly 600 Members, fluctuating in their attendance, and who arrived at decisions of the greatest importance by a mental process, which could be described only as drifting. The result was that hon. Members—the hon. Member for Birmingham and those who agreed with him—were able to obtain all the changes they desired, without the least responsibility attaching to them. He gave those hon. Members more credit for patriotism than to suppose they wished to attain their ends by means of a state of things in that House which was drawing down upon it the contempt of every thinking man in the country; and which, if persisted in much longer, would render the present system of Parliamentary government impossible. He was aware that some hon. Members on the Government side of the House thought the Opposition did not treat the Government with generosity and forbearance; but he was not at all certain that forbearance was a word you could admit into politics. Gentlemen were sent to that House to further their own views; but because a weak man—to which he compared the Government — gave up to his antagonist an advantageous post as soon as it was demanded, his antagonist knew that it was given up because it could no longer be withheld, and not on any ground that entitled him to forbearance or respect. Some years ago, when Lord Palmerston was in Office, and the right hon. Gentleman (Mr. Disraeli) in Opposition, at the beginning of the Session he issued to his supporters a manifesto, in which, after enumerating the important negative victories which had been won by the Conservative party — the putting a stop to a Church Rate Bill among others—he made use of this expression: "Place without power may gratify the vain, but it can never satisfy the nobly ambitious." Either the right hon. Gentleman did not fall within that category, or he had much changed his sentiments on the question.

He wished to speak of the Government with all the respect that attached to their high position, and which he felt for many of them individually; but he must tell them, when they put forward principles which they were always ready to withdraw; when, Session after Session, time after time, they exhibited what they called their principles—as a showman draws his puppets from a bag to be dangled awhile before the eyes of their supporters and put away again when they had served their turn—although they might continue to be Ministers of the Crown, they were permitting themselves to sink into the position of a mere joint-stock company for the division of places among themselves. He did not suppose that anyone who supported the great and important measure passed last year believed it to be, in the old acceptation of the term, a Conservative measure; on the contrary, it must be clear to every one that we were on the eve of great and important changes; and, it was all-important how we met these changes. The right hon. Gentlemen at the head of the Government had been saying to their supporters—"The talisman of safety lies in the Boundary question, and we will appoint a Royal Commission and secure it;" and "The real basis of the electoral franchise—the old pathway of the Constitution—is in rating and not in rental." Of these two principles they had already given up one—the other they would give up when it suited their purpose, and they met the difficulties of the day in this most unwise and unstatesmanlike manner. His objection to the right hon. Gentleman at the Head of the Government continuing in power was that his vitality as a Minister of the Crown appeared to be in direct inverse ratio to the vitality of his principles as a politician; and, as they one by one disappeared, slain by his own hand, the tighter did he stick to Office. We were coming upon dangerous times; there was a limit to everything, and he would tell the right hon. Gentleman that there were some at least of his supporters who would refuse to be dragged through the mud, in order to enable the Government to remain on those Benches, and that there was a limit to the fidelity and patience of the right hon. Gentleman's followers. To put himself in Order, he would move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Percy Wyndham.*)

MR. BRIGHT: Sir, I have no intention of taking up the discussion at the point at which the hon. Gentleman has left it; but I think the statement made by the First Minister is one that, on this side of the House, we have a right a little to complain of. Now, my view of the discussion on Monday night was this: that it was a very wise thing, as I said then, to go with the great majority of the Scotch Members on a matter with which they were more familiar than the House generally could pretend to be. The Scotch Members in the House being about forty or forty-one on that evening, thirty-five or thirty-six—nearly all—voted in opposition to the view of the Government, and of the four or five who voted with the Government, at least two if not three are members of the Administration or in some Office. Well, now, I think farther, that although the right hon. Gentleman and the House last year had agreed to rating—what we call the ratepaying clauses of the Bill of last year—that in that case he was following the Act of 1832, which has produced enormous inconvenience in England. I have a letter this morning from a gentleman connected with the town of Blackburn, who says that, in consequence of there not being any rate made in that town before the 5th January last, any person in Blackburn occupying a house of any value will be placed on the registry in the autumn of this year. So the system is one which, being connected with a system of voting and the franchise, will create, the more numerous your electoral body, difficulties continually in a great many boroughs. But in Scotland the Reform Act of 1832 did not apply this principle; and therefore I think that, as the Scotch Members were of opinion that it would be accompanied with great inconvenience — with even more inconvenience than in England—and as they were nearly unanimous in that opinion, they were the best judges, and that the House was wise in following their advice. But to come to that night's debate — the right hon. Gentleman accepted the proposition of the hon. Baronet the Member for Northamptonshire —the hon. Member having made up the little difference which existed some time ago. [Sir RAINALD KNIGHTLEY: No, no!] I am sorry to hear that, because I like to see harmony in a political party. The right hon. Gentleman at the head of the Government, or somebody who acts for him, was well aware of the Notice being given. In point of fact it was offered to the House as the proposition of the Government, in substitution for that of the hon. Member for Montrose. I do not think there was any great difference between these two; but the Government made a very fair offer in the matter. At the same time—although I will not say that I should not have liked the Motion of the hon. Member for Northamptonshire quite as well, looking to the future, I believe that the House did really decide in a proper manner in giving the preference to the Motion of the hon. Member for Montrose. The right hon. Gentleman allowed the debate to go on, and the House to go into Committee; and nobody on his side of the House had a right to believe, and I am sure nobody did believe, that he was about to make a great catastrophe of any vote in connection with the Scotch Bill. He had agreed not to increase the numbers of the House — which in his speech at Edinburgh he had held out as a great bait, and he had consented to the destruction of ten "centres of representation," which, as a principle, was thought more of last year, I imagined, than the principle of rating, though next year in all probability, the centres of representation in Ireland may follow the same fate, and at the same hands. The right hon. Gentleman, I say, had already agreed to this important alteration, and surely no one had a right to expect that a difficulty would arise upon any further clause. I do not know whether the right hon. Gentleman even heard any of the discussion upon the proposition of the right hon. Member for Kilmarnock; and how was the question debated? We are warned now that this was a vital principle, and that if it failed the Bill might be defeated, the Government might resign, or something still more impossible might take place. But how was it defended? Did ever Minister defend a great cause in such a manner? The Lord Advocate spoke, but certainly he did not speak with enthusiasm in the matter. He pointed out that he was merely seeking to introduce into the Scotch Reform Bill a principle approved in the English Bill—a fact of which we were well aware. The clause was also defended by the hon. Baronet the Member for Ayrshire (Sir James Fergusson), who spoke upon it, as he always does—he spoke very fairly, with a certain feeling, which possibly was real. Who else defended it? Why, it was defended by an erratic Member of the House, the noble Lord (Lord John Browne) who sits below me, who generally sits upon this side of the House and votes on that; but who, with perfect consistency, upon that occasion, addressed the House from the opposite Benches. He, an Irish Member, took up the cudgels for the Government. And that was about the only defence which was made. When the House came to a division, there were 224 Members present, and there were 240 others who had paired, most of them after the first division; and they paired knowing that this very question was coming on. ["No!" and *Cheers.*] Well, I have taken some pains to inquire, and I find that the great bulk of them paired till ten o'clock; and it was a reasonable supposition that, in their opinion, the discussion would last until ten o'clock. The fact is, they did not come down very punctually, and the division took place, unfortunately for them, five minutes before ten o'clock; and the result was the great calamity which has brought the Government and the House into a position of some difficulty. If I might, I should like to ask the right hon. Gentleman to be a little more explicit. I have no unfair object; I do not want to put him into any difficulty. I have felt it my duty to speak with a certain severity upon one occasion, when I thought that severity was deserved; but the House will bear me witness that I have not been active except in the fair discussions of propositions before the House during this Session. The speeches that have been made most offensive to the right hon. Gentleman, speaking generally, have come from Gentlemen that I see opposite. I am told—though I do not pretend to have that secret understanding with Gentlemen opposite which the right hon. Gentleman always assumes that he has with some upon these Benches—that the Gentlemen who have spoken unfavourably of the Government from the Benches opposite represent the feelings of a great many who are silent. ["No, no!"] We are placed in an unpleasant position, and what I say shall be uttered with the simple and honest object of helping us to get out of the difficulty; for I agree with the hon Gentleman who spoke last as to the discredit which attaches—a great deal of it to the Government, some to the House, and I am afraid some portion of it especially to this side of the House—that the present state of things is not terminated. The right hon. Gentleman came into Office having, as we know, a minority only at his back; he has had but a minority during the whole period of his official career—by which I mean the existence of Lord Derby's Government as well as of the present Administration; and he has been maintained in Office because there was an opinion upon this side of the House that hon. Gentlemen opposite do much less harm to our principles when in Office than when they are in Opposition. I think that is true, as the past has shown, and the sequel may still further illustrate. But at this moment the right hon. Gentleman holds over the House a threat to which reference has been made before—a menace which I say it is not right for a Minister to employ, and not right for this House to submit to. The right hon. Gentleman knows that in one sense this is the most corrupt House of Commons that ever assembled within these walls. ["Oh!"] When hon. Gentlemen hear the explanation of that statement, I think they will agree with me. I believe it cost more money to place the 658 Members now in this House within these walls than any 658 Members who ever sat here at any former period. And it is because of that excessive cost that the right hon. Gentleman has the power—I am sorry that, under any circumstances, he should have the will—to hold over the House the menace of dissolution. A penalty, probably, of £1,000,000 sterling will be entailed upon those who contest the seats—that is to say, upon the Members now here who will come back from the General Election—the Members who will fight and be defeated—the new Members who will be returned, and the constituencies who return them; and the great bulk of that expenditure will go into the hands of a certain number of lawyers, a great number of publicans, and a considerable number of printers. Now, the right hon. Gentleman has proposed that we should go back from the Vote of the other night. I will only say what I said then—that I think the Scotch Members are the best judges of this matter; and, if they can find any satisfactory solution of this difficulty, I shall be extremely glad, and feel perfectly confident that I am right in giving my vote with them. Therefore, I shall say no more on that point; but leave it till the question comes on again—I suppose about Monday next. But the right hon. Gentleman the Home Secretary has given a Notice to-night with regard to the Bill of which the right hon. Gentleman the Member for South Lancashire is to move the second reading, I believe, to-morrow. I do not know exactly what is the object of that Notice—whether it means more than a debate or a division, as we had on the first Resolution. Clearly, the First Minister was right when he said that the second and third Resolutions followed naturally and inevitably from the first; and he would be right now if he were to get up and say that the Suspensory Bill followed more inevitably—if such a thing were possible—from the second and third of those Resolutions. There is no doubt that, even if the propositions for changes within the Irish Church, in accordance with the recommendations of the Commission now about to report, were accepted by the Government and the country, it would be wise for Parliament to pass a Suspensory Bill, in order that money might not be wasted in filling offices between the time of the presentation of the Report and the passing of the Bill for giving effect to its proposals. I thought the right hon. Gentleman was intending to get the House into smooth water; and I wish he would. If he is resolved to sit there till the House is prorogued in July or August—to remain in Office till Christmas, until after the General Election has taken place, I have no power of myself to move him from his seat. I dare say there are many persons in this House and out of it who are more anxious to eject him than I am. But, if he wishes for smooth water, let him not be a disturber of the pool. On this very question of the Scotch Bill possibly there may be some half-way house, some proposition or solution which may be fixed upon as the way out of the difficulty. There is no wish to drive him out of Office on that Bill, or to cause the failure of the Bill. On this side, I believe, there is perfect unanimity in wishing that the Bill should pass, and that it should be, as it promises in the main to be, a measure satisfactory to Scotland. But, if we are to be asked to make concessions in this matter, I want to ask the right hon. Gentleman whether he is prepared to make concessions also? Do not misunderstand me. I am not speaking for anybody else—for anybody upon those Benches, or upon this side of the House. Nobody knew or supposed that I was going to make any observations of this kind. But suppose the right hon. Gentleman considers it due from us to make any concessions with regard to this matter, surely it is not the business of the Government to raise any question that can bring us during the next few weeks into any dilemma of this kind again. After all, a crisis every week—twice a week, some hon. Member says—is not a creditable thing for a Minister; and it is not a pleasant thing for this House. There is some advantage occasionally in having a little excitement; but I confess that the excitement which we have had during the last two months since the right hon. Gentleman came into Office has been rather too much for my nerves; and, if it continues much longer, some of us will have to ask leave to go to a purer atmosphere and to more pleasant occupations. I have risen to say that, if the right hon. Gentleman thinks he has a claim to ask this side of the House to make any concessions, as regards the Scotch Bill, surely it is time for him, and those who sit with him—many of whom very seldom get up to say anything themselves, though their voices are enthusiastic when cheering the right hon. Gentleman—to pursue a course which will not lead the House into any difficulty hereafter. Now, only one other observation upon that. The House has decided by majorities of from 60 to 70 in favour of the Resolutions on the Irish Church. No one can deny—even the right hon. Gentleman himself or the Home Secretary cannot deny—that the House is agreed—for a vote by a large majority must be held an agreement—that the Bill that has been brought in is a just and necessary measure. If the Parliament that shall meet next spring, elected by the new constituencies, shall decide that the Irish Church shall remain as it is, then the Bill of my right hon. Friend, being only for twelve months, will expire, and there will be an end of it. Moreover, if the plan of the right hon. Gentleman opposite is considered better, the Suspensory Bill will be equally useless. I say, therefore, that, under these circumstances, if the right hon. Gentleman takes this opportunity of picking a quarrel, or what may be intended as a quarrel, it is from the love of the quarrel itself, and for a purpose which does not arise naturally out of the question or out of the Bill. Well, then, if the right hon. Gentleman asks Members on this side of the House to step back one hair's-breadth from the line they have taken, I say he should be careful to deal with the House in as frank and fair a spirit as we on this side are disposed to deal with him. I think it will be understood that, in the observations I have made, I have not been speaking so as to aggravate the position of the right hon. Gentleman. I have said nothing to add to the irritation that might have been caused by the speech from the other side of the House. I have spoken my honest sentiments with regard to the position the House is placed in. If the right hon. Gentleman behaves, as I have known him to behave, as becomes him—though sometimes I have known him to act otherwise—if he behaves as becomes a Minister in a minority, possibly we may be saved in the next few weeks from many of those tumults and disorders which are not pleasant in the House, and which will not add to its influence with the country.

Mr. NEWDEGATE said, that the hon. Member for Birmingham had expressed his satisfaction at the present state of things, because Her Majesty's Government, according to the hon. Gentleman, were very useful to the principles which he advocated. It was not surprising that the hon. Gentleman, while thus using the Government for his own purposes, was satisfied that they should continue to hold Office while in a minority. This state of things might not be pleasant to hon. Members on the Government side of the House, but for one definite purpose, he (Mr. Newdegate) thought that Her Majesty's Government should remain in Office. They had carried a Reform Bill for England, and it was their duty, although in a minority, to test the forbearance of the House as to whether they could complete their scheme by carrying Reform Bills for Scotland and Ireland. With respect to the question which had arisen as to the re-distribution of seats in the Bill for Scotland, he had been inclined to vote for the proposal of the hon. Member for Northamptonshire (Sir Rainald Knightley) to take one Member from the smaller boroughs which had two, in order that they might be given to the counties; but when he found that the county Members would not stand together with the object of adding two county Members, one selected from each side of the House, to the Select Committee on Boundaries, he gave the larger and subsequent object up as hopeless, and then he voted distinctly for the alternative of transferring the seats to Scotland. The truth was that the seats for the small boroughs had long been felt to be due either to the counties of England or to Scotland. Under the circumstances he thought the House had done well in allotting them to Scotland. The hon. Member for Birmingham had accused Her Majesty's Government of bringing forward measures not connected with the Reform question to disturb the House. Now it was with reference to one of these questions that he wished to obtain some information. A Bill on the subject of Promissory Oaths had been sent down from the House of Lords, and he wished to ask the right hon. Gentleman to allow Members a few days to consider the constitutional questions which arose in connection with that Bill. And this he must say, that he so far agreed with the hon. Member for Birmingham that, in the irregular state of things which existed, with the Government in a minority in a House not adequately representing the country, it was not just to the people that that Assembly should deal with great constitutional questions other than Reform. Why, yesterday they were considering the law of libel, and Member after Member told him that they had been so distracted that they had not read the Bill until that morning, and many had not read it at all. In this crisis the House was really so distracted that Members could not give their attention to those great subjects as they ought, and as under other circumstances they would have done. The hon. Member for Birmingham had alluded to the question of the Irish Church; but Her Majesty's Government were not responsible for the introduction of that measure. He had held from the first that the right hon. Gentleman the Member for South Lancashire had incurred a deep responsibility for thrusting upon a House, which he had declared to be imperfect because it inadequately represented the country, a question which had stirred, and would stir, the feelings of the people; and for raising it in anticipation of the decision of a Parliament, which, according to himself, would more fully represent the nation. With sincere respect for the right hon. Gentleman the Member for South Lancashire, for whom he had no feeling of personal enmity whatever, and whose great talents he admired, he must say that he thought it unworthy of the right hon. Gentleman's antecedents—both as a constitutional authority and as a good Reformer, to endeavour, as he was now doing, to anticipate to a certain degree the decision of the next Parliament, which was not likely to be in accordance with the wild declarations with which he had introduced the Resolutions. He begged to conclude by expressing a hope that the Prime Minister would allow the House a few more days to consider the Promissory Oaths Bill before asking them to come to a decision upon it.

MR. BOUVERIE: I respectfully beg leave to demur to what has been said by the right hon. Gentleman the First Minister—that in the decision at which we arrived on Monday night there was something like misapprehension or surprise. No doubt it is very convenient for the right hon. Gentleman, when he is making an attempt—and I believe it will be an unsuccessful attempt—to induce the House of Commons to swallow a well-considered decision, and to reverse what they have already resolved; it is very convenient, I say, for him to make such a representation. But not only is the fact not so, but I beg leave to say that the fact is the exact contrary to what was stated by the right hon. Gentleman. The mere fact mentioned by my hon. Friend the Member for Birmingham is conclusive—that out of forty Scotch Members who were present in the House that evening thirty-five voted for it. In short, all who are familiar with the subject, and who know how the matter will work, were practically unanimous. And so far from its being a hasty and sudden impulse of the Scotch Members—and let me say in passing that we, as a body, are not very liable to hasty and sudden impulses—the Amendment which I had the honour to submit, and which was carried, was the result of long and careful deliberation by the great body of the Scotch Members; Notice was given of it, and it was put on the Paper before Easter. I agree with my hon. Friend the Member for Birmingham that if a way out of this difficulty can be found, consistent with the already expressed opinion of the House, and the decided opinion of the Scotch Members backed by the great body of the Liberal Members—if a way can be found out of the difficulty so as to enable the Government to go on with the Bill in a satisfactory manner, well and good. But, as I understood his proposal, the right hon. Gentleman intimated that it was his intention simply to ask the House to reverse the decision which was come to on Monday, and which, as I have said, was a well-considered and not a hasty one. Now, the Scotch Members, no doubt, with their ordinary prudence and caution, will take time to see what the Amendment of the right hon. Gentleman is, and how it will fit with their views; but I must say for myself, if it is simply the reversal of the decision of Monday that is proposed, I shall not be induced to consent to it; and I doubt very much whether the right hon. Gentleman, consistently with the common forms of Committee, will be able to call on the House to reverse its decision. The fact is, that the right hon. Gentleman has at last come to a point when he thinks he can no longer go on and take the consequences of the situation in which he has been during the last two months. The right hon. Gentleman, however, must be content to accept the consequences of that situation. If he is willing to be a Minister in a minority, he must—as he said last year he would—be guided by the majority of the House. He has no right to set up his views, or the views and wishes of the minority, against the well-considered decision of the House. It comes to this—which is to play the part of Ancient Pistol and which of Fluellen? Are we still to go on offering the leek to the right hon. Gentleman, and forcing him to bite it, or is he, stung by the various defeats of the last two months, to come forward and say, "Well, this is my last vital point; all the rest I have surrendered; every one which I insisted upon, and on which I educated my party, they are all now abandoned but this one of rating. On this I stand, and I insist, whether it is right for Scotland or not, on the House upholding my consistency?" Well, I trust he will not succeed in persuading the House to take that course. Now, important as this question of a clause in the Scotch Reform Bill is, there is a graver question behind it, on which the hon. Member opposite (Mr. Percy Wyndham) made so strong and able a speech. The greatest man of our times once asked, in "another place," with reference to the Reform Act of 1832, "How is the Queen's Government to be carried on?" Now, it appears that the right hon. Gentleman has discovered the solution of that question. The recognized and ancient practice of the House, to which we were all accustomed, which we all understood, which worked well, and which, whether it worked for or against either party, was accepted by them as a natural consequence of the system, was that the majority should rule, that the Government should express the mind of the House, and should give efficiency to its acts. That was the time-honoured and well-considered practice. But now, it appears, the minority are to rule. Any number of defeats do not signify. "Thrash me, kick me, beat me, insult me, outrage me," says the right hon. Gentleman, "but still I say, like Mr. Toots, it doesn't signify, I feel quite comfortable where I am." Now, I am astonished that the Tory country Gentleman have submitted to this state of things so long. I am a Whig country Gentleman, and I am not ashamed of the designation, and according to my notion, this state of affairs is degrading to the Crown, disgraceful to the Minister, and destructive of the just rights and privileges of this House. That is not the only reason why I am astonished at the Tory country Gentlemen submitting to a continuance of this. I must say, that had I been sitting behind the right hon. Gentleman I should have been aghast at seeing all that I most valued and honoured gradually swept away under his protection. You have had the benefit of this system for two years, and under its auspices you have seen carried a measure which I do not myself dread or dislike, but which you viewed with the greatest dislike and alarm—a democratic Reform Bill. Under the same process we are likely to have an inroad upon that great institution which you value above everything else—the Church—for it is no doubt far easier to make an inroad upon that deep-rooted, long-established institution when we are in the position we now occupy than if we were sitting on the opposite side. That is the reason why some of us are very unwilling to see a change of Government. Again, the financial arrangements of the Government are no doubt acceptable to this side of the House, because they are in conformity with our views; but it has been a matter of the greatest astonishment to me that not a single Tory country Gentleman has been found who has had the courage to rise up and protest, in conformity with the doctrine taught him for twenty years by the right hon. Gentleman, that it was not fair or right to the landed interest to raise the whole of the increased expenditure of the country by direct taxation. I do not make these remarks in any spirit of hostility. There is a story told of Lady Mary Wortley Montague that she once said—

> "Most people wish their enemies to die. That is not my wish at all. My prayer is, give my enemy the gout; let him feel what the pleasure of that is; let him have the stone; let him know what torture is."

Now, the worst that I could wish an enemy would be that he should sit as a Minister on the Treasury Bench in the circumstances in which the right hon. Gentleman is placed—for I cannot conceive a position more humiliating to one's sense of dignity, and more derogatory to constitutional Government. If I were hostile to the right hon. Gentleman and his friends—if I were animated by feelings of personal dislike, my prayer would be that they should continue in that position, endeavouring ineffectually to carry on the Government of the country, endeavouring ineffectually to support principles to which the majority of the House will not adhere, and endeavouring to maintain their position by a policy which I must designate as a policy of legerdemain.

MR. J. HARDY, as the representative of one of the ten unfortunate boroughs which were condemned on Monday, wished to say a few words. The right hon. Gentleman (Mr. Bouverie) had just related a story of Lady Mary Wortley Montague; but he thought a much milder saying was that of Lord Chesterfield, who held that the worst wish he had to an enemy was that he should be married and settled in the country. Now, if the right hon. Gentleman chose to retire into the country he would not be regretted by hon. Members who sat opposite to him. Now, with reference to the proposed alteration of the vote of Monday last—for his own part, he should not be satisfied by the mere rescinding of the right hon. Gentleman's Amendment, for he considered that a vital principle of the English Reform Bill had been attacked by the previous Amendment, affecting ten English seats. Members on both sides were induced last year to support the Reform Bill, under the express condition that there should be no total disfranchisement; and it was a most monstrous thing that ten English boroughs that had committed no sin should be swept away in order to give additional seats to Scotland. Ten independent English Members were to be sacrificed for the benefit of the most narrow-minded constituencies in the Empire. As for the boasted success of the grouping system, why, such a rude and rigid line was enforced that no independent man dared to offer himself, and if a Scotch Member ventured to show any independence he never appeared in the House again. Everybody knew exactly what the ten additional Scotch Members would be like; they would be like so many brace of grouse. His own borough (Dartmouth) had, he thought, been treated in the most shameful manner; indeed, the honour of the House was at stake in the matter. Last Session a proposal to disfranchise these boroughs, made by the hon. and learned Member for Portsmouth (Mr. Serjeant Gaselee), was defeated in a full House by a majority of 52; but on Monday, in a much thinner House, there was a majority of only 21 for it. Now, he regarded that as a very unfair decision. He did not say that he should have supported the Amendment of the hon. Baronet the Member for Northamptonshire (Sir Rainald Knightley), for he had no great fancy for giving additional Members to Scotland. He was quite aware that Scotch Members were most respectable persons at home; but when they entered the House it seemed to be their business to vote away everything which a Constitutionalist held dear in Church and State. He would not go far as Charles II. in saying that Presbyterianism was not a religion for a gentleman, for religion was not concerned in this question; but he regretted to say that the dominant religion of Scotland was not conservative. The Scotch Presbyterians were banded together with Irish Roman Catholics to carry their measures; how then could they expect the Constitutional party in England to support them? The hon. Member for Birmingham, ready to give advice, he would not say with less than his usual obtrusiveness, and who, as he had told them, was the last man to get the House into troubled waters, had laid all the blame of what had taken place during the last few months upon that (the Ministerial side) of the House. But that side had not been at all to blame. Surely they were not called upon to accept everything offered to them from the other side. The Government, pledged as they were not to disfranchise totally, could not have supported the proposal of the hon. Member for Montrose (Mr. Baxter), and he wanted to know why the vote on that proposal should not be re-considered? If this were not done he only hoped the Bill would be thrown up or withdrawn; for Scotland could exist very well for another Parliament without these additional Members. Several of the condemned boroughs were in Devonshire, and he protested against the representative power of that county being thus diminished. His own borough, moreover, had once been, and might again be, an important port, and he felt bound to protest against its disfranchisement. If the vote of last Monday were supported he hoped the Government would throw up the Scotch Bill.

Mr. HIBBERT said, he neither voted nor paired the other night, and was not pledged on one side or the other; but he did not feel disposed to establish a principle of rating in Scotland that had been hitherto unknown there. He supported the Government on the ratepaying clauses of the English Bill last year, and was in favour of maintaining it; but he could not admit that by agreeing to a different principle for Scotland, they would necessarily weaken the principle adopted for England. The law and circumstances of the two countries were quite different. It appeared to him that the question at issue was one the solution of which only called for a little practical common sense on both sides of the House. What was the object of the Government? That those who were too poor to pay the rates should not be put on the poor-rate book and be eligible to be placed on the register. That was equally the object of the House. He would suggest an addition to the clause providing that all persons exempted from the payment of poor rates should not be placed on the register. Such a provision would only leave out a small number of persons in Scotland; for he had been told that throughout Scotland the rates were collected within 9 per cent, so that the collectors did not allow many persons to leave their rates unpaid. He trusted that the right hon. Gentleman would accept some such compromise on this question, and he had no doubt that some arrangement satisfactory to both parties might be arrived at.

Sir RAINALD KNIGHTLEY said, he was a Tory country Gentleman, and he hoped he was as independent and as little influenced by personal motives as the right hon. Member for Kilmarnock (Mr. Bouverie). No man felt it more deeply and painfully than himself the existing state of things, and the only consideration that induced him to tolerate it was his hope to put a stop once for all to any further agitation on the question of Reform. Last year the Conservative party had made enormous, and, as he thought, most disastrous sacrifices, and he for one deeply regretted the course taken by the Government. Those sacrifices, however, were made, and the only hope was that they would have a little peace for the time to come. He wished to see the Scotch and Irish Reform Bills settled. Hon. Gentlemen opposite could not settle them—they had tried their hands at Reform for a good many years and failed. He did not say whether those on his or the other side of the House were most to blame for that; his own party had their share of the blame, but not, he maintained, so large a share as hon. Gentleman opposite, because when in opposition they were not so factious. He would tell hon. Members for Scotland, "If you wish to pass a Scotch Reform Bill, and to obtain ten additional Members for Scotland, do not turn out the Government at the present moment." Just let them try what chance they would have of passing such a Bill through the House of Lords with the Conservatives in Opposition. He did not wish to see the Government retain Office longer than to settle the Reform question in Scotland and Ireland. Let the Government pass those two Bills and then let the House turn them out next day if they would.

Mr. KENDALL said, he was in the House on Monday night, and being very suspicious about what was going on he would not go away to dine or pair. What was the state of the House? The hon. Member for Birmingham said that no questions were asked and no objections taken in opposition to the Amendment of the right hon. Gentleman (Mr. Bouverie). The reason was there was no one there to take objections. When he came in he found five Gentlemen on the Treasury Bench, two behind them, and three near him. He also found the hon. Gentleman (Mr. Bright) pressing for a division. [" Oh!"] He heard that hon. Member frequently say "Divide, divide." Although he was getting old he was very quick of hearing and of eye. The hon. Member urged to-night that as the Scotch Members were agreed the English and Irish Members ought also to agree to pass the Amendment. But why should forty or fifty Scotch Members destroy the principle of the Reform Bill for England? It was not a fact, as had been stated by the right hon. Gentleman (Mr. Bouverie), that his Amendment had been fully discussed and duly considered on the Conservative side of the House. No one expected it to come on so early. Many Members were prepared for the Motion of the hon. Member for Montrose (Mr. Baxter), but there was not the slightest expectation of the Motion of the right hon. Member for Kilmarnock coming on. He did hope, notwithstanding the manner in which he had been treated, that the First Lord of the Treasury would give Scotland a further chance, because the vote of Monday night was a catch vote. It was passed in the absence of those who were dining and taking care of themselves. Hon. Gentlemen were too quiet on the other side of the House, and so he stayed there to watch them.

SIR GEORGE BOWYER said, they were constantly hearing hon. Members on that side of the House taunting the Government with more or less bitterness, on the ground that their retention of Office was calculated to bring the House into a humiliating position. But nothing was more calculated to produce that result than language such as had been heard that night from the right hon. Member for Kilmarnock (Mr. Bouverie). What could be more degrading to the House and the country than the constant practice in which some hon. Members indulged of casting the vilest imputations upon Her Majesty's Government—he did not speak of the present Government in particular. If they were to sit there as an assembly of Gentlemen, they ought to give credit to any Government for acting on principles of policy in the performance of what they considered to be their duty to the country. Hon. Gentlemen on that side of the House were always telling them that the sole object of the right hon. Gentleman and his Colleagues was to retain their places; but if the Opposition were always throwing such imputations on the Government, might not the Government retort by pointing to Members who might be very anxious to succeed them, and might they not say that these hon. Gentlemen were hungry for place? But if hon. Members went on making these imputations and foul aspersions, that House could not fail to be degraded in the eyes of the country and in the eyes of the world. Let them give the right hon. Gentlemen who might sit upon the Treasury Bench credit for holding Office with a sincere desire to perform their duties; and even if they did not believe they were actuated by a sense of duty, let them at least have the good manners to suppose they were, and not make these charges, which degraded the House and the whole country in the eyes of Europe. The hon. Member for Birmingham and the right hon. Gentleman (Mr. Bouverie) appeared to suppose that because the Scotch Members were agreed in supporting the Amendment adopted on Monday night the representatives of England and Ireland were practically to abdicate their functions on the question of Parliamentary Reform for Scotland, and leave the matter to be settled by the Scotch Members alone. Any more unconstitutional doctrine he could not imagine, and he was surprised to hear such comments from the hon. Member for Birmingham, who had been for many years a Member of that House, and ought during that time to have learned something about the English Constitution. The question touched the constituencies of the United Kingdom, and of course affected the constituency of England as well as Scotland; and an Instruction had even been moved in Committee upon the Scotch Reform Bill to disfranchise a number of English boroughs. He should have thought such a proceeding most irregular; but the right hon. Gentleman in the Chair ruled that it was a thing that might be done. If it were really within the rules that governed their proceedings it was pushing those rules to an extent bordering upon licence to disfranchise English boroughs upon an Instruction on going into Committee on a Scotch Reform Bill, and thus to repeal an Act of Parliament passed last year after the greatest deliberation and the fullest discussion. That appeared to him, he owned, to be an abuse of the proceedings of Parliament. The other question upon which the Government were placed in a minority was upon the Scotch franchise. Now, if there were to be a simple household franchise without rating for Scotland they would have to apply the same principle to England. He denied most emphatically that the Scotch Members should be left to decide this question upon principles which the other Members of the House thought were not right. He contended that the right hon. Gentleman at the head of the Government had done no more than his duty in affording the House an opportunity of re-considering this subject. He was certainly under the impression that after the decision of the House on the Motion of the hon. Member for Montrose (Mr. Baxter), on Monday evening, the House would not proceed with the consideration of the Scotch Reform Bill in Committee; and he believed that the right hon. Gentleman the Member for South Lancashire was not present during the discussion which ensued. ["No!"] The right hon. Gentleman was absent, at all events, during a portion of the discussion; and the division was a snapped one and was taken under a misapprehension. It was therefore right that they should have a re-consideration of so important a subject. He thought the hon. Member for Birmingham was again exceedingly unfair in saying that the Government called on them to re-consider the decision on the Scotch Reform Bill under the threat of a dissolution. He certainly had heard no threat of the sort, and his belief was that no threat was intended. Any such threat held out to the House of Commons in a case of that kind would be a crime. He believed that the Government were not capable of that crime, and that, whether they were or not, they would not commit it. With regard to the speech of the hon. Gentleman (Mr. Percy Wyndham), who had moved the Adjournment of the House for the purpose of enabling them to enter upon that discussion, he was perfectly at a loss to know what was the object of the hon. Gentleman in making that speech. The hon. Gentleman dealt largely in that species of declamation which he had already deprecated, and which he still most sincerely deprecated. On a question regarding the Scotch Reform Bill the hon. Gentleman had gone into a mere attack of the Government; and he could not but think it would have been better to avoid a discussion which must necessarily be of a personal and offensive character, and which could not conduce in any manner to the decision of the important questions which they had before them. In conclusion, he had spoken as an impartial observer. ["Oh!"] It was not very often that he took part in what might be called party debates in that House, and, he repeated, he had spoken as an impartial observer, uttering freely what he believed it to be his duty to say, as no one else had said it.

Colonel LOYD LINDSAY said, the remarks that had just fallen from the hon. Baronet (Sir George Bowyer) were made in the same spirit in which he himself wished very briefly to address the House; for after the taunts thrown out by the right hon. Member for Kilmarnock against Conservative country Gentlemen he could not allow his speech to remain wholly unanswered. The right hon. Gentleman said he was astonished that country Gentlemen on that side could continue to support a Government which was conducting public affairs in the more than questionable manner he had described. For his own part he (Colonel Lindsay) was astonished that a country Gentleman could impute such mean and paltry motives to any body of Gentlemen who were endeavouring to serve Her Majesty and the country. His own feeling was that Her Majesty's Ministers were, under great difficulties, fulfilling a most important duty at great personal sacrifices to themselves. [*Laughter.*] It might cause a laugh to some hon. Gentlemen opposite that the Members of a Government should be supposed capable of doing their duty to their Sovereign and their country at some sacrifice of their own feelings; but he was sure that many hon. Gentlemen who sat on the Opposition Benches must be perfectly ashamed of the manner in which not only in that House, but constantly in private on all occasions, the most mean and paltry motives were attributed to the Government for remaining in Office. He regretted exceedingly that a speech of that character had been made that evening from that (the Ministerial) side of the House. Such an attack as that which the hon. Member for Cumberland (Mr. Percy Wyndham) had directed against those by whose side he sat and to whose party he professed to belong ought not to be made in the hasty and precipitate manner they had just witnessed. If an Independent Member below the Gangway might give advice to the Government as to how long they were to continue in Office and what course they ought to pursue, he hoped that one Independent Member might give advice to another; and availing himself of that privilege he would ask the hon. Member for Cumberland to listen to a few words taken from a well-known classic author. The *Spectator*, describing the establishment of Sir Roger de Coverley in the country, and speaking of Sir Roger's pack of hounds, said—

> "I was at the same time delighted in observing that deference which the rest of the pack paid to each particular hound, according to the character he had acquired among them. If they were at fault and an old hound of reputation opened but once, he was immediately followed by the whole cry; while a raw dog might have yelped his heart out without being taken notice of."

He trusted that Her Majesty's Government might continue to carry the very important measures they had in hand, which everyone knew they were endeavouring under a conscientious sense of duty to bring to a satisfactory issue. Let those measures be carried, and he was convinced that nothing would induce the Government to remain in the very unpleasant position they now occupied.

SIR HARRY VERNEY said, the hon. and gallant Member who had just addressed the House had not dealt with the real difficulty of the present circumstances. He charged the Opposition with imputing unworthy motives to Her Majesty's Government; but the main point to be dealt with was whether the Conservative Members themselves did not disapprove the course pursued by the Government. The statement he ought to have grappled with was what they had heard from the hon. Member for Northamptonshire (Sir Rainald Knightley), who said that the Government had carried measures which were disastrous and fatal, and that the great body of the Conservative party so regarded them. That was the light in which they were viewed by the men whom he had been accustomed to look upon as the chief Gentlemen of England. The hon. Baronet the Member for Northamptonshire said that his party had supported measures which they themselves believed to be disastrous. ["No!"] Aye, but they did, though. The hon. and gallant Gentleman (Colonel Loyd Lindsay) charged the Opposition with imputing motives to, and speaking harshly of, their opponents; but he must say, as one of the oldest Members of the House, that he had never heard anything spoken there against hon. Gentlemen opposite which was nearly so violent or so strong as the language used by one of their own most respected Members. The right hon. and gallant Member for Huntingdon (General Peel) had told them the Treasury Bench ought to be sent to the British Museum as a curiosity, as the Bench for the honour of sitting on which right hon. Gentlemen were willing to sacrifice all other honour. For himself, as a Whig country Gentleman, he said there were things far more important than the transfer of any party from one side of the House to the other; and among those things were the honour of Parliament, political honour and consistency, and the respect which the country should entertain for its representatives. An injury had been done to the character of Parliament. That was what he imputed to hon. Gentlemen opposite, and not any base personal motives, of which he knew nothing. On the contrary, such were the labours undergone by Ministers, who were also Members of that House, and so great the pecuniary sacrifices, by relinquishing profitable professions and business, that he felt that the country was hardly aware how much was owing to those who transacted the business of the State.

MR. GATHORNE HARDY: Sir, I shall contribute but very slightly to what I may call the personal and almost offensive character of the greater portion of this debate; for I think I shall best consult the dignity of the Ministry itself and that of the House if I abstain from noticing many of the remarks which have been made; and certainly I should be doing wrong to my own feelings were I to attempt to retaliate. But when the hon. Baronet the Member for Buckingham (Sir Harry Verney) stands up and tells us that he imputes to the great body of Gentlemen sitting on this side the House not personal but political dishonesty, and professes, as others have done, that he represents the majority of this House, I must tell him that both he and they are grossly neglecting their duty if, believing what they state, they do not take immediate steps to put an end to an exhibition which they tell us is a disgrace to the country and to the Parliament in which they sit. For such a proceeding I long. When the time shall come to vindicate my personal or political honour, I shall not be wanting, at least, in my efforts to do so. Passing to the subject more immediately under our consideration, I proceed to notice an observation which has fallen from the right hon. Member for Kilmarnock. He states that there was no reason for saying that the division of the other night was sudden and unexpected. Let me speak for myself. There is no question on which I have taken greater interest than that rating and the personal payment of rates should be the foundation of the Parliamentary franchise; but after the division on the Motion of the hon. Member for Montrose, understanding that further progress with the consideration of the Scotch Reform Bill in Committee would not be pressed that night, I left the House, and only returned—and returned by mere accident—at the last moment, before the division on the Amendment of the right hon. Member for Kilmarnock. I understand that those who represented the party opposite stated to many Friends on the Ministerial side of the House that there was to be no further progress with the Scotch Reform Bill that night, and the consequence was that many Members who would otherwise have remained in the House were absent from the division. I say this in my own vindication, because it would have been my duty to remain on this (the Treasury) Bench if I had thought that the Scotch Reform Bill would have been proceeded with. No imputation can be made against the right hon. Member for Kilmarnock (Mr. Bouverie) on the score of not having given full Notice of his Amendment; for, as he has himself said, he gave Notice of the Motion some time ago, and it was on the Paper for the Business of that night; but, believing that the House would resume immediately after resolving into Committee, I certainly was surprised, when I came back to the House, to find that, instead of Supply being proceeded with, the Scotch Reform Bill was being considered in Committee. I have only one word to say to my hon. Friend (Mr. Percy Wyndham) who introduced the present discussion. I am very far from thinking, like the hon. and gallant Member behind me (Colonel Loyd Lindsay), that the speech of my hon. Friend the Member for Cumberland was unprepared; for, in fact, it was prepared, but for a totally different state of things from that which has actually occurred. In the first place, my hon. Friend does not appear to have read accurately the Reform Bill of last year; for he imagines that the Commission appointed to inquire into the question of Boundaries was a Royal Commission, whereas it was a Parliamentary Commission. Therefore, to say that Parliament might deal with the question of Boundaries as it thinks proper was not such an extravagant assertion as my hon. Friend supposes. In the next place, my hon. Friend attacked the Government for abandoning the principle of rating, although my right hon. Friend (Mr. Disraeli) had just given Notice that, so far from abandoning the principle of rating, we proposed to ask the House to re-consider its former decision. It was further stated that threats have been held out to the House by the Government as to what would follow in certain contingencies; whereas the only observations on that point were made by my hon. Friend himself, who said that we ought to have told the House what we intended to do with Parliament in case we should be unable to carry our proposal. I state this for the purpose of showing that the hon. Member has no foundation for the attack he has made upon the Government. I say again that we are prepared at any moment to meet the charges brought forward in this desultory manner, if they are submitted to the House in such a shape that we can fairly deal with them. That is what we desire. I do not know that there is any Gentleman on this Bench who would not say that we have painful and difficult duties to discharge, or who would not acknowledge that from day to day and from hour to hour our difficulties are increasing; but at the same time we may entertain a sense of duty which prevents us from ignoring the obligations which we owe to ourselves, to our Friends, to this House, and to the country at large. For myself, I defy any Gentleman to say that we have done anything inconsistent at least with personal honour; and if any one wishes to impute to us political dishonour, the way to bring that accusation to a test is to submit a distinct Motion to this House.

MR. OSBORNE: We are again engaged in personal discussion, and we know that nothing so delights the House as baiting a Minister. But, in my mind, this proceeding has gone a little to far; and I think that those hon. Gentlemen who talk so loudly of the honour of Parliament would best consult that honour by not indulging so much in these miserable discussions, which can lead to no practical result. I for one, have no political sympathy with the right hon. Gentlemen who sit on the opposite Benches; but to them I impute no dishonest or dishonourable motives. I have still less sympathy with the hon. Baronet and Tory country Gentleman, the Member for Dundalk (Sir George Bowyer) who defends the Ministers on every possible occasion. But this I will say—that neither as a Whig country Gentleman nor as a Tory country Gentleman, but as a sort of nondescript country Gentleman—that if I thought, as the right hon. Member for Kilmarnock thinks, I would not be satisfied with making speeches of the kind he has made, but I would test the opinion of this House by a Vote of Want of Confidence. I say, moreover, as a Member of the Opposition who wishes to transplant the Gentlemen opposite to the more congenial atmosphere of this side of the House, that, whatever steps I might take on that point, I would not be content to come down here night after night interfering with the Public Business; but I would come forward either to support the Motion of the hon. and learned Serjeant the Member for Sligo (Mr. Serjeant Armstrong), or to anticipate that Motion, and ask the House to declare whether, in its opinion, the Gentlemen on the Treasury Bench are or are not deserving of the confidence of the House. What is the position we are placing ourselves in? Night after night we move adjournments, we take every opportunity of scandalizing the Ministers, and imputing the basest motives to them; but we are positively afraid to say that we have no confidence in them. I say that I have myself no confidence in their discretion; but I do not impute these unworthy motives to them. [Mr. BOUVERIE: Neither do I.] Well, certainly, if you love them your brotherly affection is expressed in a most extraordinary manner. All I say is, Don't love me after the same fashion. I pray the House to consider one thing. The representative institutions in this country are going rather to a discount. The people out of this House view our proceedings with some distrust. There is but one Parliamentary way of expressing want of confidence in a Ministry, and I say that we are bound to adopt that mode if we think the Ministry do not deserve our confidence. I am not going to give any pledge to the hon. and learned Member for Sligo (Mr. Serjeant Armstrong) as to the course which I may pursue in reference to his Motion. I certainly will not move a Vote of Want of Confidence myself; and I think that if other Members are wise they will not move it. I will tell you why. [An Hon. MEMBER: Because they cannot carry it.] That I know nothing about; and I leave it to those older hounds who can yelp for the pack. But we all know that this Parliament is coming to a rapid end. We are all agreed that it ought to be brought to a rapid end. Let the Government push the Scotch and Irish Reform Bills. They do not lie upon a bed of roses. It cannot be agreeable to any men to hear what is said of them in this House night after night, and not be able to notice it elsewhere. I say that the sensible course for Parliament to pursue is to pass the Scotch and Irish Reform Bills in the best way we can, and to get rid of these miserable discussions and this still more miserable House. If you are not prepared to do that, then come forward with a Vote of Want of Confidence; and if that Motion is brought forward, it will be met, if not by discussion, at least it will be met in such a way as the character of the Ministry justly entitles the House to give them credit for.

MR. MONCREIFF said, he wished to ask the right hon. Gentleman at the head of the Ministry if he would put upon the Paper any alterations which he might intend to make in the Scotch Reform Bill, in addition to those of which he had given Notice? It was absolutely necessary that hon. Members should know whether those words are to stand by themselves, or whether they were to be accompanied by any other alterations. He must, however, say one word with reference to what had fallen from the right hon. Gentleman the Secretary of State for the Home Department. He said that he was taken by surprise the other evening—that he understood it was not intended to go into Committee on the Scotch Reform Bill on that night. If that was really the case, he must say that the Scotch Members had the greatest reason to complain. They appealed night after night to allow these Scotch and Irish Bills to go through, and they were told by the Government night after night that their only desire was to wind up the Session at the earliest period, and that the Scotch Reform Bill should stand for a day on which it should really be taken up. On Monday night, the right hon. Gentleman placed the Boundaries Bill before the Scotch Reform Bill; and now it appeared that, after a division upon my hon. Friend's the Member for Montrose Motion, he did not intend to go on with the Scotch Reform Bill—for what reasons and with what view he was entirely unaware. And then, when they agreed to a Resolution respecting a matter relating to Scotland, they were suddenly thrown into a Ministerial crisis. If they were to have a Ministerial crisis on every clause of this Scotch Reform Bill, there were a good many Amendments on the Paper, they would therefore have plenty of them. They did not desire to embarrass the Government by these Amendments. They related to matters of Scotch detail. This matter about the rating was not intended to defeat the Ministers, but to apply to Scotland the principle upon which a Reform Bill could work in that country; and he did not think it reasonable that when the House came to a decision upon such a point, they were to have a Government crisis thrown in their face.

MR. SCOURFIELD wished to explain the vote he had give the other night on the Motion of the hon. Member for Montrose. He voted in the minority against that Motion, and if that had been negatived, he should also have voted against the proposal of the hon. Baronet the Member for Northamptonshire. He quite agreed with the hon. Baronet the Member for Dundalk (Sir George Bowyer), that it was rather straining the rules of the House by an Instruction to the Committee on a Scotch Bill to give power to disfranchise English boroughs. He did not think Scotland stood in need of any additional Members. Instead of ten more, he rather thought if she had ten less, considering the sagacity and organization of the Scotch Members, they would be quite able to hold their own both as against England and Ireland.

Motion, by leave, *withdrawn.*

IRELAND—ARBOUR HILL GARRISON CHAPEL.—QUESTION.

Mr. POLLARD-URQUHART said, he would beg to ask the Secretary of State for War, Whether it is true that an order has been given for the discontinuance of Presbyterian Service in the Arbour Hill Garrison Chapel in Dublin, where it has been held for the last eighteen years, and for the future celebration of the same in a school-house?

Sir JOHN PAKINGTON, in reply, said, it was quite true that the order in question had been given. The Chapel had originally been consecrated as a place of worship in connection with the Church of England, and it was illegal that it should be used for worship by any other denomination. The illegality had not been noticed till a short time since, when the Archbishop of Dublin wrote a letter on the subject; and, in consequence, the order in question had been given, which, if this proceeding has caused any pain, he, for one, deeply regretted.

NAVY—THE "GLATTON" AND "HOTSPUR."—QUESTION.

Captain MACKINNON said, he would beg to ask the First Lord of the Admiralty, If it is true that a vessel of only 2,700 tons, the *Glutton,* can be built to carry two twenty-five ton guns, with from twelve to fourteen inches of armour, to be available for the Mediterranean or wherever required, of what use would any of our four, five, or six thousand ton broadside ships be against her, with their eight and nine-inch armour, except to run away; why should the *Glutton* turret ship have only nine, knots speed when the *Hotspur* ram, of less tonnage, was to have twelve knots; has Captain Coles been consulted or allowed to see the drawings of the turret ships proposed and those now building for our Colonies; and why should not the turret-ship *Glutton* be a ram as well as the *Hotspur*?

Mr. CORRY said, in reply, that he might venture to avail himself of this opportunity to make an explanation with reference to the name of one of the vessels which, as it stood in the Question of the hon. and gallant Member, was not very creditable to the good taste of the Admiralty in naval nomenclature. They might hope that if the ship in question should ever be engaged with an enemy she would prove a "Glutton" in the metaphorical sense of the word; but, in fact, her name was not the *Glutton,* but the *Glatton,* and she was so called after a vessel which, towards the end of the last century, succeeded in beating off a French squadron by which she had been attacked mainly in consequence of the large calibre of her guns. He could not very well answer the points of the hon. and gallant Member's Question without making a speech. He would, therefore, only observe that vessels intended for defensive purposes were built on principles which were wholly inapplicable to vessels intended as sea-going ships capable of keeping at sea in all weathers. He was quite certain the Controller of the Navy would be very grateful to the hon. and gallant Member if he could show him how sea-going ships of reasonable size, and combining all the necessary qualities, could be plated with 14 inches of iron. The drawings of the proposed turret ship were in a forward state, and would be referred to Captain Cowper Coles, so far as related to the turret itself, and the arrangements in connection with it.

COMMERCIAL TREATY WITH AUSTRIA.

QUESTION.

Mr. W. E. FORSTER said, he would beg to ask the Secretary of State for Foreign Affairs, When the new Tariff will come into operation, which, in the Commercial Treaty between this Country and Austria, was fixed to take date on the 1st January 1867; and especially, whether it will come into operation simultaneously with the new Tariff fixed in the Commercial Treaty between Austria and the Zollverein—namely, on the 1st June of this year?

Lord STANLEY said, he regretted to state that the negotiations on this subject had not yet been brought to a final conclusion. The Government were fully alive to the importance of the subject, which continued to occupy their attention. On two occasions there had been a temporary suspension of the negotiations at the urgent request of the Austrian Government, in consideration of the many internal difficulties in which that country was involved, and also in consideration of the sincere desire which it was believed Baron Beust entertained to fulfil the intentions his Government had expressed towards this country. The new Tariff, therefore, could not come into operation upon the 1st of June; but he hoped before long to be able to give the hon. Gentleman and the House more ample and satisfactory information on the subject than he could do at present. Under what was commonly known as the Favoured Nation Clause, England would derive the benefit of a considerable reduction of duties in the new tariff fixed in the commercial treaty between Austria and the Zollverein.

Mr. W. E. FORSTER: Is it a correct supposition that the Treaty between Austria and the Zollverein is fixed to come into operation on the 1st June?

Lord STANLEY: I am not informed.

DESIGNS FOR THE COURTS OF JUSTICE.

QUESTION.

Mr. PEASE said, he wished to ask the Secretary to the Treasury, Whether the opinion of Her Majesty's Attorney General has been received on the legality of the award of the Judges of Designs for the Law Courts; and what is the nature of that opinion, if delivered to the Treasury?

Mr. SCLATER-BOOTH said, in reply, that the opinion of the Attorney General on the legality of the award of the Judges of Designs for the new Law Courts had been received and considered. The Government were of opinion that they might submit to the House any proposition they might think proper upon the subject, and they would consider what that proposition should be.

ELECTRIC TELEGRAPHS BILL.

QUESTION.

Mr. GRAVES said, he would beg to ask Mr. Chancellor of the Exchequer, If it is his intention to proceed with the Electric Telegraphs Bill this Session?

The CHANCELLOR of the EXCHEQUER, in reply, said, he wished to proceed with the Telegraphs Bill this Session, and he felt that commercial gentlemen were extremely desirous to see that Bill passed. He also believed that the House would be glad to have the opportunity of passing it; but the only chance of being able to do so would be to have a Morning Sitting; and if the House would assent to that he would endeavour to make arrangements for the purpose.

ARMY—DEFECTIVE AMMUNITION.

QUESTION.

Mr. HERBERT said, he would beg to ask the Secretary of State for War, Whether it is the case that the Brigade of Guards have very lately been obliged to abandon the usual annual rifle practice at Aldershot on account of some serious defects in the ammunition, which it is said caused some of the rifles to burst and others to be so damaged as to be useless; and whether he will state to the House the cause of such serious defects; whether any casualties happened to the men on account of them; how many rifles were damaged; and what steps will be taken to remedy these evils for the future?

Sir JOHN PAKINGTON, in reply, said, it was true that the usual annual rifle practice of the Brigade of Guards at Aldershot had been interrupted in consequence of five accidents that occurred to the rifles. He believed that that practice was going to be immediately resumed; but he was not prepared to admit that the accidents were caused by any serious defects in the ammunition. One barrel burst, and the other four guns were slightly damaged. The authorities had endeavoured to trace the cause; and certainly in one case, and he believed in more, the cause was the accidental use of cartridges invented when the Snider was first adopted, but which were condemned as defective. At the same time, in one of the five cases it was proved that one of the cartridges now in use was defective, and in consequence 7,000 cartridges were sent down for immediate trial, one in ten being opened and closely examined. From the result of the trial he was disposed to believe that the accidents must be rather classed among those casualties which from time to time would happen in the use of fire-arms. An inquiry was now being prosecuted with the view of ascertaining whether any improvement could be made in the general construction of the cartridge, and he could assure the House that no pains would be spared to make the cartridges supplied to the army as safe and as useful as possible. One of the men was slightly hurt, but no serious casualty occurred.

UNITED STATES IRON-CLADS.

QUESTION.

Lord JOHN HAY said, he would beg to ask the Secretary of State for Foreign Affairs, Whether the attention of Government has been called to the reported sale of Iron-clads by the Government of the United States to South American Governments who are now in a state of war; if this be true, whether such an act is consistent with the principles of neutrality laid down by this Country and by the United States; and, whether he will lay upon the Table of the House any Papers connected with the reported sale of such vessels?

Lord STANLEY said, in reply, that he had received no official information respecting the alleged sale of Iron-clads by the United States' Government to the South American Governments, and therefore he was not in a position to express any opinion upon the subject.

IRELAND—BIBLE DEPOT AT QUEENSTOWN.—QUESTION.

Mr. LONG said, he wished to ask the Chief Secretary for Ireland, Whether his attention has been drawn to the following statement of facts—namely, that a clergyman of the United Church of England and Ireland, the Rev. M. A. C. Collis, has been threatened with assassination by a person styling himself "a good Catholic," unless he, Dr. Collis, would undertake to close the Bible Depôt at Queenstown within four days; whether the above statement is correct; and, if so, whether the Government have deemed it their duty to take any steps to discover and to prosecute the person who subscribed the above-mentioned document?

Sir John Pakington

The Earl of MAYO, in reply, said, the constabulary of Queenstown had reported some days ago that on the 13th of this month the Rev. Dr. Collis, of Queenstown, had received a letter of the character referred to by the hon. Member. The constabulary were using every endeavour to discover the writer of that letter, and he hoped their exertions would be successful.

THE ASSISTANT JUDGE OF SIERRA LEONE.—QUESTION.

Mr. H. B. SHERIDAN said, he wished to ask the Under Secretary for State for the Colonies, Whether Mr. Horatio Huggins, recently appointed to the office of Assistant Judge in the Colony of Sierra Leone, has ever been called to the English Bar, and whether he is the same person whose judgments while sitting as sole Judge in the Supreme Court at Sierra Leone were brought under the notice of the House last Session; And whether the Colonial Office has received a Communication from Mr. Rainy, a properly qualified advocate practising at the Bar of that Country, setting forth further facts having reference to that gentleman, and demanding an inquiry?

Mr. ADDERLEY said, in reply, that the hon. Member for Dudley had four or five times placed Questions of a character similar to that which he now asked upon the Notice Paper, without coming down to the House to enable a reply to be given to them. He thought that this was scarcely the right course for any hon. Member to take. In reply to the first Question of the hon. Member he had to state that Mr. Horatio Huggins had been called to the English Bar, though the Question seemed to imply that he had not been called to that Bar, and was therefore not a fit person to fill the position to which he had been appointed. In answer to the second Question he had to state that Mr. Huggins' judgments had been noticed in that House last year, and that the allegations made against them had been proved to be unfounded; and in answer to the third Question he had to state that communications had been received from Mr. Rainy, whose statements had been inquired into and found to be inaccurate.

Mr. H. B. SHERIDAN said, he wished to say that this was the first time this Question had been put upon the Paper.

Mr. ADDERLEY: I said Questions with respect to West African appointments.

MR. H. B. SHERIDAN said, he had put the Question on the Paper in the exercise of the ordinary privilege of a Member of that House, and he regretted that the Under Secretary had not confined himself to answering it. He should certainly take an early opportunity of bringing the whole subject with reference to these appointments before the House.

IRELAND—THE IRISH CHURCH.

QUESTION.

MR. MACEVOY said, he would beg to ask the right hon. Gentleman the Member for South Lancashire, Whether, in the event of Parliament being dissolved, and an appeal made to the present Constituencies, he would in the new Parliament propose the disestablishment of the Irish Church, and the settlement of that question?

MR. GLADSTONE: Sir, I am rather unfortunate in being the object during the present Session of several Questions which raise very great scruple in my mind as to how far I am conforming to the general practice and rules of the House in replying. My own opinion is that it would not be consistent with Parliamentary decorum for any Member of this House to state what course he would take in a future Parliament, and I am absolutely precluded from so doing. I will only, therefore, say in general, by way of reply to the hon. Gentleman, that my intention is, in any situation or circumstances in which I may be placed, to adopt any and every measure of a legitimate character which may appear calculated to forward the great purpose which I have taken in hand with respect to the disestablishment of the Irish Church.

ELECTION PETITIONS AND CORRUPT PRACTICES AT ELECTIONS (*re-committed*) BILL—[BILL 63.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Gathorne Hardy, Sir Stafford Northcote.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short Title of Act).

MR. DENMAN said, he understood that the principle of the Bill as it now stood which had hitherto not been considered, would be discussed at the present stage, and he proposed therefore to state his opinions with regard to it.

MR. DODSON reminded the hon. Member that they were not discussing the Preamble, and that he must confine his observations to the clause under consideration.

MR. DENMAN said, that to enable himself to discuss the whole measure he would conclude with a Motion—That the Chairman report Progress. He did not blame the Government for desiring to proceed with all reasonable expedition with this measure, which they had put forward as one of great importance, in view of an election by the new constituencies; but Members must be careful not to take any foolish or false step in the matter. The question whether the House should or should not part with its jurisdiction in these cases had not been adequately discussed, and those who were best acquainted with the proceedings of the present tribunals for the trial of Election Petitions—namely, the lawyers who practised before those tribunals, were unanimously of opinion that the existing system had many advantages, and was not open to any of the objections that had been raised against it. This Bill provided machinery which was not adequate to meet the difficulties of the case, and contained many provisions which he could not but regard as objectionable. He should support the clauses by which the provisions against bribery and corruption were made more stringent; but would leave the Committees as they are, so far as numbers are concerned. He would, however, appoint honorary Justices to preside over the investigations. After a General Election he would appoint coadjutors to the honorary Justices, to assist them in disposing of the increase of business that would result from it. He proposed to substitute for the proposal on that point in the Bill a provision enabling the honorary Justices and the Speaker of the House of Commons to appoint qualified barristers of a certain standing to assist them in the discharge of their duties and accordingly act as honorary Justices. They, like the honorary Justices, would be responsible for the law laid down, and the Committee, still consisting of five members, would decide all questions of fact. In a pamphlet published by Mr. Pickering, very much of what he (Mr. Denman) now proposed was embodied. Instead of a majority of Members, as at present, deciding a question, the jury should be unanimous, and the effect would be that the men engaged in the inquiry would feel a greater sense of responsibility than they do now. There would always be uncrupulous persons in a borough who would have an interest in getting up a local inquiry after an election, and who, by procuring such an inquiry, would have it in their power to ruin any man who had been returned, however fairly. Therefore, instead of putting it in the power of any man belonging to the place to have such an inquiry, he should propose to give the tribunal power to adjourn to the place when this step seemed to be requisite. This would be a useful and constitutional power; anything further would be oppressive and injurious. He could not help thinking it would be far better that the Government should let the question alone, so far as concerned the tribunal itself, during the present Session, confining themselves to stringent and severe enactments against the offence itself. He did not say this to damp the aspirations of the Government on the path of Reform, but he did not see what *éclat* they could expect to gain out of the subject during the present Session. He believed the Judges were not consulted until a very few days before their opinions were announced. He submitted there was ample ground for referring the subject to a new Committee, and would suggest that, in the first instance, all clauses relating to the Committees should be postponed. In that way, they might have a chance of legislating so as to do some good service in the matter; but if they were got into the maze of questions in connection with the tribunal, it would be equivalent to throwing overboard this question altogether for the Session, and there would be no chance of making any real progress. He begged to move that the Chairman report Progress.

Sir GEORGE BOWYER concurred in much that had fallen from his hon. and learned Friend (Mr. Denman). The present mode of treating Election Petitions was not satisfactory; but it was not so unsatisfactory as to induce them to make a change in the existing state of things unless they could get something almost perfect, so far as Legislation could be perfect. The Bill before the Committee certainly did not answer that expectation. He objected *in toto* to a single Judge being the tribunal to decide questions of contested elections. It was far worse than the present system, under which they were determined by a Committee of five Members. Another objection to the appointment of these honorary Judges was that at one time they would be overworked, and at another would hold mere sinecures. It was proposed that they should have other Judges to assist them when they were overworked; but the Judges had already said they did not wish to have anything to do with the matter. No doubt the Judges would have to discharge whatever duties Parliament might cast upon them; but it would not be desirable to compel such high functionaries to do what they did not like. It was utterly absurd to suppose that two Judges would be sufficient to decide all the Election Petitions which would arise after a General Election. They would receive £5,000 a year, and yet have nothing to do during a greater portion of the year. Their law and judicial capacity would get rusty from want of employment. It was suggested that they might sit in the Exchequer Chamber; but he believed that Court was adequate to its duties. If, however, they appointed them Judges of the Exchequer Chamber merely to fill up their time, they would be inferior in point of weight to the other Judges; and if the decision of a case turned upon their judgment, neither the profession nor the public would be satisfied. Then it was proposed to make them also members of the Judicial Committee of Privy Council. That, again, was a mistake, because very few questions of Common Law came before it; and if it required strengthening, that should not be done by the addition of Common Law Judges. These objections, he thought, ought to be fatal to the Bill. A more reasonable solution of the matter would be by moving after a General Election an Address to the Crown for the appointment of Commissioners to decide these questions, care being taken that those Commissioners were properly qualified persons. Let them sit in Courts comprised of three members, and let them be adequately paid for the work they had to perform. This would be much better than the appointment of Judges who at some times would have more to do than they could possibly perform; and at other times would have nothing at all. Although the present practice was not perfect, it was not so bad as to justify a measure like this.

Mr. LAWSON objected to the Bill on the ground that it applied solely to England. The three parts of the United Kingdom were under the same law, and it was a bad precedent to have separate legislation in matters common to the three countries. He believed it was intended to introduce a similar Bill for Ireland and Scotland; but as regarded Ireland he thought that the nomination by the Government of the day of two Judges in that country to try Election Petitions would not provide a tribunal satisfactory to any of the parties concerned. As long as the Bill remained in its present state he must give it his strenuous opposition.

MR. SERJEANT GASELEE said, he had strongly approved the Bill in its original shape; but the Government, in deference to the Judges, had left out their only valuable proposal, and now, bad—dreadfully bad—as was the jurisdiction of the House in reference to Election Petitions, he preferred to keep it as it was rather than to make the change now suggested. In his opinion the reasons given by the Judges for not taking upon themselves the proposed duty were insufficient; but he thought they ought not to give the Government power to select the particular Judges for that duty, but should allow them to be appointed by ballot from the whole body of the Judges. The power of oppointing Judges Privy Councillors was objectionable. About thirty years ago there was a practice of making some Judges Privy Councillors, and he recollected that it created much jealousy among the Judges, and gave rise to the greatest possible dissatisfaction. Judges who had influence were made Privy Councillors, while those who were honest and had no influence did not attain to that distinction. He was not prepared to vote for a Bill taking away the jurisdiction of the House unless it was given entirely to the Judges. He also thought there should be one Bill for the entire kingdom. He believed the majority of the legal Members of the House were of opinion that additional Judges were not wanted, except for the circuits; but this Bill expressly provided that the two new Judges who were to be appointed under it should not go on circuit. As it was notorious that learned gentlemen who knew but very little law were sometimes appointed Judges, such persons might be appointed by the Government under this Bill; and as they would not be in close communication with the other Judges, they would forget what little law they knew. He objected to giving more patronage to a feeble Government, who ought to confine themselves to passing the Scotch and Irish Reform Bills, dissolving Parliament, sending in their own resignation, and then returning thanks for having enjoyed Office so long. With regard to Election Committees, when they learnt who the Chairman in any case was, they knew the result. ["No, no!"] There might be exceptions, but that was the general rule. ["No, no!"] Her Majesty's Ministers could not carry anything without the support of the Opposition, and with such a weak Government, and in an expiring Parliament, which had been rightly condemned, he thought they ought to do nothing but what was absolutely necessary, and leave such measures as this for another Parliament to deal with.

SIR ROBERT COLLIER said, he concurred with the hon. and learned Serjeant that the Government ought not to undertake any legislation that was not necessary; but he could not conceive any subject that more required legislation than the subject of the present Bill, and he should therefore give it his support. He certainly did not suppose any Government was capable of selecting two Judges, as the learned Serjeant insinuated, solely for the purpose of deciding Election Petitions in a manner which might be convenient. [Mr. Serjeant GASELEE: I neither said that nor insinuated it.] That was the impression produced on his mind, but he was glad he had misunderstood the hon. and learned Serjeant. He believed the present or any other Government would select the Judges whom they *bonâ fide* thought best qualified for the duty; neither could he concur with the hon. and learned Serjeant that the Judges had not too much to do. Sometimes they were very much overworked. Almost everyone was agreed that the jurisdiction on Election Petitions was not satisfactorily exercised by the Committees of that House. All the Amendments on the Paper pointed to that conclusion. In fact, a Committee of the House of Commons could not be a satisfactory tribunal in these cases for several reasons. First, it could not hold inquiries on the spot. Next, it could only hold them while Parliament was sitting; and a third and most important reason was that it was not so constituted as to be qualified to decide the intricate questions arising in election cases. The unanimous judgment of the Committee was that, if they parted with their jurisdiction, it should be transferred to the highest tribunal. He confessed he preferred the recommendation of the Committee that the jurisdiction should be given to the whole body of the Judges, and that, if necessary, some additions should be made to the Bench. As the Government had not adhered to their original proposal, they had, in his opinion, suggested the best alternative. In the present plan, the highest tribunal was still retained; for it must be assumed that the two Judges selected would be rather above, and certainly not below, the average of the Bench. Such a tribunal would, in all probability, get through the work in about half the time required by a Committee of that House, while the circumstance of their conducting inquiries on the spot, would enable them to form their decision with a promptitude unknown to the tribunals upstairs. The only real objection urged against the scheme was removed by the clause which provided that the two Judges might be assisted by others when the amount of business was unusually large. Under the proposed scheme, inquiries into Election Petitions would be increased in efficiency and decreased in cost. The public, he felt sure, would repose the greatest confidence in the Judges, and, on the whole, he was of opinion that this was the best arrangement which could be adopted. He did not think that there was any necessity for including the legislation intended for Ireland and Scotland in the present Bill; but at the same time he hoped that the Law relating to Corrupt Practices in those countries would as speedily as possible be assimilated with that of England.

Sir STAFFORD NORTHCOTE: I will remind the Committee of the position in which we stand in relation to the subject, which is confessedly one of great importance, and one which touches the privileges and the honour of this House. I am perfectly satisfied that the Committee is prepared to deal with it in a deliberate, calm, and impartial spirit, and with an anxious desire to sustain the honour and reputation of the House, and its position in the eyes of the country. This question of the purity of elections has been for a long time under the consideration of the House; and for a very long time dissatisfaction has been expressed as to the mode in which the elections for representatives in this House are generally conducted. It needs no words of mine to point out the fact that it is becoming a prevalent opinion that the House of Commons is elected to a large extent by influences such as we are ashamed to own. And, if this opinion be not counteracted, the legitimate and constitutional influence which this House ought to bear in the country will be materially lessened and endangered. Whilst keeping our attention, then, upon this most serious and weighty question, we ought not at the same time to proceed with undue haste or consideration in the steps we may deem it necessary to take to remedy the evils of which we all complain. Notwithstanding all the efforts we have heretofore made to put a stop to corrupt practices, we are forced to admit that we have not as yet succeeded in impressing upon the country a full and undoubted confidence in our having adopted the best and most effective measures for the purpose. This, at least, is certain—we have not as yet succeeded in putting an end to the evils. Whilst the hon. and learned Member for Plymouth (Sir Robert Collier) was speaking in respect to the time which those investigations would take in the hands of the Judges, I was nearly tempted at the moment to add to what the hon. Gentleman was saying, that, if you can have this satisfactory tribunal, not only would those inquiries be disposed of in a much shorter time than they would be before an Election Committee, but the effect of such a tribunal being actually established would be to stop the necessity for many of these Election Petitions. If, I say, you can get a thoroughly satisfactory tribunal, in whom the electors will have the fullest confidence that any corrupt or improper practices would be immediately brought to light, and would be followed by prompt and severe punishment, then I think you will be going a long way towards putting an end to those evils which we all want to extinguish. The hon. and learned Member for Tiverton (Mr. Denman) said that we may set aside all those provisions in regard to the mode of procedure and investigation, and content ourselves with those clauses adding penalties for bribery. Now, I contend that, if you content yourselves with merely imposing penalties for the offences, you will not touch the difficulties of the case. We do not want tremendous penalties. The effect of them might be to render conviction less easy. What we want is to get a system by which detection would be made certain. We want, in fact, to stop those corrupt practices. Her Majesty's Government, in considering the question last year, came to the conclusion that there are one or two weaknesses in our present system of inquiry which it would be desirable to correct. One of those weaknesses was the great evil in our system of hearing petitions. We find the worst cases are constantly hushed up, and never brought into notice, because of the time wasted before the question at issue is brought to a conclusion; and that the agents on both sides agree to get rid of them by pairing off petitions on the one side with those on the other. Then, again, however pure and public-spirited the Members of the Select Committees may be, you cannot have the same certainty as to the mode of proceeding as you would have in a Court of Law; nor can the proceedings before them, reported with "roars of laughter" provoked by the evidence, have the same effect in deterring as they would have if conducted on the spot and in the presence of the guilty parties. Under these circumstances, it is most desirable to establish a system under which those inquiries will be carried on upon the spot at which the occasion for them arose—that they shall be pursued as speedily as possible, so as to arrive at the truth, and to bring home detection, and that they shall be conducted by persons who command the respect and the confidence of the electors themselves. We felt, then, that we were not only asking the House of Commons to deal with questions, the speedy solution of which was necessary for its high character and honour, but we were also asking the House to part with some portion of its privileges properly dear to it—that is, the privilege of determining who are or who are not rightly elected representatives in this House. We all know there have been times in the history of this country when it was a matter of vital importance to the House of Commons to retain in its own hands the right of saying who were or who were not duly returned as its Members. Those were times in which it was worth while for the House of Commons to endure any reproaches as to the method of returning representatives to it rather than part with its privilege of declaring who had or had not been properly returned. Those times have happily gone by, and it is no longer of such vital importance to this House to retain in its own hands the decision upon such questions. The main principle as to the mode in which the representatives shall be elected has been already decided, and has passed into the Constitution of the country. No danger, therefore, now exists of the matter being again called in question. The Government felt, however, that they had to deal with a matter of considerable delicacy in asking the House to part with this privilege. They first introduced the subject in a Bill of a tentative character — a Bill, however, that hardly rose to the level of what was required. If the House assented the Government said that they would go farther in the way of legislation. The result was the appointment of a Select Committee, who examined the subject with great deliberation and at great length last year, though they did not take any evidence. A Bill in which the principle concurred in by that Committee was embodied was subsequently presented to the House, but owing to the lateness of the Session it was found impossible to proceed with it. The Government, however, accepted the Report of that Committee as the decision of the House of Commons, and took it as a conceded point that the House was prepared to surrender this privilege, on the ground that it was to be surrendered to the Judges—the highest legal authorities of the country. Before introducing the present Bill, however, they thought it right to communicate with the Judges upon one simple point—namely, supposing the House of Commons to commit to the Judges the duties prescribed under the measure, what additional assistance would they require? The Judges, however, instead of answering this simple question, raised objections to the whole scheme and altogether declined to undertake these duties. They thus left the Government in a difficulty; and another scheme was proposed which was submitted to the House; but the House upon this intimated that it would not part with its privileges except to the highest authorities. The Government at length devised a plan which they thought would meet all the difficulties of the case. One of the difficulties raised by the Judges was this —that the work under the Bill would come upon them in such floods it would be impossible for them to execute it without interrupting the ordinary business in which they were engaged. The Government proposed that the ordinary strength of the judicial Bench should not be lessened, and that provision should be made by the appointment of special Judges for this particular purpose, whose services should also be available for work which does not usually come before the ordinary Judges—such as appeals before the Judicial Committee of Privy Council. The Government submitted this proposal with a sincere desire to accomplish something that should be satisfactory. And how are we met? The hon. and learned Member for Tiverton (Mr. Denman) moves that you, Sir, shall report Progress, with, I presume, the object of having this question referred again to a Select Committee.

Mr. DENMAN said, his objects were to obtain a general discussion upon the measure, and to have the question referred to another Select Committee.

Sir STAFFORD NORTHCOTE: In regard to the reference of the Bill to another Select Committee, I will venture to say that, if such a proceeding be assented to, we cannot expect the measure to pass this year; and I think that the House cannot appoint a Committee that will carry more weight with it than did the Select Committee of last year. There is very little to be considered by a Select Committee, because this is the Bill of last year, with the exception of the point with reference to the Judges. That point we shall have sooner or later to discuss and decide in this House, and to refer it to a Select Committee would be a wasting of the precious time of this Session. If the House wishes to make real progress with the measure it will be better to withdraw the Motion and at once proceed to discuss the clauses of the Bill. The Bill can be better discussed in Committee of the Whole House than by a Select Committee. I ask the House to examine it calmly and dispassionately, and the only object the Government have in proposing the Bill is to improve the present system of dealing with Election Petitions.

Mr. MELLY thanked Her Majesty's Government most warmly for the Bill, containing clauses providing for an inquiry on the spot, which seemed to him to be the first proposition which had been made at all calculated to go to the root of the evil. Under the new state of things the kind of corruption that was likely to prevail was that of small payments to a great number of persons. A few years ago there had been an example in point; and it had taken the Committee in London no less than twenty-six days, during which they examined no fewer than 326 witnesses, before they were satisfied that there was a clear case. The cost to the prosecutor of that Petition had been no less than £11,000. Surely, therefore, as a matter of saving expense, it was

most desirable that there should be a local inquiry. Then, again, the practice of "squaring" petitions would be put an end to. That was never done on the spot. The parties who had been, as they thought, unfairly defeated, were always exceedingly unwilling to give up the contest; and when petitions were "squared," it was always after they had passed into the hands of London agents. As to the tribunal to be appointed, he should place the fullest confidence in whichever Judges the Government of the day might appoint; for he had always found the strongest political partizans, when appointed to the Bench, keenly alive to the responsibility of their position and the necessity of exercising strict impartiality in every matter which came before them for decision. He would be quite ready to trust his own case, if he were ever unfortunately in that position, even to the warmest partizans of the party to which he was opposed, when once they had assumed the Judicial ermine.

Mr. SCHREIBER said, there were two classes of the Members of that House who might be allowed to feel a natural interest in the Bill before them—those who had sat on Election Committees, and those on whom Election Committees had sat. It was his misfortune—assuredly it was not his fault—to have belonged to the latter; and as the result of his personal experience, amid all the changes and chances of this eventful Session, there was one hope to which he had been constant—namely, that they would pass this Bill, or some equivalent measure, before they were sent to their constituents. He had spoken of his personal experience. It was comparatively recent, it was somewhat costly; it was, therefore, vivid, and it was very much at the service of the Committee. He was sure it would be wrong to say of Election Committees, as at present constituted, that they were not impartial. He was confirmed in his seat by the unanimous decision of a Committee, the majority of which consisted of two Metropolitan Members and a Roman Catholic Gentleman—a tribunal not altogether favourable for one of his opinions; but their decision was unanimous. He could further say that when the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) was in the Chair, the Bar was certainly not stronger than the Bench. But when he had said that he had said all. The process was dilatory, it was costly, and it was totally devoid of all moral effect. Like many other Members of this House, he was elected on the 12th of July 1865, and it was not till May 1866 that he was declared duly qualified to sit. During all that time, he had been walking about with this drawn sword of Damocles suspended over his head; but all the same he had been taking part in the critical divisions of the time; and, if his memory did not deceive him, he had made a speech. All this, of course, was wrong, if he was not duly qualified to sit. Under this Bill they would, at least, have had a prompt decision on that point. But the existing system was not only dilatory, it was also costly. No sooner was a Petition presented than the principal witnesses on both sides became possessed with a sudden desire to go abroad. They did so at the respective cost of the petitioner and the sitting Member; while there, they developed the most unexpected and expensive tastes, to the great inconvenience of their families on their return. The next result of these proceedings was, that a seat was defended before an Election Committee, at the cost of some £500 a day; and he had six days of it. And then the process, after all, had no moral effect. The Committee were regarded by the witnesses as men of like passions with themselves; and the whole thing was treated as a joke. What he wanted was, to hear a convicted briber addressed by a Judge of the land as he would address a convicted pickpocket. But, when all this had been done, he would not have the House deceive itself—it would have done nothing until it had grappled with the evils of bribery at municipal elections. The Bill of last Session established an identity of Parliamentary and municipal franchise; and he said that while corruption was constant, annual, flagrant at the municipal elections, it was a mockery and a farce to send down Parliamentary candidates and tell them to hold pure elections. If hon. Members were in earnest in this matter, let them speak out. So far as his own borough was concerned, he had no hesitation in saying that votes at the municipal elections were now openly bought and sold for beer tickets. And then the hon. Member for Birmingham told them that the extension of the franchise was to be the remedy for corruption. He was sorry not to see the hon. Member in his place; but he must take leave to say that that remark displayed a wonderful want of acquaintance with the real nature of things—especially of electioneering things. Whether there would or would not be bribery depended on whether there was or was not a balance of party which made it worth while to contest the municipal elections. So surely as these were contested corruption would come in; and with a reduction of the franchise they would only extend the area of corruption. These were the few remarks which he had to offer to the Committee; and before he sat down he would repeat the expression of his earnest hope that they would pass this Bill; and that, when it passed, it would contain some provision against the flagrant evil of corruptions at municipal elections.

MR. AYRTON said, the hon. Member (Mr. Schreiber) seemed to think that the decision of the Committee which had seated him was unsatisfactory, and would have preferred an investigation before one of the Judges.

MR. SCHREIBER: I said the process by which it arrived at that result was unsatisfactory.

MR. AYRTON said, that having been Chairman of the Committee in question, it seemed to him strikingly to illustrate the danger of transferring the determination of such questions to a tribunal that would deal with them on rigid technical principles; for while the decision of the Committee in seating the hon. Gentleman was no doubt right, if the case had been tried before one of the Judges what the decision might have been it was not easy to say. As to the question of moral weight, no doubt the proceedings of Election Committees did lose their moral influence if what afterwards was stated to occur really took place. There was undoubted evidence of corrupt practices at Cheltenham, and by way of honouring the decision of the Committee the hon. Member paraded himself in the town of Cheltenham. [Mr. SCHREIBER: No, no!] He was seen there afterwards in the company of those persons whose conduct was brought under the notice of the Committee. [Mr. SCHREIBER: No, no!] At all events, it was important that such a thing should have been publicly stated in the Cheltenham newspapers, and should not have been contradicted by the hon. Gentleman. Of course, if a Member under such circumstances did not sustain the decision of the Committee it could not be expected to have much moral weight. Regarding the Bill as a measure for the suppression of bribery, he had in vain endeavoured to discover how it could have any such effect. The only material change it made as regarded the presentation of Petitions was that the seat of a Member might be challenged, not only at any time during a Session, but at any time during the whole duration of the Parliament. He thought, however, that the Statute of Limitations on that subject was founded on important public considerations, and should not be lightly disturbed. It was absolutely essential to the independence of Members of that House that after a certain period they should be secure of their seats; but, if Parliament deemed otherwise, the change might be made without destroying the existing tribunal. There was another point to which great importance was attached, and that was the prosecution of the Petition. He confessed he could not find in the Bill one word which would have the effect of making the prosecution before a judicial tribunal more effectual then before an Election Committee. On the contrary, it would be far easier to suppress a Petition before the new tribunal. The proposal to submit the question to a Judge who should go down to the spot surrounded with all the circumstances of a Judge of Assize was the very thing to deprive him of all control over the inquiries. How could he interfere to urge on a prosecution? If the party who had presented the Petition and the party petitioned against were both agreed that the case should not be proceeded with, the Judge would be perfectly helpless in their hands. Years ago when Lord Campbell had proposed some new-fangled plan for preventing collusive suits in the Divorce Court, he (Mr. Ayrton) said that his only effectual precaution would be to empower an attorney to appear on behalf of the public. That had been done with the best results; and that was the only plan that would be of any real use here; but it was a plan that did not appear in the Bill. There was no provision whatever in the Bill for anything like independent action. It was the old suit of The Petitioner *v.* The Sitting Member, which might be compromised at any time if the Petitioner chose. As he said the other day, so far from being a Bill to suppress, it was one to conceal or prevent the knowledge of bribery and corruption. The right hon. Baronet (Sir Stafford Northcote) said that it was to put an end to that shocking practice of pairing off petitions; but how on earth could they prevent a man saying "You withdraw your petition, and somebody else petitioning against a Member on the other side will withdraw his;" and all the arrangements would be made in certain solicitors' offices in London. In point of fact, pairing off would be effected with greater facility under the Bill than under the present system, while it would be more difficult to detect the cases in which it was resorted to. Another misconception which the supporters of the measure laboured under was that by a local inquiry a complete exposure would be secured, because such an exposure was now obtained by a Commission. The reason, however, why full disclosures were made before a Commission was that the seat which had been disputed was no longer in jeopardy. So long as it was uncertain which party would be victorious, everybody was anxious to conceal what had taken place; and it was only when the contest was over that it began to ooze out how it had been obtained, and then after one man had spoken others spoke also, and a sudden fear seized the guilty parties, and the moment a Commission was appointed and an assurance given that if they spoke the whole truth no penal consequences would follow, they were all as eager to disclose everything as they had been before anxious to conceal it. But the local inquiry, carried on while it was uncertain who would obtain the seat, would totally fail in eliciting the truth, and no more information could be obtained on the spot than in the Committee-rooms of the House of Commons. If the Commission sat in London, under the same circumstances, the result would be precisely the same; but if a Judge went down to try a Petition, the seat being still in jeopardy, all the party contrivances which prevented the discovery of the facts by a Select Committee would be resorted to, in order to prevent the new tribunal from eliciting the whole truth. So far, therefore, from the establishment of the proposed new tribunal putting an end to corruption, it would very likely lead to its practice with still greater impunity. Then, if they looked at it in another point of view, a very important preliminary question arose, and that was, how far a Judge would be enabled to proceed before he was stopped by his attention being called to the fact that he was transgressing some rule or Standing Order of Parliament, and thus interfering with the privileges of the House. It would be very seldom indeed that, in such cases as were likely to come before this new tribunal, a plain and simple issue could be put before the Judge; but it must often happen that collateral questions would arise, any discussion even of which might be a breach of privilege. No less an authority than Lord Coke had laid it down as a legal axiom that, however learned lawyers might be in the laws of Westminster Hall, they had no knowledge whatever of the laws which regulated the privileges of Parliament, and must accept those privileges as they were prescribed. There were numerous cases in which questions as to the privileges of that House must arise incidentally, and he wished to be informed how those cases were to be dealt with. Not long ago, an Election Committee made a Report, as to the conduct of a returning officer in the case of two candidates having an equality of votes. The House thereupon passed a Resolution, as it had a perfect right to do, as to the conduct of that officer. Was the Judge to be bound by such a Resolution, and might he not say that the Common Law had been superseded by the statute, unless the clause were so accurately framed as to limit exactly the power of the Judge? More than that, he was prepared to take his stand upon the position that the decision of a single Judge, who had never been called upon to discharge the functions of a jury, and might have no knowledge of the habits of the people, was not entitled to so much authority as the opinion formed by four members of an Election Committee. Yet this Judge, who might be incompetent for the functions of a jury, was to be entrusted with the enormous power of deciding the destinies of 500 Members of this House. The House would surely never consent that questions which might affect the fate of a Government, and the destinies of the country, should be allowed to depend upon the judgment of a single Judge. The fate of the Ministry and of the nation might depend on the verdict of a single Judge, who would not have any one person near him to probe his conscience. He did not believe the House would consent to such a change, and some kind of jury must be substituted for the single Judge. But was such a jury, drawn from the body of the county, likely to decide better than a tribunal of five Members of that House, acting under the sense of responsibility? He warned the House against substituting for the honourable decisions of one of their own Election Committees, the narrow technical mode of decision practised in Courts of Justice. The result would be that the straightforward, honourable man would often be the victim of the decision of these Courts, and that the cunning man who had the most practised election agents would escape. One of the strongest objections to this measure was that it would reduce the Judges to the position of servants and instruments of that House. They were not to perform their functions in regard to Members of that House as they did in the general administration of justice. They were to report to that House; but who was to bring the Reports under the notice of that House? Was the Speaker to do it, or was the task to be confided to the Home Secretary? His final objection was that they ought not to pass a measure dealing with the seats of the 500 English Members until they had before them the Bills which were to regulate the trial of claims to the seats of the Scotch and Irish Members. Would the representatives of either Scotland or Ireland accept such a Bill as this? The House had never been informed where the Judges were to come from who were to try these questions, or how long the trial of Petitions, after each election, would occupy them. He objected, moreover, to the general scope and character of the present Bill, as being insufficient for the objects for which it had been introduced; and he thought that if they devoted three or four nights to its discussion they would be unable at the end of that time to render it a satisfactory measure. It would be a mere waste of time to go on with the consideration of the Bill.

MR. BERESFORD HOPE was compelled to enter his protest against the somewhat impassioned, not to say stilted, eloquence of the hon. and learned Member for the Tower Hamlets, who had so vehemently objected to the House abandoning the long-cherished right of being the tribunal which had to adjudicate upon its own delinquencies. He had been impressive on the evils of a trial conducted by a Judge without a jury. Might there not, however, be something even more objectionable than this—namely, a trial conducted by a jury without a Judge. No one could say that the country felt that absolute respect for the purity and independence of Election Committees which ought to be entertained in order to make the institution respected. He appealed to the conscience of all who had sat upon Election Committees to say if they were not conscious of the little respect with which counsel treated those before whom they were pleading, compared with the manner in which they would have approached a tribunal presided over by some *bonâ fide* jurist. He did not impugn the honest intentions of the members of Election Committees; but he asked, how could persons who were antecedently political partizans go to the work of discrimination with dispassionate and judicial minds? How could five promiscuous Gentlemen chosen because three of them happened to belong to one party and two of them to the other—none necessarily educated to sift evidence—proceed without misgiving to adjudicate upon some difficult case of abstruse law hanging on hazy facts dressed out for them—law and facts together—by the skilled advocacy of trained and paid advocates, when perhaps they were all of them under the torture of the consciousness that upon the decision to which they arrived the fate of a party contest and all their own material future might turn? If, then, the House meant to show that it had an election point of honour, it must at once and for ever cast to the winds that vanity which made it keep in its own impotent hands the trial of these election cases. It was bound to do so at this moment, when by its own act it had been put upon its trial before the people of the realm. The hon. and learned Member had descanted on what he represented as the narrowness of a judicial award. In reply he (Mr. Beresford Hope) would only ask what was so likely to produce judicial narrowness as ignorance or inexperience, while the habit of adjudication which was incident to a Judge's existence created that breadth of thought which legitimate self-confidence alone could engender? There was one objection to this Bill stated by the hon. and learned Member for the Tower Hamlets in which he entirely agreed—that it was most undesirable to make it apply to England alone. Unfortunately, both parties in 1866 and in 1867 had followed the tradition of 1832, and brought in separate Reform Bills for England Scotland and Ireland, which were followed up by a separate treatment of the ancillary measures; but he believed it would have saved a great deal of confusion and delay if they had brought in one Reform measure applicable to the three kingdoms. He believed that the House would last year have passed such a measure almost as easily as the Bill for England alone, which was now being re-manipulated in the hands of Scotch and Irish Members. Wishing well to the main principle of establishing a judicial extra-Parliamentary tribunal for Election Petitions, he advised the Government not to push this Bill through in its present form. The more haste, the less speed. Let the Chairman report Progress; let this Bill be withdrawn, and another be introduced at the earliest moment, and certainly during the present Session, applicable to Scotland and Ireland as well as England.

Mr. M'LAREN said, he wished to say a single sentence with regard to the allusions that had been made first by the hon. and learned Gentleman the Member for Portarlington (Mr. Lawson); then by the hon. and learned Gentleman the Member for the Tower Hamlets (Mr. Ayrton); and, lastly, by the hon. Member for the University of Cambridge (Mr. Beresford Hope), who had just sat down, respecting the want of uniformity in this Bill, and the alleged defect of its not applying to all the three kingdoms. Now, as far as regarded the Northern portion of the kingdom, he thought he should be able to relieve the anxiety of those Gentlemen who had taken it under their wing, by reminding them that there was a Return on the table of this House which showed that, since the passing of the Reform Act of 1832, there had been 252 Petitions presented to Parliament alleging corrupt practices, and that of these only four came from Scotland, and of the four only two were found to be substantiated. Now, he thought when a Petition had been presented on an average only once in every nine years from Scotland, it would not require any addition to the Judges in that part of the kingdom to decide or report upon them. The general opinion in Scotland was that they had too many Judges already, and there would be no difficulty whatever in sparing one of the Judges to try a petition when there was one to be heard. He had no hesitation in saying that in half-an-hour he could frame a clause—a perfectly operative one—in this Bill, which would make it as suitable for Scotland as in its present state it was to England. He had no doubt the learned Lord Advocate could frame the clause in a shorter time, and in much better terms. He said therefore that hon. Gentlemen might be relieved from their fears about Scotland, for the matter could be managed in a few minutes. He must say he heartily concurred in the principle of having one Bill for all portions of the United Kingdom; and if they had taken the view of the hon. Member (Mr. Beresford Hope), and had passed one Reform Bill for the whole of the United Kingdom, he thought they would have had a better Bill that would have occupied less time in discussion, and that they would have heard fewer extraordinary speeches—that they would have saved the very extraordinary speech of the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie), and possibly have got all they were still looking for.

MR. DISRAELI regretted that the hon. and learned Member opposite (Mr. Denman) should have moved that the Chairman report Progress, because he thought there was a fair chance of making progress with the Bill in Committee that night. The hon. and learned Gentleman founded his proposition on the ground that there had been no discussion on the principle of the Bill; but unless his (Mr. Disraeli's) recollection deceived him very much, that statement was not entirely correct. He recollected that the hon. Member for Berwick (Mr. Mitchell) opened a discussion upon the Question that the Speaker leave the Chair, and that that discussion, which was upon the principle of the Bill, was not a short one; and the House having decided after that discussion to go into Committee, he must express his disappointment at their not making any progress. At the same time it was not his inclination to attempt to check legitimate discussion in this House; but still at that late hour he saw no chance of proceeding in Committee with any advantage, and therefore he would consent to the Motion of the hon. and learned Gentleman to report Progress, so that they might proceed with the other Business of the night.

MR. GLADSTONE said, he did not know how to understand the speech of the right hon. Gentleman. The Bill raised a question extremely interesting to Members of this House; and, as far as he could judge, those who were considered authorities were, without reference to parties, singularly divided in opinion on the subject. Now he thought when the right hon. Gentleman appointed this Bill for the Business of the evening, he might have anticipated, from the gravity of the question of the transfer of jurisdiction over contested elections, and the state of opinion on the subject, that it would lead to a lengthened discussion. He (Mr. Gladstone) was not at all inclined to disagree with him in principle as far as this—to entertain the transfer of jurisdiction for the sake of the great advantage of local inquiry; but there was a great difference of opinion on this point, and that transfer, in his judgment, could not be made apart from the very prevalent opinion of the House. To carry the transfer by a bare majority would not be satisfactory, because they could not then confide in the stability of the system. If the Bill was to stand over he should like to know what were the views of the right hon. Gentleman as to any further proceeding on it. The Bill contained important provisions connected with the transfer of the jurisdiction of the House, and Notices had been given by many private Members of Amendments affecting the purity of election, which it was very desirable should be discussed. Under these circumstances he was anxious to know what were the views of the Government upon the question of the transfer of the jurisdiction, and upon the Notices which had been placed upon the Paper. If the right hon. Gentleman were—as in fact he might not unreasonably be—of opinion that the obstacles under present circumstances were too great to admit of a discussion of the particular method he proposed for the transfer of the jurisdiction, he could not help thinking that it would be for the advantage of the House that that should be made known at once. But while admitting that the Government might be right in desiring to postpone the question of the transfer of jurisdiction, there were other questions affecting the satisfactory conduct of elections which that House ought to have an opportunity of discussing, and which would, he had no doubt, be dealt with calmly and impartially, and in a temper entirely free from party feeling. He should be sorry to learn that it was the intention of the Government to drop the Bill altogether.

MR. DISRAELI said, the right hon. Gentleman had entirely misunderstood him. The Government were not prepared to give up the Bill, or any part of it. The provision relating to the transfer of the jurisdiction of that House, which he looked upon as the main principle of the Bill, had been discussed upon the second reading, and could have been discussed in

Committee, and if the result of their labours in Committee should not prove satisfactory, might be discussed again upon the third reading; but as far as the Government were concerned, they wanted to pass the Bill in its entirety. He had hoped that they should have got into Committee upon the Bill at an early hour, and should have passed the evening in discussing its provisions; but as it was then late, and there was an evident disposition to discuss the principle of the Bill in a desultory manner on the Motion to report Progress, and as he despaired of getting on with the Committee that night, he thought it would be better that Progress should at once be reported, and that they should proceed with the other Business. Had the House adopted the suggestion which was made on behalf of the Government, at an early hour, they would have been discussing the provisions of the Bill long ago.

Sir GEORGE GREY said, that when the hon. and learned Member behind him (Mr. Denman) moved that Progress be reported, he did not do so with the object of stopping the consideration of the Bill. The discussion upon the principle of the Bill in its previous stages had been very slight, and it was desirable that it should be more fully gone into. He was a Member of the Committee which recommended the alteration of the mode of trial, but he had for himself opposed the total abandonment by that House of all its jurisdiction on this subject. It was the duty of the Government to let the House know what were their intentions with respect to Scotland and Ireland upon this question, as it would be an absurdity to discredit the existing tribunals, as far as England was concerned, and yet leave them jurisdiction over elections in the other parts of the kingdom. The Government ought to state definitely what their intentions were respecting the present Bill, and also to lay before the House their scheme for dealing with Scotch and Irish elections.

Sir STAFFORD NORTHCOTE said, the right hon. Gentleman (Sir George Grey) should bear in mind that the Bill as originally drawn up in accordance with the recommendations of the Select Committee was not intended to include either Scotland or Ireland in its provisions. When objections were raised on the part of the English Judges to the transfer of the jurisdiction to themselves, it was thought better that the provisions of the Bill should only refer to England, on the understanding that when once it was decided what principle should be adopted with regard to this country it would be easy to introduce Bills founded upon a similar principle with regard to Scotland and Ireland. The Government had been rather hardly treated that evening in reference to this Bill. They had placed the Bill upon the Paper as the first Order of the Day, in the full belief that the House would go into Committee upon it at an early hour, and would make considerable progress in the discussion of its provisions. A discussion, however, for which the Government were not responsible, had been raised upon another subject, and had occupied some time, and had prevented the House going into Committee upon the Bill until a comparatively late hour; and then the hon. and learned Member opposite (Mr. Denman) had at once moved that the Chairman report Progress, in order, as he said, in the first place, that the principle of the Bill which the Government thought the House had already agreed to, should be more fully discussed; and, secondly, that he might have an opportunity of moving that the Bill be again referred to a Select Committee. He saw but little use at the present moment in protracting the discussion.

Mr. DENMAN observed that the Bill as originally drawn was very different from the Bill as it now stood; its principle had not been discussed, and it was for the purpose of obtaining further discussion that he had made the Motion for reporting Progress. He altogether objected to the proposed tribunal. If the Government were able to render the Bill a valuable one, it would be in consequence of the valuable suggestions which had been made during the present discussion.

Mr. FAWCETT entreated the right hon. Gentleman opposite to use all the influence which the Government possessed and to persevere with this Bill. There were portions of it undoubtedly to which objection might be taken; but there were many advanced Liberals willing to assist him in getting the measure passed. He feared that the discussion of that evening would produce a singularly bad impression out-of-doors, where an opinion prevailed very extensively that the House was not in earnest in its desire to put down corruption. And when it was perceived—as it could not fail to be—that the discussion and delay had originated on the Liberal side of the House, he could not refrain from rising and repudiating those tactics altogether, or from declaring that there were some at least among the Members on that side who were sincere in their desire to legislate upon the subject this Session. In spite of all that had been said by his hon. and learned Friend the Member for Tiverton (Mr. Denman), he still thought he had adopted a very unusual course. The Bill had been read a first and a second time, and upon the proposition that the Speaker do leave the Chair, there had been more than one Motion leading to prolonged discussion. And that night, when hon. Members had come down expecting to have an opportunity of discussing and improving the clauses of the Bill, they were prevented from doing so by the renewed discussion on the whole principle of the measure raised by the hon. and learned Gentleman. What would the country say to-morrow, on reading the discussion, but that this was a repetition of the old game, and that the House of Commons was not sincere in its desire to put down corruption and check election expenditure? For this reason, he entreated the right hon. Gentleman to press on the Bill. [" Agreed."] He wished they were agreed. Reform legislation could not be considered as complete till some measure of this kind was passed; and in his opinion it was not inferior in importance either to the Scotch or the Irish Reform Bill.

MR. BONHAM-CARTER repudiated the notion that there was any desire for delay on the Liberal Benches. The right hon. Gentleman the Member for South Lancashire felt very naturally that this was a great constitutional question, upon which it was important not to legislate in a hurried or incomplete manner. The House ought to be very jealous of its honour; and, in parting with all control over future election inquiries, the House showed a want of regard for, and appreciation of the high character which its tribunals had always maintained. They had always been composed of, and been presided over, by the most trusted Members of the House, in whose hands the honour of the House might be safely left. Under the proposed system, the first notice which the House might receive of an election inquiry was the Report of the Judge to the Speaker that a particular Member had been unseated.

MR. MORRISON rose to support the appeal made by the hon. Member for Brighton (Mr. Fawcett) to the Government to resist the Motion for reporting Progress.

MR. DENMAN said, he intended to withdraw it.

MR. MORRISON would still suggest to the Committee, as a point of Order, that it was most inconvenient to encourage the practice of Gentlemen making speeches upon the principle of a Bill when once they had got into Committee. Business would be proceeded with much more rapidly and satisfactorily if Gentlemen having opinions which they desired to put forward would advance them at the proper time, and if upon Motions to report Progress or other formal proposals hon. Members would confine themselves more strictly within the four corners of the Motion.

MR. DENMAN said, he was much obliged to his hon. Friend for his lecture. But he must remind him that till that evening he had never had an opportunity of discussing the Bill as a whole. He was quite willing that the Motion to report Progress should be withdrawn.

THE CHAIRMAN asked if it was the pleasure of the Committee that the Motion should be withdrawn.

Many hon. Members crying "No:"

THE CHAIRMAN put the Question, "That the Chairman do report Progress."

SIR GEORGE GREY asked what course the Government wished the Committee to adopt?

MR. DISRAELI: I thought I had distinctly expressed the wish of the Government to make progress in Committee, if it be not already too late.

Motion, by leave, *withdrawn.*

Clause *agreed to.*

Clause 2 (Application of Act) *postponed.*

Clauses 3 and 4 *agreed to.*

Clause 5 (To whom and by whom Election Petitions may be presented).

MR. BOUVERIE, who had given Notice to move to omit all the clauses from 5 to 18 inclusive—which relate to the Presentation and Service of Petitions, the Judges and the Trial of Petitions—for the purpose of inserting new clauses, proposing a different system of procedure, said, that the clauses he proposed to strike out completely ousted the jurisdiction of the House, and to that he had a decided objection. The 5th clause provided that the Petition should, in the first instance, be presented to the Court of Common Pleas, and the

House of Commons need not know that the election of one of its Members was impugned until the Judge who tried the Petition certified his determination to the Speaker that the Member was duly elected, or that the election was void, and it became necessary to issue a new Writ. He thought that was going much farther in the way of parting with the control of its own affairs than the House would like to go. The objection to the existing tribunal was, that a Committee, though honest and well meaning, was overborne by the Bar, and thus rendered incapable and inefficient. This defect, however, did not exist when the Chairman of the Committee was able and competent; but as a competent Chairman could not necessarily be procured, he proposed to remedy this—and other defects which had at the same time been objected to by the Committees—by a series of clauses. He proposed to preserve the Election Committee in the form of a jury; but, instead of the present plan, the General Committee of Elections should choose from the Election panel a Committee of five Members. This Committee was to be presided over by one of the Judges of the Superior Courts at Westminster (not being a Peer), Her Majesty being empowered to appoint three additional Judges. The trial before the Judge would be conducted in precisely the same manner as a case at *Nisi Prius,* the Judge deciding questions of law and the admissibility of evidence, the Committee acting as a jury finding as to the facts. At the conclusion of the inquiry, the Judge was to certify to the Speaker the result of the trial; he was also to report in writing to the Speaker the opinion of the Committee as to any charges of corrupt practices at the election in question; and might further make a special Report as to any other matters which may arise in the course of the trial, which, in his judgment, ought to be submitted to the House of Commons. In that way he presumed the objection as to the inefficiency of the Committees of that House as a Court of Inquiry would be got over. In his opinion there was an insuperable objection to submitting the position and character of a Member of that House to the decision of one Judge. Judges were not angels, but were—like other men—liable to be influenced by their political feelings in political matters. A remarkable instance of this occurred in the well-known case of Mr. O'Connell, when the Judges in the House of Lords all voted along with their political party. This was a strong proof that even the most eminent Judges were liable to be influenced in their judgment by their political feelings. But even if political feeling never biassed the judicial mind, the public might believe it did, and that feeling, however groundless, would be sufficient to rob the tribunal of all weight. If, then, they could not entrust the decision of an Election Petition to a single Judge, they must call in a jury; and their choice lay between a jury chosen in the ordinary way, and one selected from the Committee of Elections panel, and he contended that a jury selected from the House would be preferable to any other. It must be borne in mind that if the inquiry was to be made on the spot, the jury must be local, and local juries would be sure to be influenced by party motives; but if the jury were a Committee of the House it would not be subject to local influences, and in every way it would be a more trustworthy jury than any that could possibly be devised. He therefore proposed the erection of an intermediate tribunal—one which should avoid the objection of local bias, and at the same time maintain the jurisdiction of the House of Commons. It had been said that the present tribunal was fruitful of delay, and that an inquiry by a Judge on the spot would be expeditious. It was obvious, however, that this result could only be attained by the appointment of a great many Judges; and it should be remembered that, while it would be out of the question to appoint more than a very limited number of Judges, the Parliamentary tribunal was capable of comparatively unlimited multiplication, and a very little alteration in the Controverted Elections Act would enable the House to dispose of any number of Election Petitions in a very short time. As to the proposed inquiry being conducted on the spot, he was sceptical as to the advantages of that method. He had seen a good deal of contested elections, and had always found that, except in the case of a very few better informed persons, both parties were sure of winning; and that, as one party must lose, there was sure to be much disappointment, and strong accusations of bribery and corruption. Rumours to that effect flew about the place immediately after the election; but in nine-tenths of the cases all those rumours ended in smoke. If, therefore, they insisted on Petitions being presented immediately after the election, they would have a great many abortive inquiries. He thought that the inquiry into charges of general corruption and bribery might be more advantageously conducted on the spot; but the inquiry into the merits of an Election Petition could be best inquired into by a Committee of the House, presided over by one of the Judges of the Superior Courts. He believed the scheme he proposed would not be unacceptable to the learned Judges, and on that account he submitted it to the consideration of the Committee.

Mr. J. STUART MILL said, he had to move an Amendment to the clause, which was the first of a series of Amendments, of which he had given Notice. The Bill, as it stood, was very incomplete; but, at the same time, he thought it, in the main, very creditable to the Government; and therefore he was glad that this Bill was not to be part of the baggage to be thrown overboard, for the purpose of lightening the ship on its last voyage. Incomplete as it was, the Bill was a bold attempt to grapple with an acknowledged political and moral evil; and the Government had not feared to ask the House to do what it greatly disliked—to make a sacrifice of its own jurisdiction. He now asked the Prime Minister to complete his own work—to help those who were trying to help him, and lend the aid of his ingenious and contriving mind, and the able legal assistance with which he was provided, to make this really an efficacious and complete measure. It was no party measure, and no party were interested in passing it, except the party of honesty. They desired to diminish the number of men in this House, who came in, not for the purpose of maintaining any political opinions whatever, but solely for the purpose, by a lavish expenditure, of acquiring the social position which attended a seat in this House, and which, perhaps, was not otherwise to be attained by them. They were not more attached to one side than to the other, except that they were generally to be found on the gaining side. They were the political counterparts of those who were contemptuously described by Dante as "neither for God nor the enemies of God, but for themselves only." Unfortunately, it was not possible in this case to follow the poet's advice, "Speak not of them, but look and pass on!" The Bill proceeded on the theory that the law was to be put in motion by the defeated candidate alone. This was contrary to the very idea of criminal law. When the law intended to confer a pardoning power on an individual, it did not grant a criminal process at all, but only an action for damages. The immediate object of the present Amendment was the following: the Bill, if passed, would repeal the 5 & 6 *Vict.* c. 102; but Section 4 of that Act contained an important provision — namely, that where a Petition complained of general or extensive bribery, and the Committee reported that there was reasonable and probable ground for the allegations, the Committee should have power to order that the costs of the petitioners should be borne by the public. If the House was in earnest such a provision was indispensable; and he therefore intended to propose Amendments, the effect of which would be to restore it in the present Bill.

Amendment proposed, in page 2, line 29, after the words "to serve in Parliament," to insert the words "or of general or extensive prevalence of corrupt practices in an Election."—(*Mr. Mill.*)

The CHANCELLOR of the EXCHEQUER said, he quite agreed with the hon. Member (Mr. Stuart Mill) that it was desirable that there should be every opportunity of inquiring into extensive corruption prevalent at elections; but he took exception to the proposed mode of effecting that object, and would suggest that it would be more convenient to raise the question by bringing up a distinct new clause. The clause then under consideration related specially to Petitions complaining of undue return of Members; and he thought it would not be well to mix that up with other questions. With regard to the particular Act to which the hon. Member had referred he would find, on inquiry, that it had hitherto been a dead letter. [Mr. Bouverie: There has been a case under it.] The right hon. Gentleman said there had been a case under it. If so, he was not aware of it: but, considering that corrupt practices must have prevailed very largely, that one case would only prove that practically the Act had been a dead letter. He was as anxious as the hon. Member for Westminster that corruption, in whatever form or shape, should be put down; but he thought that the Amendment proposed by the hon. Member, while creating some confusion, would not carry out that intention. As to the plan of the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie), it would give legal knowledge to the present tribunals and tend to uniformity of decision; but, if it were adopted, two of the great objects to accomplish which this Bill had been brought forward would be altogether lost, for neither an immediate nor a local inquiry would be obtained. He did not think that any legislation would succeed to the extent of entirely preventing corrupt practices — for *quid prosunt leges sine moribus?* — but he did believe that by legislation they might very much strengthen the hands of those who wished to put down those practices. He was perfectly convinced, however, that as long as the jurisdiction remained in the House of Commons they would not be able to diminish the corruption which now existed. If the proposition of the right hon. Gentleman were accepted, all the Election Petitions would still be brought into one focus and would still get into the hands of central agents. There would still be the facility for pairing off and for all that *hocus pocus* that notoriously was carried on now. He was convinced that, until they localized the inquiries, they would not succeed in getting rid of those arrangements by which corrupt practices were kept in the background. So much for having the inquiries local. Why was it desirable to have them immediate? Because when there was a considerable lapse of time between the complaint and the investigation there was greater opportunity for having resort to manœuvres—for getting rid of witnesses and such-like proceedings. Besides, when the blood of partisans on either side of a contest was still hot, they were not so likely to see reasons for giving up their enthusiasm in the cause of purity of election. While persons were smarting under a defeat they were much more likely to expose corrupt practices than when time was allowed for persuasion. Then, local inquiry would much diminish the expense of an election case. At present the witnesses on either side were brought to town and fed in the most sumptuous manner. They were also "shepherded"—he believed that was the term — to prevent them from talking to anyone with whom it was thought advisable they should hold no communication. All this was attended with enormous expense. Again, they had persons who would go into the witnesses' chair in a Committee-room and perjure themselves, knowing that there was no one there who could convict them of their falsehood; but the same persons would hesitate to commit that crime in a Court-house where they were surrounded by persons in the neighbourhood, half-a-dozen of whom could perhaps get upon the table and contradict them. The right hon. Gentleman the Member for Morpeth (Sir George Grey) spoke of his having been in a small minority when in the Committee he opposed the proposition for entirely removing these election cases from the jurisdiction of the House. He believed that minority had consisted of the right hon. Gentleman himself and his Under-Secretary, the hon. Member for Sandwich. The Committee were unanimous on having the Petitions tried by another tribunal; but the right hon. Gentleman and the hon. Member for Sandwich thought that the Petitions ought to be presented to that House in the first instance. Now, if the House was not to be the tribunal to try those cases, would it be worth while to retain for it that *scintilla* of jurisdiction which would be retained by having the Petition presented to the House before it went to the Court of Common Pleas? If the meaning of the proposition was that the House should have the right of saying that a Petition never should be tried at all, then he could understand the proposal; but that meaning was not avowed by the small minority to which he had referred. A great disadvantage arising from the plan would be that Election Petitions could not be presented and tried while the House was not sitting—a circumstance which, in many cases, would involve a delay of many months. Believing that the plan embodied in the Bill was that which would give the public the greatest amount of confidence in the decisions on Election Petitions, and that it would effectually tend to check bribery and corruption, he hoped the Committee would not adopt the Amendment now under discussion.

Mr. KNATCHBULL-HUGESSEN observed that the Chancellor of the Exchequer had applied himself to the clause generally. He submitted that it would be a more convenient course for the Committee to confine themselves for the present to the Amendment which had been moved by the hon. Member for Westminster.

Mr. PAULL pointed out that under the Amendment a Member against whom specific charges were brought would be obliged to defend himself against the general prevalence of corrupt practices during an election at which there might have been, perhaps, half a dozen candidates. He ought not to be placed in a worse position than any criminal by having to defend himself against charges other than those specifically made against himself personally or his agents.

Mr. HEADLAM said, much might be urged for the Amendment of the hon. Member for Westminster, who was on the right track, for far more might be done by an indictment against a borough than by a contest for the seat. But at present it would be wise to adopt the suggestion of the Chancellor of the Exchequer.

Mr. MONK thought the Amendment was misunderstood—a Petition need not necessarily be against the return of any Member. He thought it important that the House should sanction the principle that where extensive corruption had been practised the conduct of defeated candidates should not be ignored. For instance, a candidate sent down from London to a borough where he had no chance of election, and where he spent large sums of money in corruption, ought not to be allowed to go unpunished; and if Petitions were allowed to be presented in such cases they would be a great check upon general bribery and corruption.

Mr. LOCKE objected to the Amendment on the ground that it was unfair to make a candidate liable for general corrupt practices with which he might have had nothing to do. It was a sound principle that a man should only be liable for his own offences.

The ATTORNEY GENERAL opposed the Amendment, not because it might not be expedient to have inquiries nito the general prevalence of corruption, but because the Amendment was foreign to the object of the clause, which was to provide assurance that a Member had been duly returned without corruption on his part. He hoped the hon. Member for Westminster would withdraw the clause, which he thought would rather defeat his object. It seemed to him the result would be to produce interminable inquiries.

Mr. AYRTON hoped the hon. Member for Westminster would not withdraw the Amendment. In his opinion, the Attorney General did not understand the object of the Amendment. The view of the hon. Member for Westminster was that, besides the successful candidate and the defeated one, there might be certain electors who were indignant at the corrupt practices that had been carried on in the interest of both candidates, and that it was only right their petition for a local inquiry should be attended to. In the interest of purity of election he should support the Motion.

The SOLICITOR GENERAL said, that the point taken by the hon. Member for Westminster had not escaped the attention of the Committee; but the Committee were unanimously of opinion that it was useless to retain the method appointed by 5 & 6 *Vict.* c. 102, for inquiring into general corrupt practices at elections. Under the present law, there were Petitions in which the seat was claimed, and other Petitions alleging corrupt practices generally, but in which no claim was made for the seat. In regard to Petitions of the latter class, the Members had no interest in opposing them; and, in the opinion of the Committee, the Act just referred to had proved entirely futile. But there was, according to the present law, another mode by which the desired inquiry into general corruption was sought to be attained. If, in the course of inquiry on a Petition, the Committee is of opinion that there is a *primâ facie* case of general corrupt practices in a borough, the Committee reports the circumstance to the House, and upon a joint Address of the two Houses a Commission is sent to the spot to institute an inquiry. That mode of inquiry the Committee desired to retain. If the Amendment was carried, the question of general corruption would have to be investigated by a tribunal which was not the best for such a purpose. It was thought that the present tribunal for inquiring into general corrupt practices should be retained; and consequently it was provided in the present Bill that if a Judge, in the course of an inquiry respecting a claim to a seat, found that there was a *primâ facie* case of general corrupt practices in a borough, he might report the circumstance to the House, precisely as the Committee did now, and thereupon the Houses might present an Address praying that a Commission of Inquiry might issue. In conclusion, he expressed a hope that the Committee would not agree to the Amendment.

Mr. AYRTON said, his remarks had reference to the clause which provided that the Judge might, at the same time, make a special report to the Speaker as to any matter arising in the course of the trial, an account of which ought, in his judgment, to be submitted to the House of Commons.

Mr. J. STUART MILL said, his object was that an inquiry into general corrupt practices should be instituted with the same promptitude and before the same tribunal as the inquiry concerning a claim to the seats. He did not mean, however, as the Solicitor General seemed to infer, that the sitting Member should be at the expense of eliciting such a general inquiry. That matter was provided for in his subsequent Amendments.

Mr. LIDDELL thought a distinction should be made between an inquiry into the right to a seat and an inquiry into general corruption, and that the cost of the general inquiry should be borne by the community.

Mr. WALPOLE hoped the hon. Member for Westminster would be induced to withdraw his Amendment, and to introduce the subject in a separate clause. It was quite as important that there should be a well-directed inquiry into general corruption as into the right to a seat; but they should take care that they did not transfer to another body any power which belonged peculiarly to that House. The legal right to the seat would be better determined by the Judges than by a Committee sitting upstairs; but, if they directed an inquiry into general corruption, which was to be followed by legislation, they should reserve to the House the power of instituting and directing the inquiry. If the general were mixed up with the particular proposition, they would certainly delay the termination to be arrived at.

Mr. HIBBERT hoped the Government would bring in a clause to effect the object of the hon. Gentleman the Member for Westminster.

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 74; Noes 219: Majority 145.

Mr. KNATCHBULL-HUGESSEN said, his Amendment would raise the whole question. It was, that the words "Court of Common Pleas" be struck out, and the words "House of Commons" be inserted in the clause. This was the Amendment which he had moved in the Select Committee, and which now stood in the name of the hon. Member for Berwick (Mr. Mitchell), who was not present.

Mr. SCHREIBER moved that the Chairman report Progress.

Mr. Ayrton

Mr. BOUVERIE said, the Amendments of which he had given Notice would in effect also raise the whole question, inasmuch as he proposed that the Election Committee, consisting of Members of the House, should be presided over by a Judge. It would be better to discuss it now.

Mr. DISRAELI said, the issue was clear, as the House was in Committee and understood the question, he thought they ought to proceed.

Mr. KNATCHBULL-HUGESSEN said, there was this difference between his Amendment and those of his right hon. Friend (the Member for Kilmarnock). His right hon. Friend proposed to deal with the Petition after it was presented; whereas he proposed to raise the question to what tribunal the Petition should be presented. If the House should cease to be that tribunal, it would be the only legislative body in the world exercising no control over the seats of its own Members. Standing, as the House of Commons did, in the position of a self-condemned body, it ought to hand over all its rights and privileges unimpaired to that Parliament which would be elected by the enlarged constituencies. If his Motion were carried, the other Amendment would be unnecessary.

Mr. HENLEY said, that this was the most important question of the whole Bill, and therefore they ought to have time to consider it. They had not had an opportunity yet of discussing it. He felt strongly upon the matter, and wished to have it fully discussed.

Mr. AYRTON called attention to the alteration in the wording of the Act it was proposed to repeal and that introduced into the Bill relative to the subject-matter of complaint to be contained in Election Petitions. He asked the Attorney General on a future occasion to give the Committee an explanation.

Motion *agreed to*.

House *resumed*.

Committee report Progress; to sit again upon *Thursday* next.

WATER SUPPLY BILL.

On Motion of Mr. Clive, Bill to make better provision for facilitating and regulating the supply of Pure Water in cities, towns, and districts throughout the United Kingdom of Great Britain and Ireland, *ordered* to be brought in by Mr. Clive, Mr. Goldney, Mr. Neate, and Mr. Wyld.

Bill *presented*, and read the first time. [Bill 131.]

METROPOLITAN POLICE FUNDS BILL.

On Motion of Mr. Secretary GATHORNE HARDY, Bill to amend the Law relating to the Funds provided for defraying the expenses of the Metropolitan Police, *ordered* to be brought in by Mr. Secretary GATHORNE HARDY, and Sir JAMES FERGUSSON.

Bill *presented,* and read the first time. [Bill 132.]

THAMES EMBANKMENT AND METROPOLIS IMPROVEMENT (LOANS) ACT AMENDMENT BILL.

On Motion of Mr. SCLATER-BOOTH, Bill for extending the provisions of "The Thames Embankment and Metropolis Improvement (Loans) Act, 1864," and for amending the powers of the Metropolitan Board of Works in relation to Loans under that Act, *ordered* to be brought in by Mr. SCLATER-BOOTH and Mr. CHANCELLOR of the EXCHEQUER.

Bill *presented,* and read the first time. [Bill 133.]

CURRAGH OF KILDARE BILL.

On Motion of The Earl of MAYO, Bill to make better provision for the management and use of the Curragh of Kildare, *ordered* to be brought in by The Earl of MAYO and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 134.]

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS.

Friday, May 22, 1868.

MINUTES.] — SELECT COMMITTEE — On Poor Relief. (No. 110.)

PUBLIC BILLS—*First Reading*—County Courts (Admiralty Jurisdiction) * (108); Consolidated Fund (£17,000,000) *; City of London Gas * (109).

Report—Poor Relief* (110-111).

THE ABYSSINIAN EXPEDITION—THE DESPATCHES.—QUESTION.

THE EARL OF **ELLENBOROUGH** asked the noble Earl the Lord Privy Seal, What was the cause of the delay in publishing the despatch of Sir Robert Napier?

THE EARL OF **MALMESBURY**: For some cause for which we cannot account we have received no recent despatch from Sir Robert Napier. There have been private letters from him; but he either has not written a despatch, or it has failed to reach our hands. The Government has been most anxious to invite Parliament to express its opinion upon the brilliant services that have been rendered by the army in Abyssinia, and the only reason we have refrained from inviting the House to do so hitherto has been the reason I have just given to my noble Friend. But I think it would be useless—and, indeed, improper—to delay any longer a compliment to the army which is so richly deserved; and it is at present the intention of the Government to move on this day week a Vote of Thanks in both Houses of Parliament. Before I sit down I may mention, for the convenience of noble Lords, that it is my intention on this day week to move the adjournment of the House until the following Monday week.

NEW FOREST—DEER REMOVAL, &c., ACT, 1851.

MOTION FOR A SELECT COMMITTEE.

VISCOUNT **EVERSLEY** presented a Petition of Persons having Rights of Common over the New Forest and others: That the Report of the Commissioner in charge of the Royal Forests to the Lords of the Treasury (laid before the House on the 28th of February last) may be referred to a Select Committee, said, that by various recent Acts the rights of the Crown and of the Commoners in respect of the game, timber, pasturage, and other forestal rights in the New Forest had been dealt with; and as regarded the Commoners, the petitioners complained that by these Acts the rights they possessed from time immemorial had been unduly abridged and prejudiced, and they therefore prayed for inquiry into the matter. He therefore moved that a Select Committee be appointed to inquire into the subject.

Moved, That a Select Committee be appointed to inquire into the Operation of the 14th and 15th Vict. Cap., 76., intituled "An Act to extinguish the right of the Crown to Deer in the New Forest, and to give Compensation in lieu thereof; and for other Purposes relating to the said Forest.—(*The Viscount Eversley.*)

THE DUKE OF **SOMERSET** said, he would recall to their Lordships the circumstances under which the Act of 1851 was brought forward. It had been frequently complained in the House of Commons that the Royal forests were not properly managed; and it was alleged, in especial, that the New Forest, which had been transferred to the public, was so managed—or rather so ill-managed—as to be of no public benefit. The matter was inquired into by a Committee, and also by a Commission, who reported that the existence of deer in the Forest was demoralizing to the community, giving rise to the existence of a number of poachers and deer-stealers, while they were of no advantage to the Crown. In consequence, in the year 1851, he (the Duke of Somerset), being then First Commissioner of Woods and Forests, introduced a Bill (the Deer Removal Act), authorizing the removal of the deer and the inclosure, in lieu, of 14,000 acres for the Crown. The measure was very carefully inquired into by a Select Committee, and by a Committee of their Lordships' House; and in consequence of the statements which were made by gentlemen connected with the Forest, he agreed to reduce the number of acres to be appropriated by the Crown to 10,000. In that form the Bill passed. Complaints were now made that the plantation of the Forest had been injurious to the rights of pasturage, and it was said that the foresters did not know that that would be the result. Well, he could only say that their own knowledge and observation ought to have made them aware what would happen. Again, their complaints were inconsistent; for, while they called on the Government to drain the land, they said that the drains prevented the cattle from passing from one part of the Forest to another. The object of the Act of 1851 was to make the land more valuable, and in this it had been perfectly successful. The Act had been carried out as was proposed, and had operated very beneficially.

EARL NELSON wished to make an appeal for an inquiry, not so much on the part of the landowners, as of the poor foresters, who had been seriously injured by the action of the Act of 1851. There were few real paupers in the New Forest, for in fact the forest labourer generally held five or ten acres of land; he was able to keep his cow and his pony, and with his turn-out he was placed above the position of most of the agricultural labourers of the kingdom. Inquiry was needed, because it was plainly seen that numbers of these agricultural labourers would be utterly ruined unless something was done. By other inclosures additional employment was provided, and until the waste land was broken up there was no real damage done to the peasant's right of turning out his cattle; but, in this instance, the inclosure opened no new fields of employment, and the foresters' turn-out of cattle was practically ruined. It was a mistake to suppose that the deer were an unmitigated evil, for they kept down the growth of holly and gorse during the winter, and improved the pasturage; whereas now whole tracts of country were overrun by the underwood, and in the inclosures lately thrown out the rides where alone pasture was to be found were destroyed by the additional traffic through the Forest caused by making new plantations. The understanding, when the Act passed, was, that the land to be inclosed should be taken from the distant parts of the Forest, and not from the best parts; and it was a great grievance to the small holders he had named to find that large tracts of land were proposed for inclosure close to their dwellings. In time the whole Forest would become one vast wood, and it was absurd that in the 19th century such a barbarism should be permitted for the sake of growing timber for the navy, which would not come to maturity for 200 or 300 years, when, most likely, no timber would be required.

THE DUKE OF BUCKINGHAM said, that the question as to whether the Act of 1851 was a proper settlement of the matters connected with the Forest, and whether that Act was one which should be continued in its present form or be modified, was one which it appeared to him might be advantageously discussed in a Select Committee. The interests of the Crown and the public were slightly at variance with those of the Commoners; and the question now was, whether the Act of 1851, should, after seventeen years' experience, be modified in some way, if allowed to remain intact. All the statements made that night seemed to point strongly to the necessity of defining the interests in the Forest. The Act of 1851 effected a great improvement on the former management of the Forest; but the result of its working might, he repeated, be advantageously inquired into, and he therefore had no objection to the appointment of the Committee moved for.

Motion *agreed to.*

And, on May 26, the Lords following were named of the Committee :—

D. Somerset
E. Devon
E. Doncaster
E. Romney
E. Nelson
V. Eversley
L. Portman
L. Stanley of Alderley
L. Belper
L. Northbrook
L. Fitzwalter

NEWFOUNDLAND — GRANTS OF LAND ON FRENCH COAST.—PETITION.

LORD HOUGHTON rose to present a Petition from the Commons House of

Assembly of Newfoundland, praying that the Restrictions with regard to Grants of Land on the so-called French Coast, imposed on them by Her Majesty's Secretary of State for the Colonies in a Despatch dated 7th December 1866, may be removed — said, that as the Petition proceeded from so important a body as the Colonial Legislature he felt it proper to accompany its presentation with a few remarks. The Petitioners stated that—

> "Your Petitioners desire to bring under the consideration of Your Most Honourable House a grievance to which your Petitioners in this island are now subjected. Her Majesty the Queen has the territorial dominion over the Island of Newfoundland and its dependencies, and, as a consequence, Her Majesty's Government of this Colony has the authority to issue grants within the island for mining, agricultural, and other purposes.
>
> "This right was never questioned until the year 1866, when, by a despatch from the Right Honourable the Earl of Carnarvon, Secretary of State for the Colonies, to his Excellency Governor Musgrave, bearing date the 7th day of December 1866, the issue of grants of land in that part of this island called the 'French Shore' was prohibited.
>
> "The French Shore, referred to in the said despatch, includes at least one-half of the territory of Newfoundland and the restriction thus placed on the Local Government is in effect a denial of the exercise of those rights which your Petitioners most humbly submit belong to the British Crown, and therefore to their enjoyment by Her Majesty's subjects in this island.
>
> "Believing that the Government of this Colony has a clear right to issue grants for mining or other purposes, the Legislature on the 9th day of April 1867, in reply to the said despatch, passed certain resolutions and addresses declaratory of such rights, and transmitted the same to the Secretary of State for the Colonies through his Excellency Governor Musgrave, to which neither his Excellency nor your Petitioners have received any reply.
>
> "The restriction contained in the said despatch has had the effect of preventing the exercise of British territorial dominion, and of depriving Her Majesty's subjects of the power of taking advantage of the mineral and other resources which exist within the said French Shore.
>
> "The importance of this subject to the people of this island is such that your Petitioners feel aggrieved that no reply has been received to the remonstrance of the Legislature, and that, so far as your Petitioners are informed, no action has been taken by the Imperial Government to assert the undoubted right of the British Crown, and to place within the reach of Her Majesty's subjects in this island the mineral and agricultural resources which exist within the said territory.
>
> "For some years past the Legislature of this island, though embarrassed by financial difficulties arising from the distress prevalent amongst the labouring population, have voted large sums of money for the purpose of obtaining a mineralogical survey of the island which will, to a great extent, be valueless if that portion of the island be withheld from the use of Her Majesty's subjects.
>
> "Your Petitioners therefore humbly pray that your Most Honourable House will be pleased to make inquiry into the matter, and to cause the restriction contained in the Right Honourable the Earl of Carnarvon's despatch to be removed, so as to place the Local Government in a position to exercise those functions necessary to ensure to your Petitioners their territorial rights."

Now for many years our principle of legislation with regard to our colonies had been to allow them, as far as possible, to exercise independent rights; but that principle appeared to have been departed from in regard to that part of the colony which was commonly called the "French Shore," which comprised a large portion of land which was supposed to be rich in minerals. The noble Earl (the Earl of Carnarvon) who, then being Colonial Secretary, imposed these restrictions, must have had very strong reasons for his interference; and they must refer, it was to be presumed, to the particular condition of that portion of the colony. Now, Her Majesty by the Treaty of Utrecht had territorial rights over the whole colony, and that treaty was subsequently confirmed by the Treaty of Paris in 1814; but the French possessed with respect to fisheries certain rights, and had put forward certain claims which had long been a source of dispute with the colonists, and which had been matter of frequent discussion between the Foreign Office of this country and the French Government. But, admitting all the French claims to be well founded, there would be still no ground for the restrictive interference of which the Petitioners complained. He would refer to some words of Lord Palmerston to Count Sebastiani, dated July 10, 1858. The noble Lord said—

> "I will observe to your Excellency in conclusion that if the right conceded to the French by the declaration of 1783 had been intended to be exclusive within the prescribed district, the terms used for defining such right must assuredly have been more ample and specific than they are to be found in that document. For in no other similar instrument which has ever come under the knowledge of the British Government is so important a concession as an exclusive privilege of this description announced in terms so loose and indefinite. . . . The claim put forward on the part of France is founded simply on inference and upon an assumed interpretation of words."

At the time of the Treaty of Utrecht, Newfoundland was merely a fishing station. It was so entirely a fishing station that the Admiral under whose command it was had the name of the Fishing Admiral. But the position of Newfoundland had entirely changed; it had become a very valuable colony, and commanded such a position that it was a matter of the greatest interest to us to consult the wishes of the population as far as possible in the view of securing their loyalty and attachment to the British Crown. This question had grown out of the increasing value of the coast. Besides its value as a fishing station there had been discovered large copper mines, mountains of statuary marble and mineral wealth, and also, more lately, the existence of petroleum in large quantities; all of which, if these restrictions on the grants of land were continued, would be excluded from the profitable enjoyment of the colony. There was a separate article of the Treaty which affected the question of the land; but it merely stated that no British buildings or enclosures should be erected or maintained on the shore reserved for French exclusive use, except for the purpose of military defence or of the public administration. Although the French had at different times desired to assert some right of possession of this land, it had never been admitted by the English Government or by the local Legislature of Newfoundland. Throughout the whole of these transactions great care had been taken to avoid all recognition of that claim. Governor Darling, who was supposed by the colonists to have very much compromised their rights, said—

> "The residence of British subjects has been always deliberately encouraged by the French, since in them they find the necessary guardians for their establishments when they themselves retire to France at the close of the fishing season."

The colonization of the French coast had begun long since; several populous settlements had been made on that coast, and no attempt was ever made to move them. At the present moment a very large population, in some thirty or forty considerable stations of English subjects, on the coast were living in a condition of society such as existed nowhere else on the face of the globe. They were squatters living without jurisdiction, without law, without any punishment of crime or enforcement of rights, acknowledging, as it were, no Sovereign. He could not but believe that this condition of things had been rendered much worse by the despatch of the noble Earl, which prevented the grants of land on the French coast. Such grants would, by employing these persons in useful industry, have tended much to promote their civilization; and the question now was whether the prohibition of those grants should not be rescinded; its immediate effect being to prevent the most valuable copper mines in parts of the coast, very close to what was called the French Shore, from being extended in that direction. It also prevented the working of all the marble quarries, which were said to be very considerable and likely to be very productive; and would prevent the use of the discovery of petroleum to which he had already alluded. And what was the condition of the colony which was trying to recover itself? It was in such a condition of poverty that one-half of its revenues were appropriated for the maintenance of the poor. The British fisheries could not compete with the French, which were supported by large bounties, the object of the French Government being not only to extend the fisheries, but to train up a large body of marine. The colonists, therefore, laboured under every possible disadvantage; and there was great temptation to disloyalty and entire separation. Already the voice had been heard, that if they became part of the United States they would receive very different treatment. The present state of things stood entirely in the way of the colony of Newfoundland joining the great Northern Confederation; they did not see their way clearly to any advantage they would derive from it. He therefore hoped their Lordships would give their serious attention to this subject, and, having received all the information that might be addressed to them on the other side of the question, that they would do all they could to direct Her Majesty's Government to remedy what appeared to him a great wrong.

THE EARL OF CARNARVON said, he had no fault to find with the noble Lord (Lord Houghton) in presenting this petition, complaining of what he had felt it his duty to do when filling the office of Secretary of State. It might, however, be more convenient to the noble Duke the present Secretary for the Colonies (the Duke of Buckingham) and to the House generally, if he interposed for a few moments with some remarks on the subject. The noble Lord had told them that the petition was founded on a despatch which he (the Earl of Carnarvon) wrote during the autumn of 1866. The case which presented itself for decision was this—a certain gentleman in Newfoundland desired to prosecute some mineral researches upon that part of the coast which was known by the name of "the French Shore;" and he (the Earl of Carnarvon) felt it his duty to hold that for the present it would not be right for Her Majesty's Government to sanction such a proceeding. That might appear an arbitrary course, and perhaps an impolitic one to the noble Lord; but, at the same time, there were grave reasons that led him to adopt it. There was no question of older standing, none more complex, none, perhaps, less understood in this country, and none more capable of mischief than that of the Newfoundland fisheries. The subject was very little understood, and the extent and validity of the French claims had been canvassed by sanguine Ministers in every form. Newfoundland was originally claimed for this country in the time of Henry VII.; it was subsequently occupied by the French; then after a long series of negotiations and disputes it passed to this country by the Treaty of Utrecht in 1713, the French securing to themselves — or, rather, we securing to the French—certain rights of fishery and certain rights on parts of the coast in reference to fishery rights. The Treaty of Utrecht on this point was renewed at a subsequent period by the Treaty of Versailles. That was the basis on which all the claims on both sides now rested. It was important, also, to remember that the object of the fisheries to the French and the object of Newfoundland as a possession to us was not the mere foundation of a colony, but the training up of seamen and the creation of a nursery for the navies of both nations. The notion of colonization or settlement was entirely foreign to their ideas. An enormous variety of points had from time to time been raised upon these treaties, and the mass of correspondence upon them was such, that if he were to attempt to place them before the House he should certainly weary their Lordships and perhaps only succeed in confusing them; but substantially the questions of real importance which had thus arisen were, he thought, these two —First of all there was a claim on the part of the French to certain rights at sea; and, in the second place, there was a claim on the part of the French to certain rights on land. It had been argued on the part of the French that their right was absolute and exclusive, and on the side of the colonists it was argued that it was a concurrent and not an exclusive right. The French claimed not only the right to fish in those waters themselves, but to turn off others who might wish to fish there. The colonists contended, on the other hand, that they had a concurrent right to fish in those waters. On the other hand the French claim to the shore was, as the noble Lord had said, what really amounted to a claim to the occupation of that shore. There had been questions as to how far inland that French right of occupation should extend — whether a few yards or a considerable way into the interior; and there had been the claim, and one that was admitted on both sides, of the French to remove establishments from that shore, inasmuch as they might interfere with their fishing rights. Then there arose the question what the nature of those establishments was—whether they were purely fishing establishments or included shops, warehouses, and other permanent buildings. The noble Lord had argued the case from a purely colonial point of view. He (the Earl of Carnarvon) did not, of course, object to the colonial point of view being urged before their Lordships; but he must remind the House that in as far as it was only a colonial view, derived from colonial information, it was necessarily a one-sided view, and did not represent either the course which the negotiations between this country and France had taken, or indeed the opinion entertained at various times by successive English Secretaries of State, whether connected with the Colonial Department or with the Foreign Office. The noble Lord had quoted the opinion of Lord Palmerston as being very strongly against the exclusive right claimed by the French. On points of that sort the authority of Lord Palmerston was always entitled to great weight; but, on the other hand, other Secretaries of State, whose authority was perhaps as great, had held a somewhat different opinion; and, moreover, if one set of Law Officers had counselled one view on that subject, another set of Law Officers had counselled a view that was far from identical. When, therefore, the noble Lord said the whole stream of authority ran in one direction, he could not quite assent to that assertion; because as they went further back into the history of those treaties and negotiations, he thought they would find that, in those earlier days, there was a greater inclination to admit an exclusive or very stringent right on the part of the French than in subsequent times. Acts had been passed and instructions issued to Governors in that sense; and to such a degree had that view been taken, that an Act was passed in the colony many years ago which absolutely excluded the electoral franchise from extending over any portion of the French Shore. He would not express any opinion as to how far the French claim was or was not just; but the view urged by the noble Lord was by no means so clear and unmistakable as he supposed; for there had been a large difference of opinion on both sides in the matter, and it would be very unwise for any English negotiator to overlook that fact. Formerly constant collisions occurred between the English and French fishermen on the fishery grounds, sometimes leading to very serious results, and ships of war had been ordered up to take part in the difference. Subsequently those collisions had, perhaps, given way to bickerings and quarrels between the two parties. But the Governments of the two countries had uniformly felt—and, he thought, wisely felt—that it was desirable, if possible, to come to such a settlement of this long-vexed question as would at once secure the treaty rights of both parties and give a just development to colonial resources. In 1857, in consequence of the action of the Colonial Parliament, a Convention entered into for that object broke down. In 1859 the difficulties were felt to be as great and as dangerous as ever, and a Commission was issued by the Government to inquire on the spot. Upon the recommendations of that Commission a further attempt was made in 1861, and again the two Governments agreed on the terms of a Convention. But again the Colonial Legislature interposed, and would not consent to conditions which they stated were prejudicial to their own interests; and the hope of an adjustment once more failed. The difficulties were renewed; and in 1866, when he (the Earl of Carnarvon) accepted the seals of the Colonial Office, he found there was some reason to anticipate that negotiations might be resumed with advantage. But he also felt very strongly that it was absolutely necessary, if they were to be resumed, that there should be a clear understanding on their part and on that of the colony, that they should not be subjected a third time to disappointment and failure from the same causes. Believing that the circumstances were favourable at that moment to the resumption of the negotiations, he knew well that, if the issue of grants of land were to be made in the manner which had been contended for, the existing most injurious state of things must be indefinitely protracted. Therefore, while appreciating the unsatisfactory position of affairs on the French Shore, and being anxious to remedy it, still he had felt that the permanent interests of the colony, not less than the interests of this country and of France, rendered it desirable that one more effort should be made to secure the settlement of that question, which, as long as it remained open, endangered the friendly relations of the two countries. He desired to speak of the colony with great respect; but he must ask whether they had placed this country in a fair position? There were already in existence in British North America questions of a very difficult, complicated, and even irritating nature—questions of boundaries, such as those of San Juan and Vancouver's Island, questions again arising out of the events of the late war; and it certainly was not desirable to have in Newfoundland a fresh magazine of combustibles to be added on the first opportunity to those already existing in Canada, in New Brunswick, and Nova Scotia, to imperil our relations with the United States. Let no one suppose that these disputes were the less dangerous because they had lasted for so long a time. As long as our relations with a foreign State were perfectly smooth and friendly, these matters were free from danger; but once let a feeling of irritation arise, and they would assume proportions that they did not possess at any other time. It should be recollected that Newfoundland was the cause of very considerable naval and military expense to this country, and it was therefore not too much to ask that the colony should meet us half way in a matter of this kind. What, after all, were the real facts of the case? Partly by conquest, and partly by treaty, we acquired this territory of Newfoundland many years ago; and, in return, certain rights were secured to the French. Time went on — a colony sprang up—a circumstance which, at the time the treaties were entered into, was not anticipated. English fishermen gradually abandoned the shores, and left them to the colonists; and now British interests having virtually ceased, we were called upon in the interests of the colonists to ask France to yield rights which it was doubtful whether we had not formerly conceded to her. That was not a position in which this country ought to be placed. But our duty was very simple. It was to secure to France all those treaty rights and engagements to which she had a clear claim—the honour and faith of the Crown were pledged to this, and no servant of the Crown would have a right to recommend the Crown to evade its obligations. On the other hand, it was our duty quite as strongly to accept the present state of things, to admit the growth of population and the change of circumstances upon that shore, and as far as we could, within treaty rights, to secure the just and proper development of colonial resources. Hitherto, the attempts made to bring about a settlement of the question had been rather in the way of dealing with special difficulties as they arose out of the early treaties than by placing the fisheries upon a new basis. But as he had held the office of Colonial Secretary, and now that he was out of Office being able to speak with greater freedom than the noble Duke, the present Colonial Secretary, he ventured to make a suggestion as his humble contribution towards the settlement of what might turn out a serious question. One thing was quite clear, that the French and the colonists had power to do each other considerable mischief, by insisting upon particular restrictions. The French might obstruct the formation of colonial settlements on the French shore, and the colonists might prevent the reasonable exercise of the French rights by refusing to sell them bait, and by similar restrictions. Why should not both parties agree to place matters on the far simpler and truer principle of a pure commercial reciprocity? If, on the one hand, the French would consent to abandon their exclusive claim to particular fisheries and modify their power of ordering the removal of buildings on particular parts of the coast; and if, on the other hand, the colonists would consent to throw open the whole of their fisheries to the French, gaining in return the right of fishing in French waters, these concessions would be largely for the benefit of both parties; but in the main the advantage, he was persuaded, would be chiefly on the side of the colonists, who had always urged that the French had possession of the best fisheries. It would be said, no doubt, that the fisheries were not sufficiently large to accommodate both parties, and that the stock would be soon exhausted. But the Report on our home fisheries, made a few years ago, showed that the resources of nature were so prolific that the supply of fish was absolutely inexhaustible. Experience likewise, since American fishermen had been admitted under the Reciprocity Treaty to fish in Nova Scotian waters, showed that these waters could perfectly well bear a double number of fishermen. But such an arrangement as he suggested might be made for a few years, and then when practical experience had been gained of its working, it could be seen whether it was desirable to renew it. In conclusion, he would urge strongly upon the Government the duty of not losing sight of this very important question; and he would also urge upon the colonists that they should not stand on their extreme rights, but having stated their opinions fully and frankly to Her Majesty's Government, taking a reasonable and not a one-sided view, should allow the Government to negotiate with the Government of France with the view of obtaining, if possible, a satisfactory settlement. He would not, however, advise the Government to attempt a third negotiation in the same manner as those commenced on two former occasions, when, after most of the Articles had been agreed upon to the satisfaction of the two great countries, the Colonial Legislature came in between the two Governments, overthrew the agreement, and set everything once more adrift.

THE DUKE OF BUCKINGHAM said, that after the statement of his predecessor in Office as to the circumstances under which he had written the despatch in question, it was unnecessary for him to enter into that part of the question; but, at the same time, it was right he should assure the House that the importance of attempting to effect a settlement of the questions arising upon the shores of Newfoundland had not been overlooked by Her Majesty's Government. The state of things existing there was suited to former, but not to present times, having grown up under entirely different circumstances. He agreed, however, with the concluding remark of the able statement of his noble Predecessor in Office, that it was not expedient that the negotiations should be again taken up in the form in which they had twice previously failed. And it was because of that feeling, and because they were desirous of considering how far they could defer to the representations of the colonists, that Her Majesty's Government had not been able to make an earlier reply to the despatch of the colonial Government. The state of things which had grown up could only be approached with any hope of success in a spirit of compromise. It did not appear to him when he assumed the seals of Office that a settlement would be facilitated, or the views of the colony advanced, by withdrawing those restrictions which his noble Friend had thought fit to impose with regard to grants of land within the disputed territory. The question was altogether one of difficulty, and could be met in no other way than in the spirit of compromise on the part of the colonists, the French Government, and Her Majesty's Ministers. He did not think it would be prudent to take up the negotiations at the point where they had been dropped, or to hamper them by contests as to the rights of the several parties in times past. He rather favoured the plan of accepting the position of each, and negotiating in a spirit of compromise on that basis.

Lord HOUGHTON asked whether the noble Duke would object to lay before the House the Papers on the subject?

The Duke of BUCKINGHAM said, he had intended to lay the Papers on the table later in the Session; but if the noble Lord would repeat his question on Monday, he would gladly state how far he could meet his wishes.

Petition ordered to lie on the Table.

REGULATION OF RAILWAYS BILL.

(*The Duke of Richmond.*)

(No. 101.) THIRD READING.

Bill read 3ª (according to Order).

Lord REDESDALE moved to re-insert in Clause 22 the following words, struck out on bringing up the Report:—"Nor shall any intimation be sent as to any person to whom the proxy may be given or addressed."

The Marquess of SALISBURY said, that the object of the noble Lord seemed to be simply to place the government of Railway Companies in the hands of those who attended the meetings, and to disfranchise those who were unable to attend. But it was obvious that the largest shareholders, who had most right and most reason to exercise control over the management of a railway, were those who, in consequence of the multitude of their engagements, had no time to be present at the meetings — especially if they lived in the country. It should rather be the policy of their Lordships to place the management of railways in the hands of the richer shareholders, and take it away from the less responsible, who attended the meetings as often from motives of amusement as business. The legislation of Parliament in regard to railways seemed to be minute in the extreme. If the Bill became law, a Railway Company desiring additional powers from Parliament would have to apply for them supported by the decision of a Wharncliffe meeting, and here again the Motion of the noble Lord would tend to throw the control of these applications into the hands of the less responsible shareholders. He would prefer to leave out the clause altogether; it embodied a most vicious principle. He believed his noble Friend very much in error in pursuing a system of tying up companies by minute and vexatious restrictions. The results of such a course had been most distressing, and he was tempted to say of the noble Lord, "*Si monumentum quæris, circumspice.*" If anyone wanted to estimate the merits of a paternal system of government, which the noble Lord seemed so highly to approve, let him look at the condition of Railway Companies.

The Earl of CLANCARTY hoped that his noble Friend the Chairman of Committees would not insist upon the Amendment; because it was important, as the noble Marquess had remarked, that every inducement should be held out to large shareholders and capitalists to select a good Board of Directors and to give such a Board a full and generous support.

Viscount LIFFORD made a few remarks, which were inaudible.

Lord REDESDALE said, it was not advisable to put extraordinary powers into the hands of Railway Directors. The richer shareholders generally knew where to forward their proxies, and it was only the poorer shareholders who required that this should be indicated to them. The consequence was that the extraordinary powers possessed by some of these Boards were the result, to a great extent, of the proxies sent by the smaller shareholders who forwarded them on the indication furnished in the proxies and without due inquiry. No doubt, when a Railway Company had a good Board of Directors, the shareholders were quite right in giving them their support; but there could be little doubt that all the injury done to the affairs of Railway Companies had resulted from the action of the respective Boards of Direction. What was wanted was that the Directors should act under a stronger feeling of personal responsibility. He thought that for this end they required to be reduced in number. The effect of the Amendment would simply be to prevent persons from intrusting their proxies to Directors without knowing who those Directors were.

THE DUKE OF RICHMOND said, he consented to the omission of these words the other evening at the suggestion of the noble Marquess, who proposed the omission without giving Notice. It was only subsequently that the full effect of their omission was pointed out to him, and, believing the alteration to be unwise, he should now be prepared to support the Amendment.

Amendment *agreed to;* Words inserted.

Bill *passed*, and sent to the Commons.

COTTON STATISTICS BILL.—(No. 102.)

(*The Marquess of Salisbury.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE MARQUESS OF SALISBURY, in moving that the Bill be now read the second time, said, that there could be no possible doubt that the object of the Bill, which was to obtain periodical information respecting the quantity of cotton imported into the United Kingdom, the quantity re-exported, and the quantity held in stock, would be of great public utility. An indirect object, which it was hoped would result from the Bill, was to put an end to the present gambling in cotton. The only parties who could possibly be aggrieved by the Bill were the "Warehousers," and the "Forwarders"—that was to say, every person or corporation who carried or forwarded cotton for toll or other consideration—who were required to make monthly returns to the Board of Trade of the quantities of cotton received or forwarded by them. The principal carriers were, of course, the Railway Companies, and the Directors of the lines principally concerned had given their assent to the Bill.

Moved, "That the Bill be now read 2ª."—(*The Marquess of Salisbury.*)

THE EARL OF POWIS called the attention of the noble Marquess to the fact that the definitions employed in the Bill were too large, and would render liable to heavy penalties many persons whom the noble Marquess could not have intended to include.

THE DUKE OF RICHMOND said, he had no desire to oppose the Bill; but, concurring in the remarks of the noble Earl who had just sat down, hoped that the noble Marquess would see the propriety of amending the wording of the Bill between this and going into Committee.

VISCOUNT HALIFAX opposed the Bill on the ground of the indefiniteness with which some of its provisions were worded.

THE MARQUESS OF SALISBURY hoped their Lordships would not reject the Bill. Whatever alterations might be necessary in detail—and he admitted that the Bill was susceptible of amendment—they might be made in Committee.

VISCOUNT HALIFAX moved that the Bill be read a second time that day six months.

Amendment *moved* to leave out ("now") and insert ("this Day Six Months.")

On Question, That ("now") stand Part of the Motion? their Lordships *divided*:—Contents 13; Not-Contents 6: Majority 7.

CONTENTS.

Cairns, L. (*L. Chancellor.*)
Richmond, D.
Bath, M.
Salisbury, M. [*Teller.*]
Bradford, E.
Carnarvon, E.
Hawarden, V.
Lifford, V. [*Teller.*]
Chelmsford, L.
Clinton, L.
Colchester, L.
Denman, L.
Feversham, L.

NOT-CONTENTS.

Somerset, D.
Powis, E.
Halifax, V. [*Teller.*]
Colville of Culross, L.
Foley, L. [*Teller.*]
Portman, L.

Resolved in the *Affirmative;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

House adjourned at a quarter before
Eight o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, May 22, 1868.

MINUTES.]—SELECT COMMITTEE—*Report*—On Military Reserve Fund. [No. 298.]

PUBLIC BILLS—*First Reading*—Duchy of Cornwall Amendment * [136].

Second Reading—Established Church (Ireland) [117].

Committee — Local Government Supplemental (No. 2) * [120]; Pier and Harbour Orders Confirmation, &c.* [118]; West Indies * [124]; Unclaimed Prize Money (India) * [122]; Medical Practitioners (Colonies) * [125]; Divorce and Matrimonial Causes Court (*re-comm.*) * [119].

Report—Local Government Supplemental (No. 2)* [120]; Pier and Harbour Orders Confirmation &c.* [118]; West Indies * [124]; Unclaimed Prize Money (India) * [122]; Medical Practitioners (Colonies)* [125]; Divorce and Matrimonial Causes Court (*re-comm.*) * [119].

Considered as amended—Reformatory Schools (Ireland) * [65]; Partition * [107].

HER MAJESTY THE QUEEN.

NOTICE.

MR. REARDEN: Sir, I beg to give Notice that on Monday next I shall ask the First Lord of the Treasury, Whether it be true that Her Majesty the Queen has been compelled, through delicate health, to retire from England during the remainder of this Session; and. if so, whether it is the intention of Her Majesty's Government, out of consideration to Her Majesty's health, comfort, and tranquillity, and in the interest of the Royal Family and of Her Majesty's subjects throughout the Empire, and especially of this metropolis [*Loud cries of* "Order, Order!"], to advise Her Majesty to abdicate? ["Order, order!" "Chair, chair!"]

MR. SPEAKER: The House has anticipated my decision by the expression—the indignant expression of feeling with regard to the terms employed in the Notice of the hon. Member. No doubt Questions may be addressed by a Member of this House to the confidential Advisers of the Crown as to any matter relating to the discharge of public duties by the Sovereign; but these questions must be addressed in respectful and Parliamentary terms. The Question of the hon. Member is not couched in such terms, and cannot be put.

MR. REARDEN: I beg very earnestly to apologize to the House for putting a Question in any form of words which is either un-Parliamentary or not in strict accordance with the views of this House. ["Order!"] Nothing can be further from my views, mind, or heart, than to do anything inconsistent with strict loyalty to Her Majesty. ["Order!" "Chair!"]

ARMY—MILITARY UNIFORM.

QUESTION.

MR. O'REILLY said, he wished to give one word of explanation to make his Question intelligible. It appeared that retired Captains in the Army were not allowed to wear their uniform at Court, but if they had medals they must either wear them over their Court-dress or leave them at home. He would, therefore, beg to ask the Secretary of State for War, Whether there would be any objection to put those Officers who had retired from the Army as Captains on the same footing as regards uniform as those who had retired as Field Officers?

SIR JOHN PAKINGTON replied, that the rule on the subject was not quite so extensive as the hon. Gentleman seemed to suppose. With regard to retired Captains, he might remark that their number was very large, and their names did not appear in the *Army List.* It would be very inconvenient, therefore, that there should be any general extension of their privileges; but he would take into consideration how far it might be desirable to recommend to Her Majesty that under certain conditions, as regards length of service and possession of honours, the rule might be relaxed.

IRELAND—RAILWAYS.—QUESTION.

MR. MONSELL said, he would beg to ask the First Lord of the Treasury, Whether the Report of the Commissioners upon Irish Railways has been considered by Her Majesty's Government, and whether they propose to submit to those Commissioners for Report the proposals on the Irish Railway system drawn up last year by a Committee of Irish Peers and Members of Parliament; and, if not, what steps it is proposed by the Government to take with regard to the Irish Railways?

MR. DISRAELI: Sir, the whole subject of Irish Railways has been investigated by the Commission, the Report of which has now been for some time under the consideration of Her Majesty's Government. We do not propose to submit to the Commissioners for Report the proposals on the Irish Railway system drawn up last year by a Committee of Irish Peers and Members of Parliament; but we intend to avail ourselves of the very great experience of those Gentlemen in order to assist us in maturing some plan which we hope to be able to submit to Parliament. I cannot say, however, that I have any hopes of submitting that plan during the present Session.

CUSTOMS' EXTRA CLERKS.

QUESTION.

MR. H. B. SHERIDAN said, he wished to ask the Secretary to the Treasury, Whether it is the intention of the Government to amalgamate the Customs' Extra Clerks with the establishment, or place them in receipt of such a scale of pay as will place them on a footing with the establishment and enable them to provide for their families?

MR. SCLATER-BOOTH, in replying, said, he must take the liberty to remark that this was, he believed, the fourth occasion during the last two months on which the hon. Member had placed this Question on the Notice Paper. Now, considering the terms with which the Question concluded, he thought it scarcely fair to repeat the Question so often without explanation. It was not the intention of the Government to amalgamate the Customs extra clerks with the establishment clerks. It was impossible to do so, consistently with the rules of the service. Moreover the scale of pay of the extra clerks had been considered by the Treasury two years ago, and he was not prepared to say that if it were again considered there would be any change in the decision arrived at in 1866.

CONDITION OF THE MAURITIUS.

QUESTION.

MR. J. A. SMITH said, he wished to ask the Under Secretary of State for the Colonies, Whether the Government can give information as to the present condition of the Mauritius—firstly, in reference to fever; secondly, in reference to the effects of the recent hurricane?

MR. ADDERLEY said, in reply, that the latest accounts from the island were dated the 16th of April, and were received on the 16th of May. Those accounts were, on the whole, favourable. The fever was on the decrease. As to the hurricane, it was the most destructive that had been known during the present generation. Great injury had been done to the crops; but it was hoped that, in consequence of the propitious state of the weather since that time, there would be less scarcity than was at first anticipated.

INDIA—CHOLERA AT FORT WILLIAM.

QUESTION.

MR. NEATE said, he would beg to ask the Secretary of State for India, Whether the second battalion of the 60th Regiment, containing from two hundred to two hundred and fifty raw recruits, has not been recently landed in India, and is now now detained at Fort William; whether the cholera has not broken out at that station; whether, in consequence of the insufficiency of the medical staff, a special medical man, not belonging to the Regiment, has not been appointed "to take charge of it;" whether many deaths from cholera have not taken place in the Regiment; whether the station is not considered an unhealthy one, and whether fresh recruits are not more liable than others to its unhealthy influence; and what reason there is for detaining at that station the battalion of the 60th Regiment?

SIR STAFFORD NORTHCOTE said, in reply, that the Regiment referred to by the hon. Member arrived at Fort William on the 31st of October last, just at the beginning of the cold and healthy season. No information had been received as to cholera, or which related in any way to the health of the Regiment. He was unable to explain why the troops were sent to Fort William, as that was a matter which rested with the local authorities.

IRELAND—THE ROMAN CATHOLIC UNIVERSITY.—QUESTION.

SIR GEORGE GREY said, the intentions of the late Government did not appear to him to be sufficiently explained with regard to the Roman Catholic University in the Memorandum of the Chief Secretary for Ireland which had lately been laid on the table. In order to bring out their views more clearly, he would beg to put the Question of which he had given Notice. With reference to the statement contained in the Memorandum laid before the House in the Correspondence relative to the proposed charter for a Roman Catholic University, that the charter, the draft of which was under the consideration of the late Government, was a charter for the Roman Catholic University, to ask, Whether the attention of the Chief Secretary, when preparing that Memorandum, was drawn to the express statements contained in the Letters of the 10th January and 14th February, 1866, from the then Secretary of State, that the charter asked for was understood to be for a College only and not for a University; and that Her Majesty's late Government proposed to remedy the grievance complained of, not by advising the grant of a charter to a Roman Catholic University, but by the other means therein described?

The Earl of MAYO: I am glad, Sir, the right hon. Baronet has called the attention of the House to this subject, as there has been some misapprehension in regard to it. As I understand it, the proposal made by the late Government was that, either by the creation of a new University or by the alteration of the Queen's University, an institution should be created which should have the power of affiliating Colleges other than the Queen's Colleges to itself; and it was proposed to the Government to grant a charter to the Roman Catholic University College in Dublin, the draft of which charter was submitted by the Government to the Roman Catholic prelates. Now, that, I admit, is not clearly set forth in the Memorandum, as the word "College" was inadvertently omitted after the word "University." I am quite ready to admit that the words in my Memorandum have reference to the proposal of the late Government to grant a charter to the Roman Catholic University College in Dublin.

Sir GEORGE GREY said, there was no mistake as to the first part of the statement; but the noble Lord had not quite correctly stated the intentions of the late Government, which were expressed verbally and in correspondence.

Mr. MAGUIRE said, he wished to ask what were the intentions of the present Government?

The Earl of MAYO: The hon. Member had better, I think, give notice of his Question.

SIR ROBERT NAPIER AND EX-GOVERNOR EYRE.—QUESTION.

Captain ARCHDALL: I wish, Sir, to put a Question to the right hon. Gentleman at the head of Her Majesty's Government. Assuming that the Abyssinian Expedition was organized for the sole purpose of releasing certain of Her Majesty's subjects who had been taken prisoners and kept in confinement by the Emperor of Abyssinia, and that purpose having been accomplished by the liberation of the captives, it is obvious that the bombardment of Magdala resulted in the *post facto* death of the Emperor and several of his subjects. The question I wish to ask is this, Whether in the event of certain Members of this House conspiring with certain other persons out of the House to persecute Sir Robert Napier for in the manner described having caused the death of the Emperor Theodore, Her Majesty's Government will be prepared to defend that gallant Officer, or to leave his defence to the voluntary action of a just and generous Nation?

THE ABYSSINIAN EXPEDITION.

QUESTIONS.

Mr. STANSFELD said, he would beg to ask the Secretary of State for India, When the despatches received from Sir Robert Napier will be published?

Sir STAFFORD NORTHCOTE said, the despatches received from Sir Robert Napier were extremely short, nothing more in fact than the telegraphic despatches which had been published communicating the facts of the release of the captives, the storming of Magdala, and the death of the King. A subsequent despatch announced that the troops were on their way home. There was some reason to suppose that despatches had been written and sent, but which, however, had not yet reached the Government. It was, however, hoped that they would be received before the Motion of which his right hon. Friend the First Minister had given Notice. But the information which the Government already possessed was sufficient to justify that Motion. The circumstances of the campaign were peculiar in this respect, that they had received information by telegraph which of course anticipated the written despatches.

Captain VIVIAN said, he would beg to ask, If any later information had been received from the troops than the 18th of April?

Sir STAFFORD NORTHCOTE said, the last telegram received by the Government was dated the 18th April, and the troops were then encamped on the plateau of Dalanta.

Mr. LAYARD said, that no information with regard to the Expedition had been laid before the House. He wished to know, Whether the Despatches already received would not be presented to Parliament before Friday next?

Sir STAFFORD NORTHCOTE replied that a collection of the despatches of Sir Robert Napier from the time the troops landed in Abyssinia until now were in course of preparation, and would be laid upon the table, bringing the information down to the latest date, and will be in the hands of hon. Members before the Vote of Thanks is proposed.

THE PROSECUTION OF EX-GOVERNOR EYRE.—QUESTIONS.

Colonel STUART KNOX said, after the Question that had been put by his hon. Friend the Member for Fermanagh (Captain Archdall), the hon Member for Westminster would not be surprised if he should ask him a Question, Whether it would not be more in accordance with decorum that the Jamaica Committee, who have hounded down the man who preserved to the British Crown one of our finest colonies, should leave their victim in the hands of their counsel and abstain from appearing on the Bench during a judicial investigation in which they are the prosecutors?

Mr. SPEAKER said, the rule with regard to Questions was, that Questions are permitted to be put to Ministers of the Crown relating to public affairs, and to other Members relating to any Bill or Motion connected with the Business of the House, in which such Members may be concerned.

Major JERVIS said, he wished to put a Question on this subject to the First Minister of the Crown. It was his (Major Jervis's) duty about eighteen months ago to ask the right hon. Gentleman who was then Chancellor of the Exchequer, whether, in the case of a prosecution of Governor Eyre, the Government meant to afford him that legal assistance which he had a right to expect? He was then informed that the Government meant to do what was right, and that they would render him all the assistance in their power. He now wished to ask, Whether, under all the circumstances, it was still the intention of the Government to afford ex-Governor Eyre, under the peculiar circumstances of the case, that legal assistance to which a man in his position was entitled at their hands; or whether it was to be understood for the future that a man who undertook the defence of a Colony rendered himself liable to be put in the felon's dock without receiving the slightest assistance from those who should stand by him?

Colonel STUART KNOX: I will again ask the hon. Member for Westminster the Question I have addressed to him on Monday next, and I hope he will be prepared to give me an answer.

Major JERVIS: As I have not received an answer, I will put my Question on the Paper, and ask it again.

TELEGRAPHIC COMMUNICATION WITH ABYSSINIA.—QUESTION.

Mr. OTWAY said, he would beg to ask the Secretary of State for India, Whether the first account of the fall of Magdala was contained in a Despatch received directly from any British authority in Egypt? He asked the Question, because it had been stated—and not contradicted—that the news of the fall of Magdala was known to the Emperor of the French twenty-four hours before it was known to Her Majesty's Government.

Sir STAFFORD NORTHCOTE replied that he was unable to state when the news was known in Paris; but it reached him in the ordinary way by a direct telegram from Sir Robert Napier, sent *viâ* Egypt. That telegram was recieved in London on the night of Saturday, the 25th ultimo, and was forwarded to him at Osborne, where he was in attendance upon Her Majesty; and it was owing to that fact that earlier publicity was not given to the despatch.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

AFRICAN SLAVE TRADE—"THE ABERDEEN ACT."—OBSERVATIONS.

Mr. LAYARD said, he would withdraw his Notice, "To call attention to the Act of the 8th and 9th Victoria, chapter 122, commonly known as the 'Aberdeen Act,' and to move, That in the opinion of this House the time is now come for the repeal of that Act." He understood that the noble Lord at the head of the Foreign Office was willing to accept it, and desired to bring in a Bill to effect theo bject he had in view.

Lord STANLEY said, he entirely concurred in the view taken by the hon. Member. Whatever might have been the merits of the "Aberdeen Act," it had ceased to be necessary. The Brazilian Government had kept good faith for many years past, and the slave trade with Brazil had entirely ceased; and therefore the continuance of the Act could only be a source of iritation. He had personally made no secret of his opinion; but he could not pledge himself, in the present state of Business, to bring in a Bill to repeal the Act during the present Session.

NAVY—GREENWICH HOSPITAL.

OBSERVATIONS.

MR. BAILLIE-COCHRANE said, he would defer to the wishes of the House and postpone the Notice he had given to call the attention of the House to the circumstance that the daughters of Seamen killed or disabled in the service of the Country do not enjoy the privilege of maintenance and education at Greenwich Hospital. At the same time, he would call the attention of the Government to the position of private Members, who were continually compelled to postpone important Motions on matters which ought to be discussed. Of course, private Members ought to give way when questions of general interest were brought forward by the Government; but now they had to give way for private Members and measures they did not approve. He was happy to defer to the right hon. Member for South Lancashire (Mr. Gladstone) and the important question raised by him; but the House ought to consider the position of private Members. He would postpone his Motion to Friday, the 5th of June.

PARLIAMENT—FORMS OF THE HOUSE.

OBSERVATIONS.

MR. DARBY GRIFFITH, who had given Notice to call attention to Rule 164 of "The Rules, Orders, and Forms of Proceedings of the House of Commons," and to its frequent infraction or evasion; and to move that it be rescinded, said, he was always ready to defer to the wish of the House on all proper occasions, and if the House were equally forbearing they might get on better together. He would consent to postpone his Motion, presuming that the Government would postpone Supply.

Motion, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

Lord Stanley

ESTABLISHED CHURCH (IRELAND) BILL.—[BILL 117.]

(*Mr. Gladstone, Sir George Grey, Mr. Lawson.*)

SECOND READING.

Order for Second Reading read.

MR. GLADSTONE, in rising to move that this Bill be now read a second time, said: Sir, I cannot do otherwise than recognize the great courtesy of hon. Members universally in refraining from occupying the time of the House with preliminary discussions, and also the justice of the remark made by the hon. Gentleman opposite (Mr. Baillie Cochrane) with reference to the anomalous position in which I stand as the mover of a Bill upon a great question of national policy, which, under all ordinary circumstances, if entertained by the House at all, would be in the hands of the Government of the day. I do not propose to enter upon any explanation of that anomaly, because it would lead to a discussion of deeper matters extraneous to the debate that is now about to take place, and which, whether they require to be discussed or not, I am very anxious to keep apart from all debate on the merits of this Bill. I think I shall not have occasion to detain the House at any great length; but so much interest is felt on this subject, and it is so difficult to possess the public mind clearly, even with propositions which one has endeavoured to state in the most explicit form —and of that difficulty I receive such constant testimony—that I should wish to remind the House, and those who may become acquainted with its discussions, of the exact position in which I, at least, and I think others on this side of the House, conceive the question to stand. It appears that at the commencement of the present Session Her Majesty's Government were of one mind with those who sit on this side of the House in the opinion that it was not possible—or, at least, that it was not politic or desirable—to maintain the existing religious and ecclesiastical arrangements in Ireland. Accordingly, when Her Majesty's Government proceeded, through the mouth of the noble Earl (the Earl of Mayo) to state to Parliament their policy for Ireland, they intimated that they were disposed to favour extensive plans of change. An earnest of these plans was given in the shape of a proposal with respect to a Roman Catholic University, and their general character was indicated in two parts of the speech of the noble Earl—one in which he stated that the Grant now made to the Presbyterians, under the name of *Regium Donum,* was miserable in its amount and inadequate for its purposes, and would require to be considerably or largely increased in order to make it worthy of its aim; and the other in which, going beyond the case of the Presbyterians, he recognized fully, and, of course, in the main—though not exclusively—with reference to the Roman Catholics, the doctrine of religious equality for Ireland, and said there would be no objection on the part of Her Majesty's Government to establish that religious equality, provided it were done by giving, and not by taking away. Of course, any construction put upon the words of the noble Earl is put by me, and I have no right to make him responsible for my assumption of what those words import; but I apprehend there can be no serious division upon the meaning of those very grave and important words to which I have referred; the meaning was that the Government recommended us to proceed to the removal of anomalies in Ireland, but to proceed by the method of concurrent endowment — of establishing, by means of public funds, other endowed Churches in addition to that which now exists; and the position of Her Majesty's Government may fairly be considered as thus defined. Sir, to that method of proceeding it appeared to us that there were insurmountable objections. We are entirely at one with Her Majesty's Government—though I do not know how far we are at one with the bulk of those who sit behind them—in adopting the principle of religious equality for Ireland. But we think that the attempt to found a variety of endowed Churches in Ireland at the public charge, or even if it had taken a different form, to which I need not refer particularly—I mean by the division of the ecclesiastical property — that the attempt to found a variety of endowed Churches for Ireland is a plan that would be found to be diametrically and fundamentally opposed to the sentiment and conviction of the great mass of the population of Great Britain, while on the part of the Roman Catholics of Ireland, who form the great bulk of those whom it would be intended to aid, such a plan has been generally and emphatically repudiated. We, Sir, therefore, proposed to proceed by a method opposite to that of Her Majesty's Government, and to attain the great aim of religious equality for Ireland, which we have in view in common with the Members of the Cabinet, by that other process which is commonly known, and with a sufficient accuracy of phrase for popular purposes, as the method of disestablishment and of general disendowment. The House, therefore, has been asked to vote, and has voted, that the Church in Ireland now established should cease to exist as an Establishment. It has also voted that all personal interests and all proprietary rights should be carefully respected; and an opinion certainly has been given, and I think has met with considerable acceptance, that, in addition to strictly defined interests and rights, in every question of feeling the House would be disposed, in contemplating so serious and extensive a change, to mitigate its operation, to soften the period of transition, wherever it could be done consistently with the attainment of the principal and fundamental objects. It has also been understood and has been voted by the House—not at my instance, but certainly with my concurrence—that the Maynooth Act should be repealed, and the *Regium Donum* discontinued. There are certain other propositions which I have presumed to state as opinions of my own, and they are briefly these — In the first place, that all the principles of consideration and equity upon which Parliament has distinctly shown its intention to treat the present Established Church should be fully and fairly applied, in consonance with the spirit of a just analogy, to the settlement of any other question affecting other religious bodies in Ireland; because if these principles were not so applied we should not establish the religious equality which we have in view as the main purpose that is to be accomplished. Then I have ventured to say, and I believe it is the deep conviction of all those who sit on this side of the House, that in proposing generally to disendow the Established Church of Ireland we emphatically renounce all idea of endowing in its stead any other religious communion; and, as I ventured on an early occasion to express it — perhaps, with no great precision, but still, I hope, with sufficient clearness to make my general view well known — that we finally and entirely abandon for Ireland the maintenance in any form of a salaried or stipendiary clergy, whether that clergy be supposed to be maintained out of public funds voted by this House, or out of the property which is now given for ecclesiastical purposes in Ireland. I also ventured to say, and I thought it was right and fair to say, that, so far as I could judge, either by my own sense of justice or by the opinions of others, there was certainly no intention that the Established Church of Ireland should be disestablished for the benefit of the Consolidated Fund; but that, whatever might be the final judgment of Parliament as to the wisest application of those funds when they came to be realized, they should be devoted, and that we should understand from the first that they should be devoted, exclusively to Irish purposes. As to the Irish Church itself, I expressed the opinion — which is an opinion only, but it appears to me a just one — that, having been itself deprived of legal privilege and position, it should be invested with perfect freedom. I own that, speaking as an individual, I cannot for a moment share the apprehensions — idle and visionary apprehensions they appear to me—which are entertained on this subject in high and dignified quarters, and among persons of great authority in the Church. I am astonished to find them so devoid of faith in the religious principles they profess, as to entertain the altogether idle and visionary apprehensions that those who hold our faith and religion in Ireland are not competent to direct themselves in their religious affairs, and that the moment those persons are released from restraint they are to astonish the world by their pranks and caprices in matters ecclesiastical. This I take to be the general position of this question, so far as regards the 1st and 4th Resolutions, and so far as regards the illustration that I may say they have received either from myself or, I think from the generality of those who, in the discussion of this question, have taken an active or leading part in favour of the Resolutions. Then we come to the Suspensory Bill, of which I have now to move the second reading, and I own it is to me matter of some disappointment that we have failed to obtain from the Government any recognition of the justice and propriety of this Bill, considered not as an original proposition, but as a natural sequel to the measures we have adopted. The right hon. Gentleman at the head of the Government went so far on a former night as to state that he considered, not the 3rd, but the 2nd Resolution to be a corollary of the 1st. I entirely agree in that doctrine. I think it was a most just and wise view of the case which prompted him to say that if the House was of opinion that the Irish Church should be disestablished, it ought to give effect to that opinion so far as the time and the circumstances permit. But what disappoints me is that when the right hon. Gentleman, on the part of the Government, has thus allowed that the 2nd Resolution was a just consequence of the 1st, he should now refuse to allow that the Bill is a just consequence of the 2nd Resolution. Why, for the House to have passed the 1st Resolution and to have rested content with an abstract declaration of opinion might have been impolitic ; but for the House to have passed the 2nd Resolution, and declared that it was expedient to make a legal provision against the growth of new vested interests in the Church of Ireland, and then, forsooth, to have halted in its career and declined to pass a Bill on the subject, would have been not only impolitic, but nothing less than ridiculous. The importance of this Suspensory Bill I am very desirous to carry home to the minds of all who hear me. It is no abstract sense of its propriety, no eagerness to give immediate effect to an opinion merely because we have expressed it and made ourselves responsible for it, that leads me, for one, to urge this Bill upon the House. It is because the passing of this measure lies at the root of all dealing with the practical difficulties of the case. Now, if we were content to proceed in approaching the question of the Irish Church—and I am satisfied that we are not content so to proceed—in the manner which has been in fashion in various continental countries, and in our own in former times, when Churches have been disestablished, religious orders abolished, and the members of them turned out-of-doors—if it were our national manner to proceed in a mode like that, nothing would have been simpler than the way to deal with the Irish Church, and we should not need to preface our proceeding by a Suspensory Bill. I do not disguise from myself or any others that the working difficulties when a definitive Act is passed will be very great ; they must be very great. To effect by form of law the transition of a considerable religious communion, from the condition of an Established Church to that of a voluntary society, is a most grave and serious matter; and when it is not done by a mere act of violence, but with the recognition of proprietary rights, and, above all, of vested interests, which the House, I am certain, regards as fundamental in any honourable or satisfactory arrangements, it is then the difficulties arise. Because vested interests carry with them the question not only of a certain amount of money, but of the continuance of a certain state of law; and it is conceivable—nay, probable—that in the beginning you would have two kinds of law in operation in the same country. You would have parishes and dioceses where the Bishops and clergy now in possession would be alive, and you would have other dioceses and parishes which had been voided, and where consequently people had come in under a new system perfectly different. Now, it is evident that the continuance of any mixture of that kind, which seems inseparable, at least at first view, from the case, would be a matter of considerable public embarrassment and inconvenience. Therefore, it appears to me the most natural thing in the world — indeed, I do not know how anyone can hesitate to admit it—that we who have concurred in the Resolution to disestablish the Irish Church should not be disposed to allow the prolongation of that period of embarrassment. It is a period which, when the time comes, I think the good sense of all parties concerned will seek to curtail and to bring to a close by some arrangement which may be then found practicable. But, in fact, nothing can be plainer than that it is the duty of a House of Commons which intends to disestablish the Irish Church, and at the same time to respect existing vested interests—that is, to preserve the Bishops and clergy, not only in their pecuniary receipts, but in their social position —nothing can be plainer, I say, than that in a matter of such complicated conditions, entailed by the necessity of the case, it is our imperative duty to prevent the unnecessary prolongation of these inevitable embarrassments by putting a stop to the growth of new vested interests. I must confess I should have gone one step further. I should have hoped, if this matter had not assumed a polemical aspect in consequence of its association with our debates upon disestablishment, that Her Majesty's Government, and even many of those who sit behind them, might have been disposed to acquiesce in the reasonableness of a suspensory measure. Undoubtedly if there be Gentlemen, and there may be some, who contend that the existing ecclesiastical condition of Ireland calls for no legislative measures, then they would be perfectly consistent in opposing such a Bill as I have submitted to the House. But such is not the position of Her Majesty's Government. Her Majesty's Government have themselves submitted to us a Motion in which it was distinctly declared that in all likelihood "considerable modifications" in the temporalities of the Established Church in Ireland might result from the inquiries of the Royal Commission. Well, what is the meaning of these words "considerable modifications?" They mean the extinction of some bishoprics, or the reduction of the income of some bishoprics, or both. They mean the withdrawal of the parochial machinery from those portions of the country where there are few or no Protestants. Every one will admit that this is the only natural and rational meaning of these "considerable modifications." But if there are to be those "considerable modifications," if you are going to reduce the income of bishoprics, or even, as it is reported, to extinguish a great number of them, if you are going to do away with what are commonly called "the scandalous abuses" of the Irish Church—a phrase by which I would be unwilling to describe the case of tolerably or even well-endowed clergy who have no duties to perform or parishioners to look after—if these things are to be brought to an end, and you think it your duty to do so, I ask, why do you not concur with us in passing this Suspensory Bill? At least the public evils, the public waste, and public scandal which will be caused if you continue to appoint new rectors to unnecessary parishes, new Bishops to unnecessary sees, and with unnecessary incomes, would be prevented. Why do you not consent, nay, why do you resist the proposition to put a stop to the growth of those new vested interests which will endure for twenty, thirty, or forty years hence? If my 2nd Resolution be a corollary of the 1st, and if this Bill be a corollary of the 2nd Resolution, I ask, speaking of its principle and not seeking to commit Gentlemen to its precise terms, is it not a corollary of any honest deliberation of the principle that there are to be "considerable modifications" in the temporalities of the Irish Church? Sir, I do not think that I need much longer detain the House, but I am anxious not to sit down without giving an answer to an appeal which was made by the hon. Member for Northumberland (Mr. Liddell) a few days ago to this effect —"Why proceed with a Suspensory Bill when you must be, in fact, aware that there is no chance of its becoming law?" Now, any appeal proceeding from the hon. Member, who adheres with unfashionable strictness to political principles in a day when they are not in vogue, has a special claim to respectful attention over and above what applies to his position in this House and the assiduity and ability he displays as a Member of it. I will answer that appeal most explicitly, and I think he will admit that, from our point of view, my answer is not an unreasonable one. The substance of his argument rested upon the supposition that, though a Suspensory Bill might pass this House, yet it would not receive the assent of the House of Lords. My answer is, in the first place, that I do not think it compatible with the dignity or even the duty of this House that, with regard to questions profoundly involving the highest public interests, we should be governed in the adoption of this or that particular measure by doubts or misgivings which any among us may entertain as to the judgment which may be passed upon it by another branch of the Legislature. We are the representatives of the people, having distinct and definite duties of our own to perform; and I am persuaded that the safest course for us is temperately and deliberately to perform those duties, and to rely upon the wisdom of others, who have also their duties to perform, to direct them in the right path. And I must admit that I am very unwilling on this particular question to entertain the supposition that the event will happen which the hon. Member anticipates as likely to occur. I certainly will not charge that upon the House of Lords. If I have seen in the course of a lengthened career instances in which I have thought that House somewhat rash and precipitate, I certainly have seen more instances—and conspicuous instances, too — in which it has acted upon the dictates of an enlightened prudence. Were it true that this Motion had been made by us merely as a Motion intended for the purposes of party—[*Cheers*]—I assure hon. Gentlemen that I do not in the least need those cheers in order to make me cognizant of the fact that such is their conviction devoutly entertained; but, still, we have another view of the matter. It is possible in this free country that there may be two opinions upon the subject; nay, it is even possible that the opinion entertained by those hon. Gentlemen may be wrong; but I, for one—though I have sat very patiently, in common with those who sit on these Benches, under the imputation of party objects—will never cease to maintain, now that the proper time for doing so has come, that, so far from being ashamed that this proposal has been made, or of the time at which it was made, I should have been ashamed of myself if at such a time, under such circumstances, with such facts as the condition of Ireland has presented to us, and such necessities as the whole relations of the Empire to them inwardly and externally involve—I say I should have been ashamed of myself if at such a time the Motion had not been made. With that conviction, I do not abandon the belief that in "another place" likewise these urgent facts and necessities may be recognized. But, Sir, even were I to descend to the lowest ground, were I to assume that the hon. Member is right in his unfavourable anticipation, and that this Bill on reaching, as I confidently trust it will reach, the House of Lords, backed by the authority of a commanding majority of this House, will nevertheless be doomed to rejection,—even then, though for myself I repudiate that anticipation, I say it could not act upon us in the least, for experience has shown us, with regard to, I had almost said a thousand measures, that the sooner you begin to knock at that door the sooner you will open it. I will not detain the House by entering upon any considerations of detail in connection with this Bill. In fact, as far as I know, there is but one subject which is not distinctly intelligible upon the face of it, and that is the question of ecclesiastical jurisdiction. The Bill has been framed in the belief that its provisions, when combined with those of the Church Temporalities Act of 1833 and of the general Ecclesiastical Law, are sufficient to enable every function and operation of the Established Church in Ireland to go forward, in different hands, indeed, but just as really and efficiently as they would go forward if the Bill were not passed. I refer to the subject because an opinion has been expressed by some that the ecclesiastical jurisdiction as a whole, or that portion of it which is exercised through the Spiritual Courts, would lapse under the Bill. I contest that opinion, and I think we shall have no difficulty in disproving it. But even were it true the matter could be easily arranged in Committee on the Bill; and it would be idle to magnify it into the importance of a cardinal consideration upon the present occasion. With regard to the Bill itself, I think I have said enough on this and on former occasions to justify us not only in proposing it; but in strongly urging it on the acceptance of the House; as being, in fact, a full acquittal and discharge of our immediate duty; for while we admit that the magnitude of this question is such that it cannot be definitively dealt with except by a Parliament approaching it, I might almost say, in the first days of its youth, yet perceiving that it is in our power materially to settle the limits of the question for the Parliament that is to come, we recognize that operation as a duty incumbent upon us, and accordingly I propose that the Bill be now read a second time, in the hope and belief that it will pass into a law.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Gladstone.*)

Mr. GATHORNE HARDY * The right hon. Gentleman (Mr. Gladstone) began his address on this occasion by laying the foundation, as he said, in the conduct of Her Majesty's Government. Now, I do not intend in the outset to accept the statement which he has made of our intentions, nor the interpretation he has thought proper to put upon words used on a former occasion by my noble Friend the Chief Secretary for Ireland. The right hon. Gentleman has stated that religious equality was put forward by my noble Friend as the basis upon which we were going to act. I venture, however, to say that throughout the whole discussion that occurred, and in which I took part, religious equality was argued upon as a thing which could not be made the groundwork of measures like these without its being also made the groundwork of an attack on the English Establishment, and that therefore it was a thing we did not recognize nor make the basis of our policy. Moreover, the only measure which we brought forward in this House indicative of the policy of Her Majesty's Government with respect to any religious institution in Ireland was with respect to a Roman Catholic University. It was proposed to charter a Roman Catholic University in Ireland, and, the Correspondence on the subject being on the table, the House will have an opportunity of judging of our conduct respecting it. As to the payment of the Roman Catholic clergy, my right hon. Friend at the head of the Government stated most distinctly that no such intention had ever existed, and I may add, speaking in the presence of my noble Friend, that neither the increase of the *Regium Donum* nor the payment of the Roman Catholic clergy was ever discussed by the Cabinet, or brought forward in any shape or form before the House. [*A laugh.*] The hon. Member (Mr. Layard) laughs; but I venture to call upon him to support his incredulity by facts, if he can do so. So far, therefore, from being at one with the right hon. Gentleman upon the question of religious equality, I say it is impossible that we who have contended for religious Establishments in connection with the State can be at one with the right hon. Gentleman or the party he represents on that particular groundwork of religious equality which he has laid down for us. I have never concealed my belief that religious Establishments in connection with the State are to the interest both of the State and of the Church itself; but, I think, of greater interest to the State than to the Church. I do not at all agree with the right hon. Gentleman that because we support endowment and connection with the State we therefore manifest fear of the religion which we profess not being able to maintain itself without them; but I wish to put this to him — if Establishments be of no use for the support of religion, but rather a hindrance and impediment, I presume he will think it right to cast them away in this country as well as in Ireland; and, in support of that religious equality of which he has become so fervent an apostle, to let all religions in England and Scotland, as well as in Ireland, fight their battles without any assistance from the State, or, indeed, without any assistance from the pious endowments of those who have given them on the faith of their being protected by the State. The hon. Member for Birmingham (Mr. Bright), in the discussion last night, which had no real bearing upon this subject, and I therefore did not then reply, said we ought to take the opportunity of making a concession on this question in order that we might receive concessions upon some other subject; and the right hon. Gentleman has told us to-night that he thought or expected that we, who have ourselves admitted that modifications might be required in the position or condition of the Church in Ireland, ought to jump at the opportunity of a Suspensory Bill, and ought not to oppose or show ourselves hostile to what would serve our own purpose as well as his. On that I will say something presently. This is the first Bill introduced into this House, within the recollection of any of us, avowedly for the purpose of confiscating Church property and devoting it to secular purposes. Yet we are called upon, in the discharge of the duty which we owe to our principles, to our friends in the country, and, as we believe, to the interests of Church Establishments, to accept such a Bill as this without discussion, to allow it to pass through this House as if it were not opposed, and then, no doubt, to be charged with having deceived and defrauded the right hon. Gentleman, when those who sit with us in the same Cabinet oppose it on its reaching, if it ever does reach, the House of Lords. Now, there is a Commission sitting upon the question of the Church in Ireland, and when that Commission issues its Report, it will be received with the respect and consideration due to those who form that Commission; but to tell me that I am to assume beforehand what their recommendations will be; that I am to suspend the operation of the ordinary law in Ireland, to effect a purpose of which I know nothing—that I am to prevent the appointment of clergymen to benefices of a class and character, for instance, which it may be the intention of the Commission to foster and encourage and support even more than they are supported at present—this is a proposition so unreasonable in itself that were it not put forward by such great authorities as the hon. Member for Birmingham and the right hon. Gentleman, I should certainly not have thought it worth while to notice it. Now, it is not my intention to go much into the details of this Bill, though I think the right hon. Gentleman would find, if he were to consult some of those who are well acquainted with ecclesiastical affairs in Ireland, that in some respects it will not carry out the intentions which he professes. First of all, let me take exception to the Preamble of the Bill. It states what I am sure the right hon. Gentleman would not have wished to state, for it states that which is not the fact. It says—

> "Whereas Her Majesty has been graciously pleased to signify that She has placed at the disposal of Parliament for the purposes of legislation during the present Session Her interest in the Temporalities of the several Archbishoprics, Bishoprics, and other ecclesiastical dignities and benefices in Ireland, and in the custody thereof."

Now, Her Majesty has not made any such statement. Her Majesty has stated her willingness to waive any oposition which she might have made to the consideration of measures by Parliament; but does the right hon. Gentleman mean to tell me that the Queen has assented beforehand to legislation proposed by this House, and that she has for the purposes of legislation, whatever that legislation may be, abdicated any right she may possess in the future? [Mr. GLADSTONE: No!] The right hon. Gentleman says "No"; but I say that the recital of the Preamble presumes that it will be so, and I say that if a recital was necessary there should have been recited the Address of the right hon. Gentleman, and the Answer given to that Address, in the terms which Her Majesty was advised to use, and which she used advisedly, with reference to this subject. Her Majesty has no constitutional right to abdicate that part of her Prerogative which entitles her to put a veto upon any measure she thinks fit. The Preamble, then, is inconsistent with the fact, and states that which is not a legal or constitutional doctrine. Again, the right hon. Gentleman asks us to pass by without remark the statement that it is expedient to do certain things, and he says that statement is founded upon what we did with respect to the Resolutions. But it should be recollected that, when I stated to the House the course Her Majesty's Government would adopt with respect to the Resolutions, I did it in the most distinct terms, and I informed the right hon. Gentleman that he was not to regard our waiving a division on them as any sign that we did not entirely repudiate and oppose them. I told him that when a Bill was brought before the House, we should announce how we should deal with it. Well, the right hon. Gentleman, in consequence, I presume, of that statement, put a question to my right hon. Friend, and was answered at once that we should give our opposition to the Bill. In conformity with that reply I put a Notice on the Paper, and I am now discharging the duty I undertook in opposing the second reading. But, Sir, I do not think, with the views I entertain with respect to this Bill, that it is any part of my duty, or any part of the interests of those with whom I act, that we should attempt to amend this Bill in any respect. It is, in my opinion, a Bill bad in its construction, bad in its principle, bad in its expediency, without precedent, and entirely without justice. The Irish Church has defects, and many defects, as I am afraid there are in every Church; but for those who consider that the Irish Church is in itself good, that it has done good, and that it is doing good—for those who believe with me that in the truth which I believe that Church to hold there is in it the element of progress, which, although it may for a time be stayed, will yet eventually prevail—for those who are of opinion that the Irish Church is not injured by connection with the State, it is impossible to assent to the principles and the statements laid down in the Bill. The right hon. Gentleman on a former occasion took me to task for speaking of the State as upholding the Reformation in Ireland, and he said, with a taunt, "Why, you support Maynooth and give money to a Roman Catholic University, to Roman Catholic schools, and a variety of other things of that kind." That is true. But Maynooth was endowed long before I had a seat in this House; and with regard to the Roman Catholic University as a place of education, I shall be glad to give my reasons when that is discussed for what has been proposed by the Government for establishing a University in Ireland. With respect to education, it is true that denominational education prevails, and that money is freely granted by the State for the education of the children of all creeds. But, Sir, is France, or is it not, a Roman Catholic country? In that country payments are made for other religious purposes than those of Romanism. Does, therefore, the Emperor of the French not deserve the name of the eldest son of the Church, and does he not uphold the Roman Catholic religion? When we speak of these things we speak of ourselves as a nation. It is true that the logical position which State Churches used to occupy may have passed away, and that means are provided to educate and instruct those who hold different creeds and opinions. But this nation, as a nation, upholds the Reformation, and although these lesser things are done, I have a right to say that the State of England does uphold the Reformation, although I am sorry to say there are those who are anxious to put an end to it. I do not deny for one moment, nor have I ever denied, the power of Parliament to deal with these great questions; it is the moral not legal right which is disputed. I have spoken on former occasions with respect to the Union, and its bearing and weight on this great question; but I am aware that Parliament has the power, which must reside somewhere, to deal with these matters. And there can be no other power than that of the Imperial Parliament in a country which is not a federation, but an incorporation of two States. If it had remained a federation, the Parliaments of the two countries would have had to agree together to rescind a Union solemnly established. But with an incorporated Parliament there is no other body but the Imperial Parliament which can alter the arrangements existing between the two countries. But by the step which you take in this Bill, and which you hope to perfect in a future Bill, you are, in fact and in law, repealing the Union. ["No!"] I say that, having consulted a very eminent lawyer on this subject, he told me, and I believe him, that unless you put in such a Bill as that which you project for the destruction of the Establishment in Ireland, (a fundamental and essential part of the Union) a saving clause reserving the Union, it is doubtful if the Union will not be *ipso facto* repealed. ["Name!"] I am willing to adopt that statement, and therefore, as far as I am concerned, I make myself responsible for it. Much has been said, but not by me, with respect to the Coronation Oath. I will say that Mr. Burke, in the strong opinion expressed by him, never made a distinction between the Legislative and the Executive capacities of the Crown with respect to the Coronation Oath. And even in later years that great authority so frequently cited in this House, and respected by no one more than the right hon. Gentleman himself — I mean the late Sir Robert Peel—in speaking of the Coronation Oath, treated it as binding on the Monarch to a certain extent in his Legislative as well as in his Executive capacity. The passage is so short that I will read it to the House. Sir Robert Peel said—

> "He had never thought that Oath bound the King to maintain the Church and all its members in possession of every right and privilege which they might have possessed in 1688. It did bind him to consult all the essential interests of the Church, to provide to the utmost of his power for its security; but it left a discretion to take the course which the King in his conscience might believe best for those interests and that security."

And, therefore, the position of Sir Robert Peel was that the Monarch was not bound by that Oath as to every single thing connected with the Church which might be modified, but yet that modification must not be for the destruction, but for the advantage, of the Church. I said before that I regarded this Bill as inexpedient, and I consider it inexpedient on the ground which the right hon. Gentleman, by the almost contemptuous terms in which he spoke of the other House—["Oh, oh!"]. Then let me say—with reference to the remarks of the right hon. Gentleman with respect to the House of Lords that it is inexpedient, with the views which I entertain of that independent branch of the Legislature, that a Bill of this importance should be advancing to that House before it has been called upon to give any vote on this subject. I think it is most expedient that when you are dealing with a great institution such as this that the House of Lords should have been consulted by means of a Resolution, or by means of a joint Address to the Crown; and then we should have ascertained whether those prognostications which the hon. Member for Northumberland (Mr. Liddell) has made were likely to be verified or not. I object again to this Bill because it seems to me to be an attempt to paralyze the action of the Church of Ireland before any real deiscion has been come to with respect to it. It is like the method of some of those animals we see in the Zoological Gardens, which have the power of numbing their prey before they proceed leisurely to devour it. I think that this is an attempt to do something of the same kind, to paralyze the Church in Ireland, to create alarm, and to throw it into confusion, in order that its disconcerted adherents may not be able to resist the further progress of measures of this description. I say it is inexpedient in the House to pass a Bill which, for the first time in my recollection, enacts that money to be derived from the suspended bishoprics, archbishoprics, livings, and benefices, shall be paid into a separate chest by the Ecclesiastical Commissioners, and that they shall keep this money distinct from all other, to be afterwards disposed of in such manner as Parliament shall direct. I decline to entrust to the chance of any future Parliament the disposal of money which we are in a position to vote upon, and to say what shall be done with it. For the first time, and in distinct language—for it was never distinctly said before—we have had a strong disavowal from the right hon. Gentleman that there should be any part of this money employed for the endowment of any other religion. But I should like to ask something further. The right hon. Gentleman has spoken of endowments to Maynooth, to a Roman Catholic University, and for Roman Catholic education. I should like to know what he includes in the term "endowment." I would ask whether he means merely to disavow payment to the priesthood or ministers of such and such religions; or that the money shall not be devoted to the purposes of any other religion in any way whatever, but devoted to purely secular purposes? We have had no authoritative statement on that subject. We are told that the Roman Catholics have absolutely repudiated having anything to do either with endowments from the State or with the proceeds of the money derived from the present Church of Ireland. Far be it from me to suppose that these statements are made without meaning and without the determination so to act. But I cannot help looking back on former pledges and promises—to those statements which prelates in Ireland were authorized to make about never intending either to attack the Church in Ireland or to alienate her revenues; and I cannot help thinking that there is at times an action from without upon the prelates of that Church, and upon those under their guidance, which may leave it to be said afterwards that those promises and pledges apply only to the present time, and that when there is a difficulty as to the disposition of the funds some will be found of a different religion from the Established Church who will not shrink from taking them. I object again to this as an inexpedient measure, because it is an absolutely hap-hazard proposal. Where the blow may fall nobody knows. It may fall on Belfast, with its crowds of worshippers belonging to the Church of England; or it may, and it no doubt will, fall on some of those smaller places to which the right hon. Gentleman has adverted. He says, "Why will you not adopt this Bill? The Commission may wish for such alterations as it proposes, and you yourselves will find it very useful." Now, if we knew, as was known in 1833, what was to be done in respect to every part of the Church Establishment in Ireland, you might lay down your rules by a Bill, and apply suspension in cases where steps were to be taken for alterations. But this Suspensory Bill hits right and left in every direction. Last year 138 benefices became vacant, and in ordinary years we may take about 120 as the average. Of these 138 vacant last year, about 127 were in what is called public patronage. Well, Sir, these livings, many in most important places, would fall into the hands of the Commissioners for the undisclosed objects of this Bill. This Suspensory Bill may be valuable for the purposes of destruction, and that is the object of its promoters; but it may affect just those places which those who wish for the stability of the Church desire to maintain, and cannot therefore meet our views. Why, Sir, is it expedient that a poorly endowed curate should be placed in a parish where even the regular incumbent had not been overpaid — for few are overpaid—in a large parish with schools and charities to conduct, most of them owing almost their whole existence to the rector or vicar, and that for the year in which this Bill is to take effect you should have one unable to assist in their maintenance? He will have small interest in the parish, and he does not know how long he may be there; and during that year the schools may fall into decay, and the charities may come to nothing, even although you ultimately destroy the Bill of the right hon. Gentleman. Now, Sir, besides that, I say, as I said on former occasions, it is not the Church people only who are concerned in this matter. As regards the temporalities the clergy are indiscriminate in their charities. They do not confine them to Church people. The blow you aim would fall as heavily on the poor of Roman Catholic and Presbyterian faiths as on those of the Church of England. Is this necessary? Is it necessary to the scheme you have in view? Is this just and generous Parliament so hostile to the Church in Ireland that, despite of, if not vested interests, yet good and well-founded expectations, you will interfere to check the course of promotion of the miserably paid curate, who has been working his way up for many a trying year under great difficulties. Should it happen that in the course of the coming year some remuneration for his services should be in immediate prospect, will this great Parliament of England step in and say, "We won't allow you to get it?" Is the sum you are taking worth saving? The right hon. Gentleman the Member for South Lancashire told us on a former occasion, in the first speech he made on this subject, that he will have regard not only to the vested interests now in existence, but to the vested interests coming into existence. I will ask him, is this the fair, generous, considerate treatment which he held out as a lure? Again, let me ask him—as no doubt some will reply for him who can answer the question—what his Bill means by the words "trustees acting in a public capacity?" In Belfast there is an endowment, which I believe amounts to £20,000, made up by subscription, and managed by trustees, for the benefit of the Church. Are they public trustees, or are they not, for the purposes of this Bill? Are you going to prevent them from using the money furnished by the exertions of themselves and other subscribers? If so, nothing so iniquitous was ever attempted by Parliament. I should also like to know whether the livings under Trinity College, Dublin, are within this Bill? [Mr. Lawson: No!] Then you treat the interests of Trinity College, Dublin, as private interests. I hope that will be considered when we come to talk of throwing open that College. We must bear in mind, then, that you treat it as a private institution administering private funds. Well, now, I say of this scheme that, first of all, you are not clear in your definition. You cannot tell us how far this Bill extends. Is it one just to the clergy? If it would be unjust to the Fellows of Trinity College to thwart their just hopes, is it not unjust to the clergy at large? Those favoured clergy who are connected with private proprietors, their chances are not impeded; if they be on the road to preferment, their promotion is not stopped; but those who have been rising by merit, those who have been watched by the Bishop of the diocese, those who have been rising by ability, learning, and devotion to their duties, it is their promotion you are about to stop. To those who may be fortunate enough to be connected with gentlemen exercising private patronage there will be no difficulty; but those whom the Crown, the Bishops, or the public may deem to be worthy of promotion will be stopped on the road. What do you do this for? In order to effect a miserable saving, to put a little more into the sacrilegious coffer which you have provided by this Bill for the funds of the Church which you propose to seize. I wish to ask another question. It appears that throughout Ireland there are many parishes situated like one respecting which I have received a statement. A Fellow of Trinity College succeeded to a living; on doing so he had to pay £1,000, which was a charge on it. The trustees of his marriage settlement advanced him the money to do so, on the understanding that the £1,000 would be a charge to be paid by his successor. If that gentleman dies during the continuance of this Bill, who is to pay his relatives back the money which he advanced on the living? I wish to ask that question. I know that the Bill contains these words in reference to benefices seized by the Commissioners—"subject to all charges legally affecting the same." [Mr. LAWSON: Hear, hear!] The right hon. and learned Gentleman may cheer; I have read his Bill, and I think it a very bad one. It does not meet the case I have put. Might the Ecclesiastical Commissioners between this and the 1st of August next year pay £1,000 to the family of that gentleman, they being in ignorance of what you ultimately intend to do with the living, or what may become of your grand scheme of confiscation? You must remember, that, in the case of a successor to the present incumbent, that successor would be expected to pay the money over at once; and every one knows, in the case of the widow and children of clergymen, how important it generally is that they should at once be put in possession of money which that clergyman has advanced for the benefit of the parish. Nothing can be more monstrously unjust than to arrest the action of the Ecclesiastical Commissioners before you come to any decision as to what you are finally about to do. I hold in my hand a statement received from Ireland, and vouched for on the authority of one of the Ecclesiastical Commissioners. I applied for information on the subject, and I hope the right hon. and learned Gentleman the Member for Portarlington (Mr. Lawson) does not think that there has been any breach of trust in furnishing me with it. The Ecclesiastical Commissioners for Ireland increase small livings, and I should assume that some of those livings would come under the benefit of the operations of the Commissioners during the next year. There are many greatly needing it. I find that, in the diocese of Armagh, the benefice of Annaghmore has a present income of £105, and a Church population of 1,200; the benefice of Brackaville, a present income of £100, and a Church population of 1,375; the benefice of Milltown, a present income of £130, and a Church population of 2,340; the benefice of Portadown, a present income of £175, and a Church population of 3,800. In the diocese of Clogher, the benefice of Newton-Saville has a present income of £120, and a Church population of 1,300. In the diocese of Connor, the benefice of Ballymena has a present income of £129, and a Church population of 1,500. I might cite other cases equally strong, but those I have quoted will serve for an illustration. I ask the House, I ask hon. Members opposite, whether in their zeal—I may admit their honest zeal—for getting rid of what they may deem to be abuses, they ought to interfere with the action of the Commissioners in the case of these small benefices. Speaking of the Church in Ireland, the right hon. Gentleman the Member for Calne (Mr. Lowe) said, "Cut it down; why cumbereth it the ground?" I say, "Let it alone for this year also; let it alone under such circumstances as those figures disclose, and do not tell those working clergymen that their prospects are to be destroyed, and all chance of even a moderate remuneration for their services to be for ever cut off." These unfortunate men may be told to starve on with the miserable pittance they now receive for their work; but I trust in the honour of English Gentlemen. It not being necessary for their purpose that they should suddenly arrest all those clergymen who are now on their way to preferment, I hope they will not interfere with the really vested interests of those who have so small a pittance in a prospective increase. I was taken to task by the right hon. Gentlemen opposite for proposing to use the Church funds in the different parts of the country where they might be most needed, taking from Connaught to use in Leinster; but you are going to stop the flow of this money, in its local channel, and take it into your own hands, for I know not what purpose, except that it is to be an Irish one. You are going to dry up the sources of charity. ["No!"] Yes, you are going to stay the hand of those almoners, the endowed clergy, and to put curates in these suspended parishes instead of permanent ministers. And this you propose to do without telling us to what purpose you intend to apply the funds. We know, at least, that you are not going to spend them on the spot;

but, while you will not tell us what you are going to do with them, those who are now interested in them are to be deprived of their interests, both donors and receivers, and that without any provision for compensation to either. While on this point I may remark that the right hon. Gentleman, on a former occasion, said that the Ecclesiastical Commissioners for Ireland had the power of creating new benefices. No doubt he has since discovered his mistake. What he referred to is known as an episcopal union. [Mr. Gladstone admitted that he had been mistaken.] I will not, then, dwell further on that point. Now is there any precedent for the course which the right hon. Gentleman asks us to adopt? We have been told a good deal about the Church Temporalities Act. Let me allude to it. I find in the Resolutions adopted previously to the passing of that Act what the object of those Resolutions was, for what object the Bill founded on them was intended, and what course was taken at that time in reference to the Irish Church. I need not read those Resolutions at length; but one of them states that the course to be taken was—

> "Such as may conduce to the advancement of religion, and the efficiency, permanence, and stability of the United Church."

Moreover, that was recited in the Preamble of the Church Temporalities Act, so that it is clear that that Act was not intended to destroy or injure the Church in Ireland, but to conduce to its stability and permanence. There are, I believe, present in this House Members of that Government who know that that was the course then adopted. In order to carry that plan into effect, certain things were done by the Bill, which cut down the bishoprics in Ireland, and also contained a clause supposed to bear some resemblance to the present measure, with respect to suspending certain benefices. But those benefices were benefices where there had been no services in the church for three years, and anyone who takes the trouble to examine the 116th clause will see what ample provisions were made for providing officiating ministers to look after the spiritual interests of the people in those thinly-peopled scattered districts. Care was taken that, if money were taken away, it should, at all events, be applied to better purposes within the Church and for the maintenance of the Church, and it was with such objects and for such legislation that the King placed his interest in the temporalities at the disposal of Parliament. Now, although the object of this Bill is not disclosed on the face of it, yet we know from the Resolutions which have been passed that it is the disestablishment and disendowment of the Church. Its funds are to be taken away absolutely and entirely, never to be returned; and we know everything about what is and is to be proposed, except on the most important point of all—namely, the purpose for which we are gathering all this money together. Why the House does not demand an explanation on this point I cannot understand. The Church Temporalities Act then affords no precedent whatever; for there was no suspension except in those cases where there had been no service for three years, and power was vested in the Commissioners to restore the minister in any such district, should such restoration be deemed necessary. But will not the measure now under discussion be a heavy blow and a great discouragement to these scattered populations. I have already spoken of the blow falling upon the great centres of population. There it would fall heavily enough; but how much more severely would it fall on the scattered populations? A clergyman in the county of Cork has sent me an account of the large district in which he resides. He has no parsonage, and but very small endowment; but the Church population, which at one time seemed to be absolutely dispersed, has been gradually got together again. There is now a Church population of 240, and there are seventy-nine children in his school. Instances like these show how much good is being done by these gentlemen; and until you are prepared to deal permanently with the question of the Irish Church, it is unjust to cut off the supplies. As we have heard the fatal words in his sense of them, "religious equality," again to-night from the right hon. Gentleman, I will not be prevented from expressing that which I deeply feel—namely, "that" this is an attack, not upon the Irish Establishment only, but upon the United Church of England and Ireland. Not long ago, Sir, the noble Lord who has been the Prime Minister, and who has been conspicuous in the annals of Parliament ever since the time of the Reform Bill, and I may say long before—I mean Earl Russell — took the chair at one of the meetings held in support of the Resolutions of the right hon. Gentleman, and by whom was he supported? Let us see whether the supporters of the noble Earl stop short at the Church Establishment in Ireland, or whether their intentions have not a far wider range. Why, the noble Lord the Leader of the Whigs appeared upon the platform, surrounded by Mr. Mason Jones, Mr. Miall, Mr. Beales, and Mr. Potter; and the "troops of Friends" who should "accompany old age," where were they? Where were the Whigs who once surrounded him, and who brought him to the high position of Prime Minister of England? At that meeting the noble Lord gave up his prejudice in favour of Establishment. He said, "I have my plan and you have yours, but we are both aiming at the same object — religious equality." And there was made the last bow of effete Whiggism at the shrine of Liberationism and Radicalism. The idea that this so-called religious equality can be confined to one part of the Empire is perfectly absurd, and the men who have theories on this subject, and who have agitated them honestly, uprightly, and in a manly manner, as Mr. Miall has always done—these men, though they do not prominently put forward upon all occasions their ulterior views, yet they would, if pressed, admit that what they have at heart is the destruction of all religious Establishments, and the absolute separation, or, as they call it, the freedom of religion, from the control of the State. These men speak of what is being done, not as you do who assert that it will increase the safety of the Church of England, but as supplying a vantage ground on which they may plant their batteries with the certainty that the principles which you are establishing will insure the fall of the Church. Some gentleman sent me a few days ago a speech delivered by the late Bishop of London in the year 1835, and I cannot express in more forcible terms the feeling I entertain in regard to the present measure than he used respecting the measure then before the House of Lords. He said—

> "What would be more calculated than the passing of such a measure to inspire with fresh courage and confidence that hostile band of men, neither few in numbers nor contemptible for talents and influence, who view the Protestant Establishment in both countries with feelings of malignant hostility, who meditate its destruction, who, either by storm or sap, by force or fraud, by open and manly hostility, which it is easy to encounter and resist, or by insinuations and innuendoes and false reproaches, with which it is painful and difficult for honourable men to contend, are bent upon effecting the subversion of the Protestant Church of England, but who know, nevertheless, that it is hopeless to attempt it while the Protestant Church of Ireland stands."

[Mr. BRIGHT: What measure was that?] It was the Appropriation Clause in 1835. We are told that these are theories which are made use of for Tory and party purposes; but I read them in the *Nonconformist*, in the speeches of those who hold the opinions promulgated by the *Nonconformist*, and in the accounts of the proceedings of the Liberation Society. If I were to put to my hon. Friend the Member for Sheffield (Mr. Hadfield) the question whether he did not consider that by a successful attack on the Irish Church he would not obtain a vantage ground from which an attack might be made on the Churches of England and Scotland, I should feel that I was offering an insult to him, because he has so consistently and so honestly proclaimed his hostility to all religious Establishments. I maintain that by this Bill you interfere not only with the position of those who have vested interests, but likewise with the progress of individuals who ought not to be stopped by a measure of this kind in the promotion which they deserve. Thus you will not merely effect the existing, but stop the supply of clergy in the Church of Ireland; but also impart distrust to the mind of everybody connected with it, and all this is to be enacted suddenly and at a few weeks' notice. The clergy will see that you are stopping them in their career before you have proposed to deal with their interests on a large basis, and they will consequently believe that you will deal with them harshly also in the future. Is it no degradation that men of learning, ability, and devoted to their duties—as all admit—and who have hitherto occupied a position independent of their congregations, and who have relied on the funds of the Church for their support, should hereafter be the stipendiaries of a congregation? Is this desirable in the interests of truth, in the interests of right, and in the interests of religion? I believe it is not, and therefore I have taken this opportunity of opposing this Bill. I oppose this Bill because, when it comes into operation, it will have been practically announced by the Parliament of England that in Ireland the Imperial Government is for the future to be purely secular. In that case, I do not know what course you are to adopt with respect to your gaols, your workhouses, and your hospitals—how far this absolute disestablishment is to go, and whether you are to leave to the voluntary system the inmates of these unhappy places. When, however, you deal with the criminal and the pauper population and the inmates of hospitals, you must find means of affording them religious consolation and instruction, unless you neglect one of the first duties of the State. If, therefore, you are to be logical you ought to maintain a religious Establishment. The hon. Member for Birmingham in a speech which he delivered a short time ago remarked that the Church population in Ireland was not a large one, and he proceeded to cut it down to 500,000. The Census, however, was taken with too much accuracy in Ireland to admit of that, and I will, therefore, take the Church population as it appears in the Census at 693,000—or close upon 700,000. The hon. Member proceeded to say,—"Suppose all those persons were gathered together in one town, it would only be about the size of Liverpool or Manchester." Now, I will take that illustration. If there were such a consentaneous and homogeneous mass of men collected in one town, having one religious interest, and an Establishment supporting their religion, I should like to see this or any other House dare to attack it. It is because the Irish Churchmen are scattered, and as you suppose from that cause, weak, that you are attacking them. I will take the Corporation of London, which represents, I suppose, some 100,000 people. The Corporation of London has been reported against by a Commission, and spoken against by the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) for many years, but it still stands, and you can do nothing with it, because its members are all banded together to resist any attack made upon it. Do not suppose that everything is to go against the Church of Ireland so smoothly as the right hon. Gentleman seems to imagine. There are 700,000 people in Ireland interested in the maintenance of the Church; there are in this country large masses of people, increasing day by day as this question becomes understood, who will be more and more prepared to stand by their Irish brethren. I believe there are in this country and in Ireland many Roman Catholics who, in accordance with the principles of their own Church, favour the union of Church and State, and are reluctantly following the right hon. Gentleman, while some are turning round and refusing to do so. There are some of that religion in this country who, desiring to maintain the principles of their faith, object to see the funds of the Irish Church secularized, and who, believing in, and contending boldly for the faith which belongs to them, hope that some day it will be in the ascendant; they, therefore, will not see that which our wise forefathers gave for religious purposes thrown away for ever by such a measure as is contemplated. I have said that in honour and duty the members of the English Church are bound not to forsake their Irish brethren. You who are urging on this scheme have before you measures by which you can obtain speedily that which you profess to desire—an appeal to the people. We desire it also; we desire that this great question shall be laid before the new constituencies, if you will enable us to reach them. We are prepared to appeal to them on this great question, and are not afraid of the answer. It is a remarkable thing that Gentlemen who have been always praising the legislation of the last thirty years, and telling us that the House has so admirably represented the country, seem to think that with a change in the constituency there is to be an entire change in the policy of the country; which seems like an admission that they have been for thirty years misrepresenting the working men, doing that which is injurious to their interests; that there is all at once to be a sudden turn of the wheel; everything uppermost is to be put under, and everything we esteemed is no longer to be admired. If you put boldly, honestly, straightforwardly before the people the interest they have in the Church Establishment—and for them it exists as such—I do not hesitate to say that, especially as a Reformed Establishment, they will stand by it, to the last. I quoted just now the Bishop of London in 1831, and, perhaps, addressing brother churchmen, I may be permitted to conclude what I have to say in his language—

> "By the gratitude you owe to that Church from which you have imbibed your Christian principles and knowledge, in whose consolations I trust you delight (and may you experience all their efficacy at the closing hour of your existence), I implore you not to give your consent to a measure which will destroy the Protestant Church in Ireland without benefiting the poor Roman Catholic population; which will starve the meritorious dispensers of God's truth without adding to the comforts of those who are engaged in diffusing religious knowledge under a different form; a measure of which it is not too much to say that it commences with spoliation and sacrilege, and must end in ruin and confusion."

I move that this Bill be read a second time this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Secretary Gathorne Hardy.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. LAWSON said, he desired to call the attention of the House to some statements made by the right hon. Gentleman, which he thought were the most remarkable that had ever proceeded from a Cabinet Minister in that House. His right hon. Friend the Member for South Lancashire (Mr. Gladstone) had justified himself in propounding a policy with respect to the Church of Ireland, on the ground that a policy of a different character had been proposed by the noble Earl the Chief Secretary for Ireland on an occasion when he must be supposed to have spoken the well-considered opinion of his Colleagues. It would be remembered that, after the change in the Ministry, a noble Duke in "another place" stated that the next evening the noble Earl would explain the policy of Her Majesty's Government with respect to Ireland. The noble Earl then said—

> "There would not, I believe, be any objection to make all Churches equal in Ireland; but the result must be secured by elevation, and not by confiscation. Our policy is to make, and not to destroy."

The noble Earl commented on the insignificant character of the *Regium Donum*, and intimated that there would be no objection to increase it. How could that be reconciled with the statement just made that the increase of the *Regium Donum* and the payment of the Roman Catholic clergy were never discussed in the Cabinet at all? The Government was in this dilemma—either a Cabinet Minister was instructed to come down to that House and make statements calculated to raise expectations amongst the people of Ireland for which he had no warrant from the Cabinet, or else he spoke the sentiments of that Cabinet; and yet the right hon. Gentleman ventured to tell them that these important subjects which formed the staple of that speech were never even discussed in the Cabinet of which he was a Member. He left the right hon. Gentleman to choose which horn of the dilemma he would. The right hon. Member for South Lancashire had argued that, as the Government themselves admitted that important changes would be recommended by the Commission, his Bill was wise and expedient in anticipation of such changes; but the right hon. Gentleman the Home Secretary would not assume that such changes would be made. Yet the right hon. Gentleman must have been cognizant of the Amendment which the noble Lord the Secretary of State for Foreign Affairs moved on behalf of the Cabinet, and which on the face of it admitted that changes must be made.

Mr. GATHORNE HARDY: I said I would not assume what changes might be made; and that therefore this Bill might not be at all suitable to them. I did not say that no changes would be made.

Mr. LAWSON thanked the right hon. Gentleman for the admission. Then the right hon. Gentleman left the argument of the right hon. Member for South Lancashire entirely unanswered. It was admitted that the noble Lord the Secretary of State for Foreign Affairs spoke the sentiments of the Government when he said that considerable modifications in the temporalities of the Irish Church might, after pending inquiry, be found. Did the House remember the language of the noble Lord, who said he would not for a moment justify the abuses and anomalies which existed in the Irish Church? If considerable modifications were to be made—if bishoprics and benefices were to be reduced, what was the argument against the Bill? The right hon. Gentleman spoke of the case of the poor curate; but he left the Bishops out of his calculation altogether. Seeing that in Munster and Connaught only 3 and 4 per cent of the population were members of the Established Church, was it not worth while to prevent the creation of new vested interests by the filling up of vacancies —even in anticipation of the correction of those abuses the existence of which was admitted by the noble Lord the Foreign Secretary? There were several bishoprics in those provinces; and if one of those fell vacant and this Bill had not passed, there would be created a new vested interest of a Bishop to administer to the wants of a few scattered Anglicans in that district. The right hon. Gentleman was now trying to disconnect himself from the policy of increasing the *Regium Donum* —of endowing a Roman Catholic University and the Roman Catholic priesthood— in order that he might be able to raise a Protestant cry in the country at the coming elections; but he could not disconnect himself and his Government from the offers on this subject which had been submitted to the Cabinet of the Earl of Derby, and approved by them. But the right hon. Gentleman almost admitted the case he was attempting to disprove by his reference to the Emperor of the French and his remark that there was religious equality in France. [Mr. GATHORNE HARDY: I did not say anything of the sort.] Well, in France, Protestant and Catholic ministers were alike paid by the State; and that was the very kind of religious equality which the noble Earl announced to this House. Then the right hon. Gentleman added that he had been advised by an eminent lawyer that, if this Bill passed, it would have the effect of repealing the Union.

MR. GATHORNE HARDY: The right hon. and learned Gentleman misrepresents me so frequently that I am obliged to interrupt him. ["Order!"] I shall not be put down in stating that I have been misrepresented. I was misrepresented with respect to France. I did not say anything about religious equality in France. ["Order!"] I wish to make a personal explanation simply.

MR. SPEAKER: The right hon. Member is aware that the rule of the House is that it is at the option of the Member in possession of the House to give way or not to an immediate explanation.

MR. GATHORNE HARDY: The right hon. and learned Member did give way.

MR. SPEAKER: Then the explanation should be confined to the single point.

MR. LAWSON said, the right hon. Gentleman rose to explain with reference to the opinion of an eminent lawyer on this Bill.

MR. GATHORNE HARDY: Then all I have to say is that it was not upon this Bill that I referred to the opinion of an eminent lawyer; but upon the Bill which the right hon. Gentleman proposed to introduce for the disestablishment of the Church in Ireland.

MR. LAWSON asked, whether the House had understood that to be the assertion of the right hon. Gentleman with reference to the opinion of this nameless lawyer; and whether, if so, it was germane to the matter now in hand? The right hon. Gentleman, no doubt, saw the absurdity in what such an argument would involve him, because if this measure amounted *ipso facto* to a repeal of the Union, the right hon. Gentleman was in the happy condition of a Minister of the Crown, who had advised his Sovereign to sanction the introduction of a measure having that effect. In spite of his criticisms, the right hon. Gentleman had not succeeded in pointing out one single blot in this Bill. The Preamble was quoted from the Church Temporalities Act, and in the proper and legal form stated that Her Majesty had been pleased to place at the disposal of Parliament during legislation her interest in the temporalities. The right hon. Gentleman had said that the Queen had given no such Answer to the Address; but he (Mr. Lawson) maintained that Her Majesty's Answer did, in fact, amount to that. She graciously desired that her interests should not stand in the way of the consideration of the question by Parliament with a view to legislation during the present Session. What did this mean if it did not support and warrant the wording of the Preamble? And what was the value of the special pleading of the right hon. Gentleman on this point? The right hon. Gentleman asked whether the advowsons belonging to Trinity College were included in the Bill? Certainly not. The words of the Bill were carefully framed with a view to prevent any such construction. They were limited to any advowsons of which certain Archbishops, Bishops, and dignitaries of the Church, as such, had the disposal. Many of the advowsons of Trinity College had been bought in the market, some of them for considerable sums, and were as much private property as any advowsons in private hands. Then the right hon. Gentleman asked what was the meaning of the words referring to trustees acting in a public capacity. Well, there were certain advowsons in Ireland in the gift of certain persons acting in a public capacity—namely, The Lord Chancellor, the Master of the Rolls, the Archbishop of Dublin, and certain of the Judges—and it was to meet that case that the words were introduced. No one who had read the Bill could be, for a moment, under the delusion that trustees, acting for a private congregation, or for persons who had subscribed to build churches, would come under the clause. Would they be trustees acting in a public capacity? A more outrageous supposition could not be imagined. With regard to the charges upon the rents and profits which became vested in the Ecclesiastical Commissioners under this Bill, the Commissioners would, of course, take them subject to the liabilities, and the claims of the representatives of the deceased incumbent would be satisfied much more quickly than if they were left to be dealt with by his successor, who would not be compelled to pay until six months after entering on the living. Much stress had been laid upon the inconvenience which would arise from the want of any adequate provision to meet the case of a living which became vacant in a populous parish ; but his right hon. Friend (Mr. Gladstone) had called attention to Section 116 of the Church Temporalities Act, which made a careful provision for the discharge of the duties of such a cure so suspended. The provision was that the Commissioners were to authorize the appointment of a minister if necessary, or confide the duties to the minister of an adjoining parish ; and were to give him such moderate stipend as they thought proper. But his right hon. Friend, in considering this Bill, that this was not a sufficiently liberal provision ; and accordingly at the close of Clause 2 in this Bill inserted a proviso—

> "That in regulating the salary of the officiating minister regard should be had to the nature and extent of the duties to be discharged."

So that the largest possible discretion was given to the Ecclesiastical Commissioners. He conceived that the right hon. Gentleman spoke rather disrespectfully of the Ecclesiastical Commissioners when he talked of their sacrilegious coffers. The right hon. Gentleman said that they were trying to prevent the Ecclesiastical Commissioners from augmenting the incomes of benefices where there was a large Anglican population, and only a small amount paid to the minister ; but he did not allude to the amount of the augmentations that had taken place in the instances to which he referred. Under the voluntary system which the right hon. Gentleman condemned there was no doubt that the minister of such a parish would not be left with an income of £120 a year to be augmented by doles of £10 or £20 from the Ecclesiastical Commissioners. That House by large majorities had affirmed the principle of the Resolutions, and he therefore declined to follow the right hon. Gentleman into his argument on the merits of Establishments ; but when the right hon. Gentleman told the House that the effect of this Bill would be to dry up charity in the country, he begged leave to say that it would be directly the reverse. For what was the state now of the Protestant parochial population of Ireland ? They were in this condition. They had everything done for them by the State. Their church was built for them, it was warmed for them, it was kept in repair for them; their sexton was paid, their organ-blower was paid, their minister was paid for them ; there was no demand upon their purses. But, instead of such a population being left to depend upon the State, they ought to be taught to do something for themselves. They ought to learn to walk alone. When he said that the very elements of the most sacred rites of the Church had to be paid for out of the funds of the Ecclesiastical Commissioners he need add not another word. He believed that a much healthier state of things would result if the measures of his right hon. Friend were carried into effect, and that the ministers who were really deserving the good-will of their congregations would find their positions vastly improved. Instead of languishing on small stipends, with scarcely any duties to discharge, they would then find a much wider sphere of usefulness. The Home Secretary had charged the Opposition with a design to take away private endowments; but he challenged the right hon. Gentleman to show any grounds for the accusation; and the statement was opposed to the right hon. Gentleman's assertion that, while those who looked for advancement in the Church to public patronage would be for a time deprived of all promotion, the friends of lay patrons would enjoy all the advantages of the existing system. The fact was that the Bill would necessarily and properly reserve all private rights. Again, it was said that there would be danger to the English Church if the Church in Ireland were disestablished ; but to his mind they were not the friends of the English Church who propounded that argument. No one could believe that the abolition of the State Church that was kept up for the benefit of a small and wealthy minority of the people of Ireland, involved the destruction of the State Church that was deeply rooted in the affections of the people of England. They were no friends of the English Church who advised them to confide its fate to the same bark which the Irish Church was now sailing in, even though it might for the moment carry the right hon. Gentleman opposite and his fortunes. This Bill had been brought forward, not by the enemies of the Church, but by some of its best friends—by men who had a conscientious conviction that the time had come when religious equality ought to be established once and for ever in Ireland. For that reason he had supported the measure. It had commended itself to the understanding of Parliament and — notwithstanding the prophecies of the right hon. Gentleman opposite—to the sentiments of the country, in which he and his friends had entirely failed to evoke the spirit of a "No Popery" cry.

Sir FREDERICK HEYGATE contended that those who sat on that (the Ministerial) side of the House were justified in the resistance which they were prepared to offer to the Bill. No battle was hopeless until it was lost, and if the decision of the House was against the Irish Church that decision would be reversed by the country. He believed that the main reason which had induced the right hon. Gentleman (Mr. Gladstone) to bring forward the measure was the emergency of party. He confessed that it was with surprise he heard the right hon. Gentleman the Secretary of State say that the question of the *Regium Donum* had never been considered by the Cabinet. For himself, he was prepared to stand by the Irish Church, and he was equally prepared to affirm that the *Regium Donum* was justly granted to Presbyterians in Ireland, and that they would have a fair claim to compensation if it were withdrawn. The right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) had spoken strongly against the anomalies of the Irish Church, on the ground that it was highly paid, that its members were few, and its abuses great. But on more than one occasion he had ventured to bring under the right hon. Gentleman's notice that, whatever might be the case in some parts of Ireland, in Ulster, at all events, the state of things was very different, and to that he had never received any answer. He had got a detailed account of the revenue from every source of every parish in Ulster, and the number of the Church population in each, and he would state to the House the results in the several dioceses. In the diocese of Armagh and Clogher the total revenue of the Established Church in 1861 was £82,922, the Church population 150,778. In Derry and Raphoe the total revenue was £56,252, the Church population 65,951. In Down, Connor, and Dromore the total revenue was £44,783, the Church population was 153,467 ; and in Kilmore the revenue was £27,277, and the Church population 31,196. Summing up these figures the result was that in Ulster the revenue of the Established Church amounted altogeter to £211,234, the Church population to 401,392, the number of clergy was 684, the average endowment £308, and the average flock of each clergyman 580. That did not include the Presbyterians. These facts had not been and could not be answered. Why, then, should Ulster be included in this Bill, and appointments to livings in that part of Ireland suspended? As to the compensation to be given to the clergy, were not the congregations also interested, and ought not every individual who enjoyed advantages from the present state of thing to receive compensation? How the right hon. Gentleman could estimate the amount of compensation for life-interests at three-fifths of the value of the capital of the property he could not understand, for in twenty or thirty years the bulk of the property would be altogether diverted. If, indeed, he had proposed to allocate a certain portion of the revenues in accordance with the wants of the population, and that where adequate congregations existed there should not be total disendowment, he could have understood the estimate. With regard to the voluntary system, it was very well in theory; but it would not work except in the large towns and where there were numerous congregations. The members of the Established Church scattered here and there over Ireland would not be able to keep up their congregations, and a Protestant family placed among a population to a certain extent unfriendly, and having little chance of communication with clergymen or members of its own faith, would either remove to the large towns, or, which was more likely, would be absorbed among the Roman Catholic population. It being agreed on all hands that the question was to be definitively decided by the country and by a new Parliament, it was not just to suspend the entire operations of the Church, and to condemn it by anticipation, when the ultimate verdict might be different. It was not worth doing this for the sake of, perhaps, one bishopric and a few small livings, for the Report of the Commission, when it appeared, would show how miserable the great proportion of the livings were, and would surprise those who had heard of the wealth of the Establishment. He did not believe the measure would be productive of peace, and he protested against it because it would substitute Papal supremacy for the supremacy of the Crown ; because it would unjustly confiscate the property of the Church; because it would excite illusory hopes on the part of the Roman Catholic population, leading to disappointment and disaffection; because it would virtually abrogate the Union; because the voluntary system was an impossibility, being inadequate and unsuitable to the wants of Ireland; and, lastly, because so sweeping a scheme ought to be accompanied by a definite plan showing how the confiscated property was to be dealt with.

MR. LIDDELL admitted that there was some force in the ingenious argument that the Bill might be supported by those who wished simply for modifications in the Irish Church; but, its avowed purpose being disestablishment and disendowment, he must strenuously oppose it. The right hon. Gentleman had expressed a hope that the other House would be guided by an enlightened prudence in dealing with this Bill. Now, he hoped they would be guided by the dictates of principle, and would not forget the duty they owed as an important branch of a Protestant Legislature to a Protestant people. The right hon. Gentleman was a distinguished disciple of a distinguished school of politicians, against whom his (Mr. Liddell's) only complaint was that they had shown themselves at times too apt to sacrifice principle to that species of political prudence called expediency, and he thought the latter consideration had weighed with the right hon. Gentleman and had made him forget Protestant principles. Nobody believed that this question would be finally settled by the present Parliament. All admitted that it must be remitted to the new constituencies. Surely, then, these discussions were a sheer waste of time, and this charge, he thought, the right hon. Gentleman had quite failed to rebut. The right hon. Gentleman had restated to-night an argument already used by him—he had said that he was surprised at the friends of the Church expressing alarm at the prospect before them in the event of disestablishment. But, was it surprising that apprehension should be felt that the Church of a scattered minority should be unable to maintain itself? He opposed this measure on three clear and distinct grounds, that the separation of the Irish Church from the State would be unjust, unwise, and unnecessary. It was unjust, because nothing would persuade him that, under the specious pretext of doing justice to Ireland, they ought to inflict an act of gross injustice upon a very considerable portion of the inhabitants of Ireland. No man, and no body of men, were entitled to do evil that good might come. If it was wrong to maintain the Established Church in that country, it was a wrong which had been sanctioned and consecrated by the traditions of 300 years. He believed that the Bill was unwise, because the action of certain leading statesmen opposite could not fail to evoke among the people of England a feeling of hostility against their Roman Catholic fellow-subjects. It was all very well to accuse the Ministry of raising a "No Popery" cry, but those who really evoked that cry and the evil passions which accompanied it were the promoters of the Bill. He maintained, in the third place, that the measure was unnecessary. He had lived in Ireland, and he did not believe that the people of that country—and he spoke more particularly of the peasantry—had any strong feeling in their minds against the Established Church. It was no doubt very easy for their spiritual guides to get up a momentary feeling, and cause strong expressions to be used against the Establishment, but there was no deep-rooted sentiment of animosity, such as was sometimes assumed to prevail. The Opposition were exceedingly unanimous in supporting this first attack upon the Irish branch of the Protestant Establishment, but did they expect their unanimity long to continue? What were they going to do with the endowments when they got them? That question had never been answered. The right hon. Gentleman had been very cautious in his statements on this subject; but the Opposition were like an army who were attacking a strong fortress—to succeed in the assault they were compelled to stand shoulder to shoulder—but who would find it difficult to maintain their discipline when the fortress was carried, and the troops disposed to divide the plunder. He regretted that the great party to which he (Mr. Liddell) belonged were in Office when such a measure was before the House, because he believed their power of obstruction would be much greater if they were in Opposition. He must express the doubt he felt that if hon. Gentlemen opposite had been on those Benches, the question would ever have been introduced in its present form, or the present sweeping proposals enunciated. He was one of those who held that extensive modifications were necessary in the Irish Church, and the Government unquestionably entertained a similar opinion, as appeared from the Amendment and the speech of the noble Lord the Secretary for Foreign Affairs. He did not believe that the Government would propose to retain anything which could be called an abuse in the Established Church of Ireland. If the clergy failed in their duty, which he did not believe, let them be recalled to a sense of it, or if in certain places there were no congregations, then let its limits be contracted. But why destroy the Irish Church because our co-religionists were in a minority, and were scattered far and wide over the country? On these grounds he cordially opposed the disestablishment of the Irish Church, and he regretted that a different mode of settling this exceedingly difficult question had not been attempted. It was perhaps rather late in the day to talk of the endowment of the Roman Catholic priesthood, because it was assumed by Gentlemen on both sides that the Roman Catholics would not accept it for their clergy. But the offer had not yet been fairly made, and he must question whether if an offer had thus been made it would have been refused. If that had been done thirty years ago it would have brought peace to Ireland and to England. But the dissensions that prevailed in both countries would only be aggravated by the present measure. When he remembered that the band which had joined in the attack on the Church was composed of parties who entertained widely different views amongst themselves, and who were only united to accomplish, from various motives, a work of destruction, he could not doubt that when the question of dealing with the endowments came — if it ever came — to be considered, the unanimity which was now so remarkable would disappear at once, and perhaps for ever. He should cordially record his vote against this measure, regarding it as the first step in a violent, unscrupulous, and unnecessary attack on the Irish Church.

MR. SYNAN: I cannot but feel, as every Member of the House must by this time feel, that it is very difficult to offer anything new on the subject under discussion, and that it is most wearisome to hear the same statements, the same expressions of opinion, and the same arguments repeated. I shall, however, in the little I have to say confine myself as much as possible to observations in reply to the hon. Member for Londonderry, and the hon. Member for Northumberland, and perhaps I may commence with the concluding statements of the hon. Gentleman who has just sat down. He said that if Her Majesty's present Government had remained in their old places in the Opposition they could have defended the Irish Church more effectually than they could now that they were opposite. Well, if on the Treasury Bench they can offer a less effectual resistance to the Bill of the right hon. Gentleman the Member for South Lancashire than they could in Opposition, the evident conclusion is that the sooner they go into Opposition the sooner will their defence of the Church become effective, which it is not likely to be so long as they prefer remaining on the Treasury Bench. I think that is a fair conclusion from the argument of the hon. Gentleman. The hon. Gentleman said further that he believed Her Majesty's Government had the interest of the Irish Church so deeply at heart that they would be ready to make for it any sacrifice they consistently could. Well, if they are prepared to make a sacrifice for the Irish Church, what sacrifice could be less for patriotic men than to cross the floor of the House, for the sake of being able to make a vigorous defence of the Church from the Opposition Benches? I am sorry that not more occupants of the Treasury Bench were present to hear that advice tendered to them; but perhaps they may nevertheless be convinced by an argument whose strength I have never known surpassed. The hon. Gentleman has supported his argument on the present occasion by something which, to me, at all events, partakes of the nature of a paradox. He says that the Church Establishment in Ireland ought to be maintained because it is the Church of a poor minority. He tells us, also, that having lived for some time in Ireland, he is very intimately acquainted with that part of Her Majesty's dominions. I am sorry the hon. Gentleman knows so little of Ireland, as he shows he does; but I, coming from Ireland, and certainly knowing my country and my countrymen well, know that the Irish Church is the Church of as rich a minority as any minority of any country in the world. It is the Church of a minority; but the minority comprises nearly all the landed interest of the country, and to a great extent the proprietors of the mercantile wealth of Ireland. The Irish Church had been described as the Church of a small minority; but admitting the facts as peculiarly distinguishing its members, it is paradoxical that it should be urged as an argument in favour of an Establishment. But that is not the only argument the hon. Gentleman has addressed to us; for he, as well as the hon. Member for Londonderry, has rested his case upon this, that the Irish Church is at all events the Church of a scattered population — and the principles upon which Church Establishments were to be supported now and hereafter is this, that wherever there is a scattered population, be it rich or be it poor, there it is the duty of the Government to establish a Church to teach its religion to the scattered population. May I ask the hon. Member for Londonderry what is to become of the scattered Presbyterian population of the North of Ireland? Why has not the Government provided a Church for them to teach the tenets of their religion? And what is to become of the scattered Roman Catholic population in England? Why is there not a separate Establishment for the purpose of teaching them also? Well, then, I think I may leave this argument to answer itself. Church Establishments are evidently not founded on any reasons of such a nature. They were institutions the expediency of which was to be determined by every people for itself; that people fully represented in its Government, expressing their opinions deliberately and freely, and saying whether they wished to have a Church for the teaching of a particular religion or not, or whether they are so earnest, so zealous, and so religious in their sentiments themselves that they would support their religion and their pastors. I say, then, let the zeal of the Protestant Church supply the means for providing its own religious teaching, and let not the zeal of the other religious denominations be called upon to supply it. The argument which the hon. Gentleman has used is not an argument that ought to be addressed to the House as the foundation of a Church Establishment in any country whatever. But the supporters of Her Majesty's Ministers are not satisfied with indulging in the paradoxical arguments to which I have referred; but they adduce others from which there ensues a perfect *reductio ad absurdum*. Thus the hon. Member for Londonderry refers to the case of Ulster, and asks what is to become of the Protestant population of that province, where, he says, there is only a sum of £50,000 available for the religious requirements of 100,000 persons, or an average of 10*s*. a head to support religious teaching in the province? Why, if the same amount per head was allowed to the Protestants of England the sum which they would have at their disposal annually for religious purposes would be £10,000,000 instead of £3,000,000. If then, as the hon. Member for Londonderry contended, the Protestants of Ulster had not funds of adequate amount at their disposal for religious purposes, it followed that the funds of the English Established Church ought to be increased to at least £10,000,000 annually, and that instead of being, as it was, something like 2*s*. 6*d*. per head of the Church community, it should be increased to 10*s*. The favourite remedy which the Government advocates in these circumstances is that known as "levelling up;" but how much would the Catholics of Ireland be likely to receive under the operation of any such principle? How much was paid by foreign countries for religious purposes where the "levelling up" principle had been adopted? Why, in France the amount was 1*s*. a head, and in Saxony it was 6*d*. There was little probability, at any rate, that they would, even in a financial point of view, be so well off as the Protestants of Ulster, whose 10*s*. a head for religious purposes the hon. Member for Londonderry thought not excessive. Well, when we see such arguments as those adduced in support of the Church of Ireland, is it not clear to the comprehension of any man of common sense, of any disinterested person who has not allowed himself to be influenced by the "No Popery" cry, that the cause is really indefensible whose advocates resort to arguments so ridiculous? And here I would leave the case that has been attempted to be set up on behalf of the opponents of the Bill; but that I desire, before doing so, to advert to the appeal which has been made to one's feelings by the hon. Gentleman who has just sat down. Several hon. Gentlemen turn on the right hon. Gentleman the Member for South Lancashire with the charge that it is we (the Opposition) who have evoked this "No Popery" spirit, that has set class against class and sect against sect in this country. Well, in reference to this charge I will say this—that if the demand for justice causes those who maintain injustice to excite the spirit of "No Popery" for the purpose of defeating the claims of justice, those are the men who evoke the mischievous spirit, and not the men who demand that the injustice shall cease; it is the spirit of evil, ever ready to prompt to animosity and violence, that is responsible, and not the spirit of good, which calls for the performance and fulfilment of what is just, and commends itself to the appreciation of honest men. But that the "No Popery" spirit has been evoked I do not believe; nor do I believe that it will be evoked with success, as it has nothing to support it but the intense bigoted feeling which exists in some parts of the country, and which at one time manifests itself in burning down of houses and chapels, and at another in the sale of obscene publications, upon which the condemnation of a tribunal has been pronounced. It is yourselves that you ought to charge with any kindling of religious animosity. If it has been aroused at all it has been aroused by you; and upon your own heads will be the consequences. But I believe that this feeling which you say has been evoked is only an alarm, got up for the purpose of frightening those who, whether in this House or out of it, support a just cause against formidable opponents. As the great English poet has said, "the fear of death is most in apprehension;" so I believe just in the same way that this fear of the destruction of the Irish Church exists most in apprehension, and if you did destroy it there would be no ground for the fear, the alarm, or the apprehension which you profess as the result of such a measure; but, on the contrary, that there would be laid in Ireland the foundations of peace and order. And that brings me to another argument used by the hon. Member for Northumberland—namely, that the peasantry of Ireland did not feel any interest in this question whatever.

MR. LIDDELL: I beg the hon. Gentleman's pardon. What I said was, that they cherished no antagonism to the Church.

MR. SYNAN: In that opinion I can fully agree with the hon. Gentleman. I know my country well; and he is right in saying that no class in Ireland felt animosity against the Church Establishment. What they do feel, however—and what they would be the veriest slaves on the face of the earth if they did not feel—is the inferiority of their position. That they do most deeply feel; and if they did not feel it, the iron of slavery would have entered their souls. They feel the rule of Protestant ascendancy above them; the foundation of that ascendancy is the Established Church of Ireland, and until you throw that barrier that separates one class of the population from another you cannot lay the foundation of peace and prosperity in Ireland. The Irish Church Establishment is the root of many of the social ills that afflict the country; it is the cause of its present insecurity and the origin of class hatred; and I say that the first step to be taken for the purpose of getting rid of the difficulties of the Irish question is that of disestablishing and disendowing it, while the first step to disestablishment and disendowment is to pass the Suspensory Bill now before the House. In conclusion, let me only say further that I am astonished, after the debates which have taken place and the Resolutions that have been passed in this House, Her Majesty's Government should be opposing, by all means in their power, a Bill which was the necessary consequence of steps already taken. Upon what principle is it you adopted the first Resolution after it had been carried by a large majority of this House? Upon what principle is it that you adopted the second and third Resolutions without a division, and as the natural and necessary corollary of the first — and yet refuse to allow the Suspensory Bill, which is merely intended to carry out the object of the second Resolution, in the same manner as the second and third Resolutions carried out or flowed from the first — and yet, I say, refuse to allow the Bill to receive a second reading? Will you answer that plain and simple question? Upon what principle I say do you oppose it? Surely it is as much a corollary of the Resolution which was carried in the House by a majority of 65 votes as the second and third Resolutions were; and on what grounds, on what principle can you justify your hostility to a measure which appears to those out of the House to be a matter of course following necessarily upon the proceedings which we have already taken? Sir, I can only account for the opposition to those proceedings, taken as they have been for the pacification of Ireland, by the supposition that the Government are depending upon the chapter of accidents. Her Majesty's Government have given opposition to every step taken in this matter, not because they think they can stop that which they know must necessarily pass—not because they believe they have any hope of defeating the Bill or resisting successfully the spirit which is now abroad, and which calls for the disestablishment of the Irish Church; but for the purpose of taking advantage of anything that may arise to trip up those who are carrying on these proceedings, and for the purpose—in case a General Election should take place — of appealing to the bigoted feelings of a class of people in this country, and of raising the "No Popery" cry throughout the length and breadth of the land. But, Sir, I am satisfied that in this House no chapter of accidents will enable them to avail themselves of that advantage for which they look; and I hope the good sense of the English people is too strong to be influenced by appeals to the "No Popery" cry of former days, which did sufficient mischief in its time, and which alienated not alone one portion of the people of this country from another, but placed the people of England and of Ireland in direct antagonism. Sir, I tell hon. Members opposite that this is not a safe line of action and of argument for them to adopt. It is not safe for them to tell the Irish people that it is their fears for the English Church that leads them to maintain the Church Establishment in Ireland. It is not safe to tell the Irish people that it is for the purpose of preserving the Protestant Church in this country that a wrong is to be perpetuated in Ireland, and that the justice which they demand is to be denied them. The hon. Gentleman who spoke last (Mr. Liddell) said that a wrong was not to be done in order that good might come from it. Is not the hon. Gentleman running in the face of his own argument? [Mr. GLADSTONE: Hear, hear!] Is he not saying that a wrong must be done to the Irish people in the maintenance of the Church Establishment—the Church of a rich minority—in order that there may be no attack made upon the Church of England? Is that not doing a wrong in order that what the hon. Gentleman thinks is a good may come from it? Well, if it is, upon what ground can such a course—even upon the arguments used at the other side—be justified? You have often charged the Roman Catholic Church with doing wrong that good might result from it. The charge was false—but now you are admittedly doing that which you condemn, and you are telling the Irish people that you are doing so. And do you think when you are sowing the wind in that fashion that you will not reap the whirlwind? I tell hon. Gentlemen opposite that it is their duty not to sow the wind, and their interest not to reap the whirlwind; and I call upon them from considerations of interest, and above all, of duty, to join with us in doing an act of justice to the Irish people, and to aid us at this side of the House in carrying a measure which will have the effect of establishing peace and tranquillity in Ireland.

MR. VERNER said, that the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) appeared to have given himself over to the Ultramontanes and the voluntaries, who arrived by cross roads at one point—namely, the disestablishment of the Irish Church. It had been for centuries the object of the Church of Rome to humiliate England, because of the high and honourable position assumed by her as the champion of truth against error. He knew that for saying this he should be put down—as a noble Lord expressed it in a late debate—as an uncivilized being using the bludgeon of argument. As such he was prepared to stand there. He contended that at present religious equality was enjoyed in Ireland. Practically, there was no prohibition to the entertainment and exercise of the peculiar views of every religious sect in that country. Would Roman Catholic ascendancy be equally tolerant? If they did away with the privileges pertaining to the outward position and manifestation of the Protestant Esablished Church, would they not at the same time do away with the fundamental principle of the Monarchy, and upheave the pillars of the Constitution? He might quote the testimony of Roman Catholic laymen upon this point. That given by the late Right Hon. Anthony Blake was peculiarly strong. He stated before a Committee of the House of Commons that the Established Church was rooted in the Constitution, being established by the fundamental laws of the realm; and that, in his opinion, it could not be disturbed without danger to the general securities for liberty, property, and order in this country. He could not regard this measure as other than an infringement of the Act of Union—a positive breach of faith, unjust to English as well as Irish Protestants. But the Church of Ireland did not rest on the Act of Union alone, for it had been united ecclesiastically with the Church of England ever since the year 1172. There appeared to be many on the Benches opposite anxious to prove that the proceedings of Parliament were a farce; for they had been told that the most solemn Acts of the Legislature were little better than waste paper, and nothing was binding to-morrow that was done to-day. But this was a two-edged sword, which it was dangerous to use. Apart from what might be called the statistical argument, what else was relied upon by the supporters of the Bill might be condensed into the convenient phrase of "Justice to Ireland." That was the cry of the Liberals; and what did they intend to do? They had done wrong to Roman Catholics in former times, and they now thought they could wipe out that stain by doing injustice to the Protestants of Ireland, who numbered 1,250,000, and were the best educated, most energetic, and most truly loyal portion of the community. It was said that the Irish Church, as a missionary Church had been a failure. But what had been its history? Conflicts had arisen between the priests and missionaries; Scripture readers were assaulted, and fights and riots had occurred even over the graves of converts. The Protestant incumbent was not a missionary among a hostile population; but a minister devoting his time to the interests of his own flock, and being, at the same time, respected by the Roman Catholics of his district. A proof that the clergy of the Irish Church had well performed their duty was to be found in the fact that the number of Churchmen in Ireland was greater now, in proportion to the population, than in 1834. If the clergy had not succeeded in converting the Roman Catholics, at least they had guarded the Protestant population of the South and West from the proselytizing activity of the Irish priests. If the present blunder should be completed, and the Church should be disestablished, the people would still hear the sound of the Church bell; and the minister, converted into a missionary, would be in their midst. And the expectant peasant would not be one penny the richer, for the machinery which the Church of Rome had placed in the hands of the priest would compel the peasant to pay for the support of his Church as he did at present. If the Irish Church was disestablished what would follow? It had been said that the liberality of Protestants would keep the lamp lighted even when the number of Churchmen was too small to support a church and a clergyman. He endorsed that opinion, and believed that if the Bill were to pass, those societies which undertook missionary work in Ireland would receive £1 where they now received only 1*s*. In every parish in the South and West a missionary would be placed. This result, considering how missionaries were treated in Ireland—one having been stoned and almost murdered —would hardly be agreeable to those who declared that they desired to see religious peace. What the people of Ireland really wanted was some substantial measure of justice, which would relieve their condition and elevate their character; but beneficial effects of that nature were not to be obtained by making the country the battlefield of party, or by the action of those who had brought it to its present state of degradation. If hon. Members desired to promote peace in Ireland, he called on them to beware of adopting a measure which, while it stung and outraged the feelings of every true Protestant, could not but disappoint the Roman Catholic population, and prove a fertile source of irritation and heartburning on all sides.

MR. WHALLEY said, that, in reply to the hon. Member for Lisburn (Mr. Verner), he would advance two or three reasons for supporting the second reading of this Bill. He maintained that nothing could be more unsound, in the apprehension of every lawyer who had studied our Constitution, than the view of those who held that the Church of England and Ireland formed any part of that Constitution. That Church was as distinct and separate from the Constitution itself as was the army and navy, or any other institution of the country. The Established Church in England and in Ireland was nothing more than an experiment with the view of encouraging what he might call a religion of home growth instead of a religion connected with and recognizing an external authority. The principle of our Constitution was that no foreign Prince, prelate, or potentate should exact tithe, or toll, or exercise any interference in this realm, and to that the Crown was pledged; and, but for the weak props and buttresses by which, after the Revolution of 1688, it was sought to bolster up that artificial and anomalous institution, the Established Church in England and in Ireland, that institution could have no position or strength in the country. In confirmation of his statement that the Church was separate from the Constitution, he would refer to the fact that, in 1405, 1410, and 1414, the House of Commons declared that it was contrary to the Constitution that money should be applied by the State for the purpose of supporting any religion; and they also declared that all ecclesiastical endowments should be devoted to the service of the State. In 1423, household suffrage was done away with, and the 40*s.* freeholds came into existence. The wars of York and Lancaster followed; and during that period the House was muzzled. Then came the Reformation, which was a compromise between the people and the clergy; and a portion of the ecclesiastical property was applied to secular purposes, and another portion was given to the Established Church, which was founded as an experiment, merely for the purpose of maintaining the clergy who would recognize as their head the Sovereign of the country. Now, that experiment broke down in the time of Charles I., again in that of William III.; and it had broken down in these times. In the words of the right hon. Member for Calne (Mr. Lowe), he said, "Cut it down; why cumbereth it the ground?" If they could not withstand foreign authority, if they could not prevent Popery—the greatest curse of humanity—from assuming power, he said—Give way, and fight with these weapons no more. He wanted no Establishment; the Protestant Church could support itself. He believed that there would be no difficulty in providing for Protestant worship in even the most scattered and remote parts of Ireland—no more difficulty than was found in Wales, and there every nook and corner had its church or chapel of ease. He had come to the conclusion that, as the system of the priests had failed to protect this country against the Roman Catholics, the Church ought to be a voluntary institution under the banner of free trade. The Church in Ireland was no grievance to Ireland; and he, for one, regretted that the right hon. Gentleman the Member for South Lancashire had brought forward the measure for the abolition of the Irish Church to meet the attacks of assassins. But they must now depend on the people and the system of free trade, which had been so successful in our other national affairs. The parsons were dumb dogs that barked not; and the time had come when it must be seen what the people could do. The clergy of the Established Church in Ireland had failed in missionary work, which was done in that country by men like the Rev. Mr. Campbell, who went forth as a voluntary, armed only with the sling and stone of his own conscience, and who was knocked down and nearly murdered on account of his attempting to read the Bible to the people. Let them, in regard to this matter, as to several others, rely upon the mass of the people of these realms, and let the Church stand apart from artificial aid. If this were done, not only would the onflowing waves of Popery be prevented from overspreading this country, but the Church of England would go on prospering, and moulding in higher and nobler form the thought of the people. The hon. Gentleman who had recently spoken with so much vehemence against Protestant ascendancy was very much mistaken if he thought that Protestants were not going to insist on Protestant ascendancy. Protestant ascendancy was one thing, Church ascendancy another. They were certainly not going to submit to anything short of Protestant ascendancy, which meant a right to resist, even to the death, any attempt to interfere with the Government of this country on the part of any foreign Prince, prelate, or potentate; and to resist what was even more powerful than an enemy's sword, priests in their slippers, with their confessionals, and encyclicals, and all the paraphernalia of priestcraft. It was because England had, from time to time, made a stand against such attempts that she was now pre-eminent among the nations. He should be ashamed of his countrymen if he could suppose that they required State aid or support to maintain the great principle of Protestant ascendancy, civil and religious liberty. There must be some limit to the attempts which the right hon. Gentleman (Mr. Gladstone) was making to keep together what it must be confessed was a somewhat heterogeneous party; and he (Mr. Whalley), for one, could not sacrifice the doctrine of Protestant ascendancy even for that object.

MR. KARSLAKE said, he must enter his protest against the Bill. It professed to aim only at the disestablishment of the Irish Church; but it was the opinion of many hon. Gentlemen on his side of the House that a disestablishment of what was inaccurately called the Irish Church must lead sooner or later to a disestablishment of the English Church. The truth of that warning was conclusively shown by the words uttered by the great defender of the faith who had just addressed the House. The hon. Member for Peterborough (Mr. Whalley) had told the House that he was going to vote for this Bill, because it was time to put an end to parsons of all denominations, and to establish free trade in religion. The hon. Member was an instance of the strange supporters that the right hon. Gentleman the Member for

South Lancashire had gathered around him in his attack upon the Irish branch of the United Church of England and Ireland. The speech of the hon. Member showed how enormous was the power which the right hon. Gentleman (Mr. Gladstone) had obtained over those opposite; and it would appear that his "Open sesame!" to the heart of the hon. Member was "free trade in religion." It was asked how those who had permitted the 2nd and 3rd Resolutions of the hon. Member for South Lancashire to pass as corollaries upon the first, could object to the second reading of this Bill. But the answer was obvious. The Resolutions were mere expressions of opinion, whereas this Bill would be a positive act. It was an act which, as it seemed to him, would paralyze not only the Irish Church, but the new House of Commons. He (Mr. Karslake) did not, however, entirely agree in the opinion of the Prime Minister, that the 2nd and 3rd Resolutions should be treated merely as corollaries of the first. The 3rd Resolution was something more than a corollary of the 1st, because it tended in the direction of action. There was a difference between the present House of Commons expressing its opinions, and going so far as to prejudge a question which would have to be decided by the Reformed Parliament. He asked hon. Members, and legal Members in particular, to adduce a precedent for this Bill—a precedent for an expiring House of Commons, in a provisional state of existence, not only expressing an opinion upon a matter to be decided by a new Parliament, but prejudging it by taking legislative action. Supposing, for the sake of argument, that this Bill should pass; was it worth while, for the purpose of saving an undefined but very moderate sum, to attempt to prejudge this question, which might be decided in an opposite direction by the new House of Commons? It was singular to see the anxiety of hon. Gentlemen to deal with the question. How was it that, though they had been in Office for years, it had never occurred to them before to bring the subject forward. If the grievance was one that required such a hasty remedy, why had that remedy been delayed till now? He could quite understand the position of the right hon. Gentleman (Mr. Gladstone). That right hon. Gentleman might to a certain extent have been trammelled by his party relations. He had always been a great admirer of the right hon. Gentleman, and he had proved his admiration, not in words but in deed; for, at the expense of great personal inconvenience, he had gone down to vote for him as the very best Member that could be selected for his honoured University. When the right hon. Gentleman was the right hand of the most Conservative Prime Minister that had ever borne rule in this country, he might naturally abstain from raising such a question. But other Members who sat on the Opposition Benches had not been trammelled like the right hon. Gentleman. For instance, there was the right hon. Gentleman the Member for Calne (Mr. Lowe). Ever since he (Mr. Karslake) had known him, his views were destructive rather than Conservative. How was it that he, a man respected for his abilities by all, never discovered till last Easter that this was a question of urgency which demanded immediate legislation; that "the hour and the man" had arrived? Although hon. Gentlemen had sat here for ten or twenty years without doing anything, they were going to pass a Bill before the 1st of August. This would be for hon. Members opposite to pass a vote of censure on themselves. He thought they were bound to pay more attention to the eloquent language of their Leader. He (Mr. Karslake) was not going to blame a man for honestly changing his opinions. A man who changed his opinions, and declared openly that he had changed them without party feelings or bias, and from no desire of aggrandizement, was a far more honest man, and one more to be respected than the man who shrank from avowing the change through the fear of being charged with vacillation or with motives which were too often imputed in such cases. But he had been struck with the coincidence between the observations of the Secretary of State for the Home Department made early in the evening, and those of the right hon. Member for South Lancashire, published in a certain well-known work. He had not got by heart, as perhaps he ought, a passage from the excellent book of the right hon. Gentleman, so he had put it down—

> "The union is to the Church of secondary, though great, importance; her foundations are on the holy hills; her charter is legibly divine. She, if she should be excluded from the precincts of Government, may still fulfil all her functions, and carry them out to perfection. Her condition would be anything rather than pitiable should she once more occupy the position which she held before the reign of Constantine."

Now, Sir—

> "But the State in rejecting her would actively repudiate its most solemn duty, and would, if the connection is sound, entail on itself a curse."

Now, Sir, an hon. Member asked what was the point? The point was that from such noble sentiments, expressed in such noble language, it followed that this was a question which required consideration, and that it should be kept until next year at least. This question was plainly one that ought not to be hastily decided. They ought to have full time to consider and deliberate upon it, and to bring it first before the leading men of their constituencies, and afterwards before the electors, and then they ought to determine the question with more care and consideration, if possible, than they did any others which came before them. But even were the matter ripe for legislation, the state of business was such that there was no time for entertaining a Suspensory Bill this Session. The title was happy, for its provisions kept Members on all sides of the House in a state of suspense, preventing other and more necessary legislation, while precious time was flying—

> "Sed fugit interea, fugit irreparabile tempus,
> Singula dum capti circumvectamur amore."

There was first the Boundary Bill, then the Reform Bills, Scotch and Irish, besides the numerous little Bills of the hon. and learned Baronet the Member for Clare. Only that morning at one o'clock they had given a good deal of time to a Bill to prevent playing at pitch and toss in rustic districts. He appealed to the House not to waste further time on fruitless discussions in this most important Session.

Mr. Serjeant BARRY said, he hoped the House would not be induced to defer legislation on this subject to another Parliament. It was of vast importance that the hopes which had been excited in Ireland should not be disappointed by the barren result of mere abstract Resolutions. As an Irish Roman Catholic, and speaking for his Catholic fellow-subjects, he declared that, in supporting the present Motion, they were not lending themselves to any attack upon the Protestant Church or Protestant institutions of England. He had never heard of such a suggestion coming from any body or from any individual; nor had he, indeed, ever heard any argument adduced by an Irish Roman Catholic in favour of the disestablishment of the Irish Church which would apply equally to the English Establishment. He believed that the present condition of Ireland impaired the influence, lowered the prestige, enfeebled the strength, and, in certain contingencies, might endanger the stability of this Empire. He deeply deplored that the Premier should have lent the weight of his name to a statement so startling and unfounded as that of the alleged conspiracy for the severance of Church and State between the Irish Roman Catholics.—[An hon. Member: Irish Romanists.]—Irish Romanists he called them, but he had afterwards disclaimed using the word offensively—and some nameless party in the Church. It was unfortunate that the Prime Minister of this country had been unable to give any satisfactory reason for making such a statement. If there had been such a combination Cardinal Cullen must be a party to it. The only evidence he had seen of any extraordinary combination was when the Lord Lieutenant and the Chief Secretary for Ireland, with faces in which personal admiration was artistically blended with religious reverence, conducted the Prince of Wales to the Catholic University, where he was received by Cardinal Cullen—regarded in England as a Jesuit of the Jesuits. Why at one part of the Session was a Catholic University dangled before the eyes of the Catholics, and then, when it suited the party in power to get up a "No Popery" cry, why was the idea abandoned? But when he heard one Cabinet Minister denouncing the opinions expressed by another on an important question, he lost the faculty of being surprised. One section of the Cabinet had spent the Easter Recess in ostentatious adulation of Popery, while the Premier directed his efforts to raising the "No Popery" cry. It was inaccurately stated by the hon. Member for West Kent (Mr. Dyke) that Fenianism had not been put forward by anyone in debate as a reason for the Irish Church policy of the Opposition. The right hon. Gentleman the Member for South Lancashire had distinctly put Fenianism forward as a ground for adopting a remedial policy, and rightly so, for the man would be undeserving of the name of statesman who would attempt to deal with the condition of Ireland and ignore such a question as that. Irish discontent in the hands of Gentlemen opposite was a very elastic substance. When Arms Acts and measures of repression were under discussion the situation of the country was represented as desperate; but when remedial measures were suggested Irish discontent shrank to the most limited proportions.

It was alleged that the Fenian ranks were composed merely of adventurers and Socialists, finding sympathy only among the very dregs of the Irish population. Some two or three years ago that might have been the case, but it was not now. Some of the outrages which had happened, must indeed, have been the work of ignorant, violent persons. The Clerkenwell explosion, for instance, and the attempted assassination of the Duke of Edinburgh; if, indeed, the latter were a political offence. He believed it was not. ["Oh! Oh!"] Well, he would not discuss the matter; but he believed there was not sufficient information before the country tc enable them to judge. Nobody, however, to whom an opportunity had been afforded of watching the Fenian conspiracy, and the amount of discontent in Ireland, could have failed to observe that the Fenian sentiment was spreading widely and had extended into a higher grade recently than it had reached before. Among those who abstained from actively taking part in the organization, there was a wide and increasing sympathy with the principle which it avowed. Passing from the subject of Fenianism, there was a symptom of the times about which he wished to say a few words — namely, the declaration of the Limerick priests. That was a remarkable document, drawn up by a man of conspicuous ability, and was daily receiving adherence from those who avowed their belief that the Imperial Parliament was either unable or unwilling to cope with the difficulties of Ireland. But Irishmen who had confidence in Parliament looked with intense anxiety to the result of that debate, and with unspeakable alarm to the prospect of this Session terminating as other Sessions had done, without the passing of any measures, but measures of repression, such as the suspension of the Habeas Corpus. The suggestion that they ought to wait for the Report of the Commission on the Irish Church was regarded by Irishmen with ridicule not unmixed with contempt. For what were they asked to do but to wait for the result of a Commission, the members of which were invested with no power to deal with the evil, and who, if they were, notoriously would not exercise it? But then it was said the Established Church in Ireland had no connection with the unhappy political and social condition of the country. All he would say on the subject was that the Irish Church was best described as the monster grievance of Ireland. Other questions urgently demanded a settlement, but the Church question lay deep at the roots of the social system, aggravating and embittering every other source of discontent. There had been an historical quarrel in Ireland between the natives and a colony of invaders; and under these circumstances the devotion of the national Revenues to the exclusive use of the Church of the alien colonists not only kept alive the memory of past feuds, but was a living monument of foreign conquest and native subjugation. It had been said that it was necessary to maintain the Irish Establishment in order to preserve the Church in England. But if that was so, what stronger argument could be used with the people of Ireland in favour of total separation? The Secretary of State for the Home Department stated, on the authority of a lawyer, that the effect of disendowing the Irish Church would be to repeal the legislative Union between the two countries. He (Mr. Serjeant Barry) could only say that he did not envy the Judge who had to listen to the lawyer who made that statement. One of the four canons of opposition to this Bill employed by the right hon. Gentleman the Prime Minister was that in assailing the temporalities of the Church they were striking at the rights of private property. He denied altogether the analogy between the title of a private person to his estate and that of the Church to its temporalities, and for this reason—that in every civilized community every member of that community, as the very condition of his existence, acquired certain rights; but the Church had only an existence derived from the law; it was not, in fact, a corporation, and, even if it were, a corporation had no existence outside the law, and the law which had created could destroy—which had given could take away. He hoped that Parliament would adopt that Bill, which would be a first step towards ameliorating the political condition of Ireland. He did not mean to say that it would remove all the sources of discontent in that country; but it would strike a deadly blow at the root of that discontent. He believed that the passing of the measure would go far towards creating in Ireland a healthy tone of public opinion. It would inspire the people of that country with confidence in the United Parliament, and it would be a large advance towards making the Union between the two countries, not as it was at present, a forced political connection, but a real Union, maintained by a mutual sense of equality, by reciprocal good-will, and a community of interests.

THE ATTORNEY GENERAL FOR IRELAND (Mr. WARREN) said, that the right hon. Member for South Lancashire (Mr. Gladstone) had argued that the 2nd and 3rd Resolutions were corollaries of the 1st, and that this measure ought to be accepted as a corollary of the Resolutions. But it was one thing to pass an abstract Resolution and another thing to introduce a measure of active legislation. A Suspensory Bill assumed that the other House of Parliament as well as that House would disendow and disestablish the Church of Ireland, but he trusted that was an event which never would occur. The Government did not believe that the people of the United Kingdom would consent to the disendowment or disestablishment of the Established Church in Ireland, and were quite prepared to appeal from this moribund House of Commons to a higher tribunal—the Commons of the United Kingdom: and he was sure this appeal would not be in vain, whether it were made to the present or the new constituencies. Burke, writing to Sir Hercules Langrish upon the Union, said—

> "The people of Great Britain might be depended upon in cases of any real danger to aid the Government of Ireland against any wicked attempts to shake the security of the happy constitution in Church and State."

He, as an Irish Member, now confidently appealed to the Protestants of Great Britain for protection against this wicked attempt. He would not on this occasion argue the question as to the desirability of continuing or ending the Irish Establishment; he merely wished to show how impolitic it would be to pass the Bill precipitately. It behoved them to remember the safeguards which the wisdom of our ancestors had placed as buttresses for the Irish Church. He referred to the Act of Settlement, the Coronation Oath, and the pledges which were given when the Emancipation Act was passed. He did not pretend, however, that these were beyond the power of the Legislature to touch. He conceded that Parliament was able to rescind its enactments, and that the Coronation Oath was in the nature of a contract. But these were important and solemn considerations in another point of view, and he asked the House to pause before it scattered to the winds all that the wisdom of statesmen such as Mr. Pitt and Sir Robert Peel had devised for the protection of the Irish Church. Another point he wished to impress upon the House was that the movement against the Irish Church was, indeed, a direct attack upon the Established Church of the United Kingdom. It was only necessary to think for a moment who supported the right hon. Gentleman, to be assured of this. First, there were the Friends of the voluntary system, who were opposed to all Establishments; then came the Roman Catholics, who were unquestionably opposed to the Protestant Establishment of England. ["No, no!"] Who could deny that when Roman Catholic Members were continually asking for religious equality, in calling for religious equality they really called for the disestablishment and disendowment of the Church of England. If religious equality were attempted in England, it must be either by levelling up or levelling down. Were they going to level up by raising the Roman Catholic hierarchy in this country? If not, they must level down and disendow the National Church of this country. The right hon. Member for Portarlington (Mr. Lawson) had once said upon this subject—

> "We should never lose sight of this, and it is the very corner-stone upon which the Establishment rests, that it is not the 'Church of Ireland' at all, but that it is the United Church of England and Ireland—and that, as such, it is to be dealt with. And let no man dare to bring forward in Parliament any Motion relating to the revenues or property of the Church without including in it that of which we are a part—the Church of England."

But the right hon. Member for South Lancashire had dared this very thing, and his right hon. Friend was strongly supporting him. Another reason for postponement was the state of complete darkness in which the House was left as to what was to be done with the funds of the Church when they had been taken possession of. The author of the Bill had said they were to be applied to Irish purposes and not to the clergy of Ireland of any denomination. The Bishop Moriarty differed from the right hon. Gentleman, and claimed the spoil for the Roman Catholic clergy, and he himself could not see what should be done with the money if it were not applied to the Roman Catholic Church. The hon. Member for Birmingham (Mr. Bright) seemed to have rather a curious opinion on the subject, and his view appeared to be different from that of the right hon. Gentleman the Member for South Lancashire. Speaking on the Motion of the hon. Member for Cork (Mr. Maguire) he had said—

> "I will go no further, but to say that whatever is done, if a single sixpence is given by Parliament in lieu of the Maynooth Grant or in lieu of the *Regium Donum*, it must be given on these terms only—and on that matter I think Earl Russell has committed a great error—that it becomes the absolute property of the Catholics, or the Episcopalians, or of the Presbyterians; it must be as completely their property as the property of the great Wesleyan body in this country, or of the Independents, or of the Baptists, belongs to those bodies. It must be property which Parliament can never pretend to control, or regulate, or withdraw."—[3 *Hansard*, cxc. 1660.]

Thus the several Churches of Ireland would, in fact, become endowed Churches, with property to be held by them exempt from the control of Parliament. This sounds like an admission that ecclesiastical property might exist, so that Parliament could not withdraw it. He should like to know what securities more solemn, binding, or effectual could be proposed for Church property than the Act of Union with Ireland; yet the hon. Member was joined with his Friends in endeavouring to set it aside. If property might be held by a religious community exempt from the control of Parliament, there was no such body with claims equal to those of the Protestant Established Church of Ireland. It had been charged against the supporters of the Ministry that they had offered no arguments in support of the Irish Church; he replied that none against it had come from the Opposition. All the assertions of the Opposition depended on one proposition which had never been established; he referred to the statement that Irish discontent arose from the existence of the Irish Establishment. The hon. and learned Member for Dungarvan (Mr. Serjeant Barry) had said that was the root of Irish discontent. This he denied; but he allowed that the cause as stated by the hon. and learned Member was historical. The cause of Irish discontent was that the races had not mixed, and that the conquering race held not only the property of the Church, but had divided the property of the Irish chieftains. And indeed the complaint on the ground of the Church property seems futile when it was remembered that it was taken from the old priests of Ireland in the time of Henry II., and not at the time of the Reformation. On these grounds, he counselled the House to postpone legislation until the country had had an opportunity of declaring its opinion on the subject.

MR. MURPHY said, that, as a Roman Catholic Member representing a not unimportant constituency, he was anxious to express his views on the subject. He wished to treat it in its political and social aspect, as distinguished from its polemical and religious side. He could assure the House that he expressed the views of every Roman Catholic gentleman of education in Ireland when he said that the disestablishment of the Anglican Church in Ireland was not supported by them as an aggression on the religion of their fellow-countrymen, or for the aggrandizement of any Church. The question, as it presented itself to their minds, was, whether the Anglican Establishment was to be continued in Ireland as the Church of the minority of the nation, and as a type of hereditary political ascendancy, created by statesmen in days gone by, altogether for political purposes, and without reference to the religious feelings of the people, the only real basis of such an institution. That Church created a discontent which was widely spread amongst the masses, and permeated every stratum of society in Ireland; and for that reason all the soundest politicians and deepest thinkers of this and preceding times had come to the conclusion that all its political and sectarian ascendancy should be abolished. The stock argument against this proposition was, that the Irish Church had been so inseparably united with the Church of England by the Act of Union, that if you attempted to infringe the temporalities of the Irish Church, you necessarily must deal with those of the Church of England. The late Lord Plunket—a man of whom every Irishman might be proud—expressed, in the year 1835, when the same question was raised upon the Appropriation Clause, the opinion that the partial appropriation of the Irish Church property to educational purposes was not in the slightest degree a violation of the principles of Protestantism, or of the Act of Union, and that the 5th Article of that Act, while it identified the Churches of England and Ireland, with regard to worship, doctrine, and discipline, did not identify them with respect to temporalities, for otherwise the whole system of composition for tithes was in violation of it. It had been urged that this Church, having been consecrated by ages, should not be disturbed; but the House would recollect that Lord Melbourne once said that it was never contemplated to have in Ireland a Roman Catholic population and a Protestant clergy; that the intention was the eradication of the Roman Catholic and the substitution of the Protestant faith; and that that policy having been abandoned by the repeal of the Penal Laws, an opposite course ought now to be pursued. It was said that the Protestant people of England and Ireland were unanimously opposed to any meddling with the revenues of the Irish Church; but he could not agree in that opinion, and as an instance that the assertion was not true, he might refer to a meeting in favour of the disestablishment of the Irish Church, held three weeks ago in the city he had the honour to represent —Cork. The meeting was called in compliance with a requisition signed by upwards of 10,000 persons. A Protestant Lord Lieutenant of the county was chairman, and the speakers (amongst others) were Protestant noblemen and persons of the highest position in the county. It was not true that all members of the Established Church in Ireland believed the present position of the Church subserved the interests of true religion. With respect to that, he might state he received a letter recently from an eminent Protestant clergyman in Ireland, in which he said—

> "I have no desire to see the connection between Church and State in Ireland continued for one week longer."

In conclusion, he trusted the House would inaugurate a new and happy era in Ireland by passing the Bill of the right hon. Gentleman the Member for South Lancashire.

Lord ELCHO: I can assure the House that I shall trouble them but for a few moments, and in doing so I shall not attempt to follow the hon. and learned Member for Dungarvan (Mr. Serjeant Barry) in his argument as to whether there is a crisis in Ireland sufficient to justify the course of policy pursued by the right hon. Member for South Lancashire (Mr. Gladstone), or whether the policy of the right hon. Gentleman will or will not put an end to dissatisfaction in Ireland, or will maintain or do away with the Union. On that point I hold a very strong opinion, which I have ventured to express before —that logically this Bill leads to the disestablishment of all Churches or to the repeal of the Union. Now, I am opposed to this Bill, because it appears to me to be a stretch of the power of a majority to force this legislation through this House. It is a stretch in this way—I do not believe it to be necessary, and, certainly, such a course is unprecedented; it is logically the result of the circumstance that the right hon. Gentleman the Member for South Lancashire has spoken so strongly against the policy of bringing forward an abstract Resolution. Having so spoken, Sir, it seems to me that the right hon. Gentleman feels himself bound to bring forward this Bill, lest it should be said that he had moved an abstract Resolution which could produce no results. I shall oppose this measure with my vote on the same ground that I opposed the Resolutions which were brought forward by the right hon. Gentleman. Both the Bill and the Resolutions have been brought forward on the ground of religious equality. Now, I deny the possibility, under our present Constitution, of establishing the principle of religious equality. You may have the principle of religious toleration, to any extent; but the principle of religious equality, I maintain, directly, logically, and I believe practically, does lead, and will lead, to the disestablishment of the Church in Scotland and in England, and, as I have stated, to the repeal of the Union. I have but a very few words to say upon this subject, but I hope they will be very much to the point. The hon. Member for Dungarvan, with a view to calming the apprehensions of those who desire to see the continuance of the connection between Church and State, says that the party with whom he is connected —the Irish Roman Catholics, and, as I take it, the Roman Catholics of England also — do not look in any way to further legislation on this question of Church Establishment — that no ancillary measures are intended — that they do not wish to attack the Established Church of England or our Protestant institutions. Now, Sir, that is language which has been heard within the walls of Parliament before, and from the same quarter. It was heard forty years ago. It was heard on the Roman Catholic Emancipation Act, at the time of Maynooth, and it will be heard in this House again and again till there is that religious equality which those Gentlemen who represent Roman Catholic constituencies contend can lie only in the supremacy of their Church—["Oh, oh!"]—if not in its supremacy, at any rate in its perfect equality. Now, what does perfect equality mean? When the House was kind enough to hear me on the Resolutions I said that to establish perfect religious equality in Ireland you must throw open the Lord Lieutenancy to Roman Catholics, I said that in England you must have the Woolsack open to Roman Catholics, and I said —or, if I did not say it I intended to say, that you must go further—you must repeal the Act of Settlement, and that the Throne of this country, if you were to have perfect religious equality, must be thrown open to Roman Catholics as well as to Protestants. That statement was no doubt laughed at at the time. It was regarded as a day-dream; but what has occurred since? This question now stands before us in a very different light from that in which it appeared last time I addressed the House. A Notice which has been given since that discussion may have escaped the attention of some hon. Members, inasmuch as it was handed to the clerks at the table instead of being publicly announced. It is a Notice given by an hon. and learned Gentleman who has been most prolific in his attempts at legislation—an hon. Gentleman who the other night brought forward a Motion with reference to a residence for Her Majesty in Ireland, and to show that this hon. Gentleman is not a mere enthusiast, to show that he is not an unreasoning and unreasonable man, I will appeal to the right hon. Gentleman the Member for South Lancashire, who on the occasion of the Motion being brought forward by the hon. Gentleman, who is a Baronet, gave him a character, and said that his hon. Friend was "remarkable for his intelligence and his moderation." Now, Sir, what does this Roman Catholic Member, this "intelligent and moderate" Roman Catholic Member, propose? Here it is—

> "Sir Colman O'Loghlen,—In Committee on Promissory Oaths Bill:—To move the following Clause:—(Sovereigns of Great Britain and Ireland, after the passing of this Act, shall not be required to take the Declaration against Transubstantiation, &c. at their Coronation or at any other time.)"

It goes on to say—

> "After the passing of this Act no Sovereign of Great Britain and Ireland shall be required to take, make, or subscribe at his Coronation, or on the first day of his first Parliament, whichever shall first happen, or any other time, the Declaration commonly called the Declaration against Transubstantiation and the Invocation of Saints and the Sacrifice of the Mass as practised in the Church of Rome, anything in the Bill of Rights or Act of Settlement to the contrary in anywise notwithstanding."

Will the hon. Member for Dungarvan now say that there is nothing ancillary to this measure, at least in the mind of one "intelligent and moderate" Roman Catholic? With that Declaration on the table of this House this question assumes a different light. Why is this measure brought forward? It is brought forward as a cure for Fenianism; it is brought forward to produce content in Ireland; and here we have before this measure has passed the second reading a Motion on the table which says that those whom it is sought to satisfy by this policy and by this measure will not be satisfied at all until they have complete religious equality — an equality that can only be obtained by repealing the Act of Settlement. I stand here as an independent Member of Parliament. ["Oh, oh!" *and laughter.*] Those Gentlemen who make those pleasant noises behind me—I would ask any one of those Gentlemen who indulged in the sound to get up in his place, and to show me, by words uttered by me in this House, or printed in addresses to my constituents, how I have ceased to be an independent Member. For a time I gave my support to Lord Palmerston. I owe no allegiance to the right hon. Gentleman the Member for South Lancashire, and if there were cross-Benches in this House, I should sit upon them. There are no cross-Benches in this House, and, upon the whole, my sympathies being more with the Liberal side, I sit upon the next thing to the cross-Benches. I repeat I stand here as an independent Member. The consistency of the right hon. Gentlemen on the opposite side of the House or on this side of the House is a matter of indifference to me. I do not care whether the one says, "We will attain religious equality by levelling up," or the other, "We will attain that object by levelling down." To-night the right hon. Gentleman the Home Secretary has denied that there ever was any question in the Cabinet of levelling up by endowing the Roman Catholic religion in Ireland. As an Independent Member of this House, I see that the Government are prepared to the best of their ability to resist this course of legislation, and to maintain the Constitution as secured by the Act of Settlement. On the other side, I see the right hon. Gentleman the Member for South Lancashire—I give him credit for sincerity in the matter. ["Oh, oh!"]—I am sorry that it is offensive to hon. Members near me that I should give the right hon. Gentleman credit for sincerity, but, nevertheless, I do give him credit for sincerity—embarked in a policy which I honestly and conscientiously think sooner or later will end in the results to which I have already referred. Feeling and believing that these results will surely follow the policy of the right hon. Gentleman if it be adopted, I shall give my cordial support to the policy of the Government in preference to that of the right hon. Gentleman. I know not what is going to happen. I know not whether we are or are not to have an appeal to our constituencies; but I think it desirable that the country should clearly and intelligibly see what possibly may be in store for us should the policy of the right hon. Gentleman be adopted; and I only hope that the Motion of which I have read the words, and which has been put upon the table of this House, will be written in big letters in every borough and in every county in this great country. No doubt, if we are to have a dissolution upon this question, it will be a great inconvenience and a great expense to every Member of this House; but all I can say is that in such an event, I shall go to my constituency with a clear conscience and with a full confidence as to the result.

MR. W. E. FORSTER said, the noble Lord who had just sat down had taken great pains to prove his right to the title of an independent Member, but he could assure him that he had put himself to unnecessary trouble. The noble Lord had stated that his sympathies were generally on the Liberal side, but if that were the case, he certainly exercised a most remarkable control over himself by not yielding to those sympathies. He could assure the House that he would detain them but a few minutes while he made a few observations on the Bill before them. Although feeling deeply upon the question of the Established Church in Ireland, he had not taken part in any of the debates which had occurred upon the subject, and he should not have risen upon that occasion had it not been for one remark which fell from the Attorney General for Ireland (Mr. Warren) just before he sat down, in which he expressed his surprise that hon. Gentlemen on the Opposition side of the House could suppose that they were doing anything by this course of legislation to stay the discontent which existed in Ireland. In that remark lay the whole drift of the question, and he would shortly state why he thought they were doing a great deal to still the discontent in that country. A great deal had been said about the Act of Union. The noble Lord who had just sat down said, he believed the Union would be in danger if this legislation were carried into effect; but he, on the contrary, believed that the Union would be in the greatest possible danger if this legislation were not carried out. Why had we this discontent in Ireland? Hon. Gentlemen told them they were pandering to the Fenian agitation. He supposed hon. Members on that side of the House had as great a contempt for the Fenian agitation as hon. Members opposite could have, and as great a determination to put it down, but they saw very well that behind that agitation there was a feeling in Ireland which alone made it possible for that agitation to take any hold. And whence arose that feeling? It arose from what he was compelled to believe was a reasonable and natural feeling on the part of Irishmen at this moment. Much had been said about religious equality, but something should also be said about political equality. What were the real conditions of the Union between England and Ireland? Upon what conditions would an Irish patriot desire to preserve that Union? Certainly not upon the condition of the absorption of Ireland into England, but upon as fair conditions of political equality between England and Ireland as between England and Scotland; that there should be a common Legislature for Imperial purposes, but that the special legislation for each country should be in accordance with the feelings and with the interests of the country affected by that legislation. Was there any patriot in Ireland who would ask for the preservation of the Union on any other ground? Was there anything that came more nearly home to a man's interest and feelings than his religion? The feeling of the enormous majority of the Irish people was against the Irish Church Establishment. If Parliament wished to preserve the Union, it must do one of two things—either trample down the feelings of Irish nationality or admit Ireland to union with England on terms of equality. It was said that the Irish Church was an Imperial question, and that the condition of the Union was that the Established Church should be maintained in that country. But was that the condition of the Union between England and Scotland. Was it to be said that the influence and interests of the English Church were so great that, whatever Irish patriots might demand, Parliament could do nothing for them? He did not believe that an argument fraught with greater danger to the Established Church in England could be devised. He wished for the preservation of the English Church. He was not brought up in it. He was born and brought up as a Dissenter. But he believed that the English Episcopal Church as an Established Church was a great blessing, and that this was the feeling of the English people. But on what other ground, except upon this feeling, could the English Church be maintained? If the English people wished it to cease would it be continued? The people of Ireland did not wish the Irish Church to remain. He trusted that those who felt it to be necessary to the stability, and almost to the existence of the Empire, that Ireland should be contented would not be told that they must choose between the English Church and keeping up a Church in Ireland which the majority of the people disliked. It was impossible, as he had said, to inflict a greater blow upon the English Church than an argument of that kind. In the one case the great majority of the people of England, and even the Dissenters, wished for the preservation of the English Church. The strength of the English Church was not in her hierarchy, or in the presence of the Bishops in the House of Lords, but in her parochial system, and in the feeling that this ideal was not always, but was still fairly fulfilled, that there was a man in every parish of good character, more or less devoted to the high objects set before him, and in a position to look after, not only the spiritual and moral, but also the temporal welfare of the people of his parish. There was no such state of things—no such parochial system was possible in at least three of the provinces of Ireland. A right rev. Prelate, for whom he had the highest respect, had threatened them with 20,000 parsons using their pulpits for election cries if the Irish Church question should be settled according to the wishes of the Irish people. There was no one for whom he entertained greater respect than for that right rev. Prelate; but he was sure when he came to consider what were the real interests of the Church, of which he was such an ornament, he must feel that was scarcely the kind of argument he should have used on this question. He had not intended to trouble the House with any remarks on the present occasion; but, being on his legs, he would venture before sitting down to ask the right hon. Gentleman the First Minister of the Crown what was the real opinion of the Government with regard to the question of religious equality on which his noble Friend who last spoke seemed to differ from them, his sympathies being, as he said, with that side of the House while he always so efficiently supported the other. The words of the noble Earl (the Earl of Mayo) had been quoted this evening; they were alluded to by the Secretary of State for the Home Department in a particularly marked manner. He said he did not accept the interpretawhich his right hon. Friend the Member for South Lancashire put on those words; but he very carefully avoided in any way disowning those words; and, after having simply stated that he did not accept his right hon. Friend's interpretation, he went on to say what he himself was or was not responsible for. He said he never used words implying religious equality, and nobody on that side of the House ever charged him with having done so. All they ever charged him with was this—that evidently entirely disbelieving in religious equality in Ireland—having before, and again tonight, stated how futile, how absurd in his mind was religious equality, he sat quietly by while that one of his Colleagues who was specially responsible for the affairs of Ireland, in a speech in which he was expected to state the policy of the Ministry in regard to Ireland, brought in that remark, not as a personal or casual observation, but at the close of a chain of argument, when they were all looking anxiously to know what the policy of the Conservative Government would be as to keeping up the Established Church in Ireland. The noble Earl spoke with great definitiveness when he said that there could be no objection to religious equality, provided it was not effected by confiscation. What he wanted to ask was, how did the Premier explain that allusion of the noble Earl to religious equality? There was nothing that had been said by the Premier that contradicted that allusion; on the contrary, it was clear that the allusion appeared to fill up the programme of the Premier. He said his policy in Ireland was to create, not to destroy. With his great power of language the right hon. Gentleman was fond of using words which appeared to mean a great deal more than he explained at the time, and the meaning of those words he had never explained. The House had a right to ask the Premier whether he disagreed with the words used by the noble Earl; or, if he did not disagree with them, what interpretation he put on them. It was not fair, as this question was to be brought before the new constituencies, that Gentlemen opposite should go to the hustings with two cries — that they should raise in the presence of the strong Protestant followers of the hon. Member or North Warwickshire (Mr. Newdegate) he would not say the "No Popery" but a strong Protestant cry; and that, on the other hand, they should go before the Roman Catholics of England and Ireland and say, "You had better not take your advice from the right hon. Member for South Lancashire, but take your advice from Rome, and Cardinal Antonelli will say, 'Don't be so excessively earnest to disestablish the Irish Church—rather have faith in that great man, the present Premier of England. He has never listened to the cry of a Free Italy, and has always opposed the Member for South Lancashire, who, though he appears to be on your side, has done the cause of Ultramontanism no good in past days. Don't be afraid; it is true the Premier will not disestablish the Irish Church, but something very prosperous for the Roman Catholics of Ireland will follow from his action if you will allow him to remain in power.'" It was not fair to lay too much stress upon one speech of any Minister of the Crown; but he thought they had a right to ask the Premier at this last moment to say, whether he disavowed the statements of the Chief Secretary for Ireland, and if not how he explained them.

MR. DISRAELI: Sir, the right hon. Gentleman who moved the second reading of the Bill this evening seemed to complain very much that I should offer any opposition to his Motion, on the ground that the Ministry had not opposed the 2nd and 3rd Resolutions, which he previously moved. We did not oppose those Resolutions, because, as I described them, we looked on them as being corollaries of the 1st Resolution; and the right hon. Gentleman admitted the justness of that description. It does not follow that, when you oppose a policy, you are bound to oppose it on every stage. Common courtesy and the common sense of the House teach us that such a way of conducting public business would be utterly impracticable. We had taken on the Resolutions of the right hon. Gentleman two divisions in full Houses, and, therefore, I only followed Parliamentary custom in announcing that though we objected to the 2nd and 3rd Resolutions as strongly as to the 1st, yet we should be content not to take any formal division on them, expressing only our protest against them; but that we should reserve our Parliamentary right, when the Resolutions assumed the shape of a Bill, to express our dissent from the measure. I apprehend that the course we took was not only convenient to the House, but consonant with common sense. To say that because we did not take further divisions on the 2nd and 3rd Resolutions we are therefore estopped from opposing the Bill is a proposition which every person, on reflection, will feel to be one that cannot be sustained. But the right hon. Gentleman, not content with maintaining that we are unreasonable in opposing the Bill, because we did not oppose, except by protest, the 2nd and 3rd Resolutions, says that we ought to support the Bill. The right hon. Gentleman said—

> "Not only am I astonished that you oppose the Bill, but I had every reason to believe that you would deem it your policy and an advantage to support it; because you have consented to the appointment of a Committee to investigate the condition of the Irish Church, and as you yourselves admit the possibility of the Committee proposing considerable modifications in the temporalities of the Irish Church, what could be more convenient than that in the meantime you should pass a Suspensory Bill which would prevent the creation of any new vested interest, which it would be very inconvenient for you to have to deal with by after legislation."

Well, Sir, I am perfectly willing so far to agree with the right hon. Gentleman, that if he will undertake in Committee to propose clauses providing that all the resources which may accrue from the suspended bishoprics and rectories should, when our ultimate legislation is decided upon, be apportioned and secured to the Established Church in Ireland I will consider his proposition of supporting the present Bill with feelings very much inclined to accede to his request. But the right hon. Gentleman forgets that he introduces to our notice a Bill which contains no provisions of that nature. He does not secure that the results of the suspension of these benefices will be apportioned hereafter to the benefit of that Establishment which we seek to uphold; but, on the contrary, he has to-night given a new version of his policy, and, alarmed by an impression in the House that led to the proposal of a very awkward Motion—an impression that he was prepared, when the results of suspending these benefices had accrued, to allot the sums thus acquired to the advantage of another Church—that is, the Roman Catholic Church—the right hon. Gentleman comes down to-night and tells us most distinctly that his policy is that none of the sequestered revenues of the Established Church in Ireland shall be apportioned to the maintenance of the religious institutions of any other creed whatever. Well, what is the consequence? The right hon. Gentleman has come down to-night to give us a new expression of his policy, to propose that Church revenues — that funds which have been consecrated to religious purposes—shall in future be applied to secular uses. Therefore, the question has assumed quite a different aspect to-night. Sir, I am as much opposed to the new scheme of the right hon. Gentleman as to the one that he was accused of holding during the late debate, and which this evening he has repudiated. I am myself entirely opposed to applying any property which has been once devoted to spiritual purposes to what are called secular uses. I know of no instance in which appropriations of that kind have ever occurred in which they have not ended either in the advantage of some individual or of some family; or, if there has been some more plausible appropriation for a public purpose, it has been applied with the utmost wastefulness, and ultimately with complete misapplication. On these grounds, then, I vindicate my opposition to the Bill of the right hon. Gentleman, and I cannot agree to support it. But, Sir, these are the two main arguments that were brought forward by the right hon. Gentleman. The rest of the discussion, as far as his own observations and those of his principal supporters to-night are concerned, has consisted in references to an extract from a passage in the speech of my noble Friend the Secretary to the Lord Lieutenant. We have heard that speech referred to on every occasion on which this subject has been brought under the consideration of the House. Gentlemen opposite have a passage cut out of that speech, and I have observed it passed along as they speak in turn. Sometimes it is in the possession of a noble Lord, then of a right hon. Gentleman, and then it gets into the hands of a Gentleman with a humbler title. It is well thumbed and well worn; and now I am called upon to explain it. In the first place, before I explain it, I wish to know what is the charge that is made against my noble Friend, because it has been expressed in such various terms—it has assumed on different nights such different forms that, before I reply I would like distinctly to ascertain what the precise charge is. We have had it to-night, with candid precision, from the right hon. and learned Member for Portarlington (Mr. Lawson), and I must do him the justice to say that he made the charge distinctly; and, as one who was the principal Law Adviser of the late Government, I take it for granted that he had well considered the terms—that he had made himself master of the case—that, being a practised master of the forensic art, he placed it before the House most favourably to the views and interests of his Friends. I take it, therefore, from his showing, because the House must have observed that when the hon. Member for Bradford (Mr. W. E. Forster) and others have spoken on the subject they have made vague insinuations and inuendoes, calling upon me to explain expressions of my noble Friend without distinctly alleging them; but, while making a certain appearance of urging some odious charge, they have avoided giving any distinct expression of what they meant. In this case that cannot be said, I am bound to admit, of the right hon. Gentleman the Member for Portarlington. What are his charges? He said that the Secretary to the Lord Lieutenant came down with an Irish policy, and that he proposed, in the first place, to endow a Roman Catholic University. Well, we have heard that charge before, and it has been contradicted. I myself have said over and over again that it never was proposed by us to endow a Roman Catholic University. ["Oh, oh."] What is the use of saying "Oh, oh!" now that the correspondence is on the table and you yourselves can judge for yourselves whether there ever was such a proposition on our part? On the contrary, there was from others a proposition that a Roman Catholic University should receive an endowment, and that endowment was refused by us. Well, so much for that distinct charge. What is the second charge? That the Secretary to the Lord Lieutenant proposed to pay the Roman Catholic clergy. I must say that I myself listened with great attention to my noble Friend the Chief Secretary to the Lord Lieutenant, and I heard no proposition of the kind. I myself took part in the debate. I do not know whether I spoke the same night as my noble Friend, but if I did not I spoke the second night of the debate; and I said then, most distinctly, that we, as a Government, entirely disapproved paying the Roman Catholic clergy. I stated our reasons for that disapproval, and expressed our opinion that the Roman Catholic clergy were sincere—certainly at present—in rejecting any proposition of the kind. Now, these are the two most considerable charges—the endowment of a Roman Catholic University and the payment of the Roman Catholic clergy. I say that we did not propose to endow a Roman Catholic University, nor to pay the Roman Catholic clergy; and that when I announced the policy of the Government in detail, I stated that as a Government we were adverse to paying that clergy. But then it has been strongly urged that my noble Friend used an expression of which I have never yet, either in the references to the speech of my noble Friend or the more general observations of hon. Gentlemen, obtained a distinct idea. The particular expression charged against my noble Friend—supposing him to have used it, though I do not believe he ever did—the supposed expression of my noble Friend as referred to by the hon. Member for Bradford, was "religious equality." Now, that is a very vague phrase. What do you mean by religious equality? I myself, notwithstanding the observations which my noble Friend (Lord Elcho) has addressed to the House, am of opinion that we have religious equality in England; but I attach to the phrase a different meaning from that given to it by my noble Friend. I conceive that where a man has complete and perfect enjoyment of his religion, and can uphold and vindicate his religious privileges in the Courts of law, that state of things is religious equality. I admit that other persons may associate other ideas with the phrase religious equality; but because a Minister of State mentions the words "religious equality"—if he did mention them—are you to assume that he intends thereby to found on the part of the Government a political system composed of two parts—one the endowment of a Roman Catholic University, and the other the payment of the Roman Catholic clergy? To do so in the very teeth of the repeated statements made by myself in debate appears to me to be practising the arts of Parliamentary representation in a manner characterized by extraordinary dexterity. Well, Sir, what is the third charge? My noble Friend is said to have announced another policy which he never did announce—namely, an increase of the *Regium Donum*. My right hon. Friend the Secretary of State for the Home Department properly mentioned to-night that the *Regium Donum* had never been brought before the Cabinet. I think I can give as clear an account as was ever given to the House of what my noble Friend said on that subject. What my noble Friend said was that in his opinion the *Regium Donum* was a miserable pittance. Well, I have myself, as some others in this House have done, received deputations on the subject of an increase in the *Regium Donum*: and I must say it requires a great command of countenance to describe the *Regium Donum* as a grant of great munificence. But I had always said, as my noble Friend said, that though I might not consider the *Regium Donum* as a grant of great munificence, it was utterly impossible in the present state of feeling that we could propose an increase of the *Regium Donum*. This being the view, how could the *Regium Donum* be brought before the Cabinet had there not been a proposal to increase and re-constitute the *Regium Donum*? Such an idea had never occurred to us, whatever may be our opinions as to the amount of the *Regium Donum* and the manner in which it is administered; and I dare say many members of the Cabinet, and of the late Cabinet also, have not concealed their views upon that subject. Now, because my noble Friend considered and could not resist saying that it is a miserable pittance, it is immediately inferred that one of our propositions was to increase the *Regium Donum*. There is not the slightest foundation for the inference, nor is there the slightest inconsistency in the statements of my noble Friend and of the right hon. Gentleman the Secretary of State. [An Hon. MEMBER: Levelling up.] Well, "levelling up" is a phrase which has been used in this debate very frequently, and which seems to be a very favourite one with hon. Gentlemen opposite. I should very much like to have their views as to the distinct meaning they attribute to the phrase "levelling up." That in a country like Ireland there may not be various modes by which you may raise the clergy of the different denominations in a manner more consonant to their feelings of self-respect than you could in a country like England, where the same circumstances do not prevail, no man would for a moment pretend to deny. You have been doing things year by year by which the *status* of the Roman Catholic clergymen in Ireland has been improved and recognized; and no doubt there are many things which might still be done—without violating the principles of our Constitution, and without inducing you to agree to revolutionary proceedings which may have the most injurious consequences upon the population of the country generally—to soften the spirit of society in Ireland and effect very beneficial results. And if my noble Friend expressed on that and other occasions his desire to support a policy of that kind, he only expressed a desire which is common to every Member of the Government. Now, Sir, the hon. Member for Bradford has made a speech to-night about "Justice to Ireland." Starting with one or two convenient assumptions which no human being can prove or disprove, and to which no human being can ascribe any definite meaning, he, of course, rapidly arrives at conclusions on the strength of which he recommends the violent policy which it is now attempted to thrust upon the nation. "We must do justice to the Irish people," says the hon. Member for Bradford. Who are the Irish people? The Irish people consist of several races and of several religions, and the hon. Member wants us to do something to satisfy a portion of the people who may be, and probably are, the majority. But it does not follow that because you do something which you assume may please the majority that you will not offend a very large and very powerful minority of the people, and in your accounts and your calculations as to the character and effect of your policy it is the most unwise thing in the world to disregard the feelings and the interests of powerful minorities. For what will be the consequence of disregarding the feelings and the interests of powerful minorities? Why, that your scheme of conciliation, your attempt to pacify a country and to establish what you call "Justice for the people" would probably end in your creating among other classes who are now satisfied and content the same discontent and dissatisfaction which you allege to prevail in that portion of the nation which you describe as, and which may be, the majority. Now, Sir, I say there is not that similarity between the cases of Ireland and Scotland which the hon. Gentleman, as is common, assumes to exist. In the first place you must as wise and practical men deal with what exists. Here is a Church established for centuries in Ireland with a very powerful and numerous body in direct communion with it, and supported also by the sympathies of another numerous body, who, though not in direct communion with it, look upon it with respect and reverence. And you must remember that a mass of population like the Protestant population of Ireland never existed in Scotland as opposed to the Presbyterian form of worship. It never existed; and, therefore, there is no real similarity between the two countries, And even if there had been, we must remember that what we have to deal with in Ireland exists at present, has been settled for a great number of years, and is now part of history, having settled itself by the force of circumstances, over which we ourselves have no control. We must as practical men consider the position of Ireland with reference to existing circumstances, and, therefore, when the hon. Gentleman the Member for Bradford comes forward and says the thing is perfectly simple — that all you have to do is to do justice to the people of Ireland, and to do in Ireland what was done in Scotland two centuries ago, and you will then find everything perfectly quiet and everybody perfectly content. [An hon. MEMBER: Hear, hear!] The hon. Gentleman opposite, who seems to think that everybody will be perfectly content, will probably not be responsible for the legislation which will arise, and, therefore, his mind need not be disturbed. But I say that the statesman who embarks in such a crusade, and who, without the slightest regard to the feelings and interest of the great body of the Protestant population in Ireland, acts in complete disregard of those feelings and interests, but yet supposes that he is going to establish a system in Ireland which is to cure all evils and to satisfy all persons, is embarking in one of the wildest enterprizes that ever the disordered imagination of man conceived. But, Sir, notwithstanding what the hon. Member for Bradford says, I cannot refrain from considering this question with reference to the larger issue which is at stake; and any one who does consider it with a total disregard to consequences is not taking that sound view of the circumstances with which we have to deal, which the necessity of the case requires. I say this act is the first step to the disestablishment of the English Church. You may draw distinctions; you may say it applies only to Ireland; you may say that the Church as established in Ireland is different from the Church as established in England; but you have not proved that. Sitting opposite to me are many Gentlemen who on other occasions have proved just the reverse, and have alleged all the charges they have made against the Church in Ireland agains the Church in England also. The most that could be urged by those who dissent from me on the other side of the House is that it is a difference in degree ; but I say the principle involved is the connection of a religious Establishment with the State, and the question is whether you will have it or not. I have heard some comments made to-night upon observations I made early in the controversy. I made none that I regret, or did not make advisedly ; and I do believe most solemnly, so far as the policy which is the consequence of the alleged crisis in Ireland is concerned and can influence us, it is one that will bring about a crisis in England—[" Oh ! "]—that is my opinion—and which, if pursued, will disturb the social system of this country to its very centre. I believe that this is an opinion very prevalent in the country, and that every day it grows stronger and wider among those classes who think and reflect, and who never act until they have thought and reflected. An hon. Gentleman accused me of raising a "No Popery" cry. Allow me to say I have not heard that cry, but I have heard a cry raised in this country now that I never heard before, and that is the cry of "No Protestantism." [" Where?"] I have heard it frequently, and read of it in various places. [" Where ?"] It is not for me to refer to expressions which are not used in this House ; if I had heard them here I should have noticed them before. That is the only cry I have heard connected with this matter, and it is one extremely novel in this country. I am not here to impress upon the House my views of what the public feeling is upon this all-important question. I know nothing more idle than to go out of your way to give your own opinion as to the public sentiment of the day ; that will and must declare itself, not from what we state in this House, but from the deep and earnest feelings of the people ; and I only make use of these observations in answer to those who have alleged a view of the public sentiment of the country of a very different character. When I am told we have attempted to raise a cry—when I am told that the country disregards any appeal to it upon this all-important subject—when I am told that there is only one opinion in the country, and that is in favour of the policy of the right hon. Gentleman the Member for South Lancashire, I am bound to assert that the result of my observation, information, and experience is of a totally different character. I do not wish to dwell upon that now ; but I say that my experience and my conviction upon that subject are of a totally different character. I believe in this country there is a very great agitation upon this subject. I believe there is a strong feeling that the right hon. Gentleman has embarked in a most dangerous policy; that its consequences may be most serious to the country ; that they may dim the splendour of the British Crown, and lower the character of the people of England. I believe that to be the opinion of powerful classes in this country — of classes powerful not from station merely, but from the possession and exercise of virtues, and who never interfere in political affairs except from the strongest motives of public duty. If this be a right view, or even an approximately correct view, it is most unwise to disregard or affect to despise it. It is not by managed majorities—[" Oh, oh ! " *and Cheers*]—it is not by such means that you can change the opinion of a country. I do not say that we are right ; I do not say that you are wrong. The observation I have made is a general and a true one. Whatever is the opinion of the people of England upon this great question—whether they will maintain the connection between Church and State, and whether they believe that such a connection is necessary for the happiness of the people and the security of the realm—whatever may be their opinion upon the subject rest assured that that opinion will be asserted and will be triumphant.

MR. GLADSTONE: Sir, I think I may say, without fear of contradiction, that no criticisms of any moment have been made upon the mere form, expressions, and particulars of the Bill that is before the House. [" Oh!" *and Cheers.*] Some of the Gentlemen who differ from that sentiment have not been here during the debate ; but I hardly think that they would differ from the sentiment if they considered its terms. The objections that have been made have traversed a wider field, and have gone to the root of the principle of the measure. We have been involved—and it was natural that we should be involved—in a discussion upon the main points of the policy of the question now before us, and I only made that opening observation to clear myself from any apparent disrespect if I did not feel that, especially at this late hour, it was necessary to enter into minute details. But the hon. Baronet the Member for

Londonderry (Sir Frederick Heygate) made an appeal to me, and appeared to be aggrieved because I had never, as he said, taken notice of a peculiar argument founded by him on behalf of the Irish Church upon the state of things in Ulster. He said, "Look at the case of Ulster! You cannot deny that that is quite different from the case of other provinces in Ireland;" and, in fact, the argument of the hon. Baronet seemed to be this—that if we were to part with the United Church of England and Ireland, at any rate we ought to have a United Church of England and Ulster. But what is the case of Ulster, which the hon. Baronet thinks so strong? Why, it is this—that in Ulster the members of the Established Church absolutely amount to one-fifth of the population; and Ulster, thus strong in its proportion of the members of that communion, is thus apparently capable, not only of answering for itself, but even of carrying on its back the whole case of the Irish Church. Now if I am to look at the case of Ulster with 20 per cent, I must look at the case of Connaught with 3 per cent, and I cannot say that, examining the minute distribution, which varies greatly in different parts of Ireland, the complexion of the case is at all altered. There was another remark made in the small hours of the evening by the hon. Member for South Northumberland (Mr. Liddell), who said that the power of those who are now in the Government to oppose the Bill proposed on this side of the House with reference to the Irish Church, would have been much greater than it is, if, instead of being in Office, they had been in Opposition. To that opinion of the hon. Gentleman I entirely subscribe. I am perfectly aware that if we had sat upon that (the Ministerial) Bench, whatever efforts we might have made we should not have been able, with the utmost exertions, to achieve the progress which we have actually made. And when I hear discussions upon the general condition of this House, upon the strange and anomalous relations between the Government and the Parliament, and when I hear taunts from the right hon. Gentleman the Secretary of State for the Home Department, who is mighty valiant in speech, and challenges us to move a Vote of Want of Confidence, I am aware that the responsibility of acquiescence in that state of things is serious; but one capital and determining motive, at least with me, for so acquiescing, has been this double conviction—in the first place, that the question which presses for the welfare of the Empire at this moment is the state of Ireland; and in the second place, that we have been enabled, through the fortunate and happy circumstance of the tenacity with which those (the Ministerial) seats have been held to make such progress in the settlement of this great question as, had the position of parties been reversed, it would have been impossible for us to make. But questions of the greatest interest have been raised—and it was no wonder they should be raised—with respect to our relative position and policy in relation to the Irish Church. The right hon. Gentleman the Secretary of State for the Home Department and the Prime Minister have referred to the declarations made by me in an early part of the evening, which in their view alter the position I had previously endeavoured to occupy, and which they have described in terms of their own. Sir, I do not intend to repeat those declarations; I do not intend to vary from them; I regard them as making no change in what I had formerly said beyond an explanatory addition. And I only refer to the subject because I wish to say that I desire to be bound by the language I have used myself, and not by the glosses, however ingenuous, of the two right hon. Gentlemen opposite. ["Ingenious."] No, I said ingenuous. But we have had a discussion upon that which is more important, the policy and the declarations of Ministers of the Crown. And to that subject it is necessary that I should advert particularly, because the speech of my hon. Friend the Member for Bradford gave the right hon. Gentleman an opportunity for frank and full explanation; and because I wish to fix, as far as I can, in the face of the House and the country, the point to which by the use or the non-use of that opportunity he has brought us. The right hon. Gentleman the Secretary of State for the Home Department, adverting to words that had been used by the noble Lord near him, made to us the interesting revelation that the question of the increase of the *Regium Donum*, and the yet more important question of a general system of concurrent endowment in Ireland, never had been the subject of consideration in the Cabinet. Sir, it is not usual, as far as my recollection goes, for members of a Cabinet to excuse or defend themselves by stating in this House what subjects have or have not been brought under the consideration of the Cabinet. But permit me to say with that matter we have nothing whatever to do. It is a very interesting disclosure; it provokes our curiosity to know the relation that prevails between Minister and Minister; but that curiosity we must restrain. We have nothing to do with such a defence of any Member of the Government. What we have to look to are the official declarations of Ministers, made in their own name, made on behalf of their Colleagues, and, above all, heard by those Colleagues, acquiesced in by those Colleagues, left to abide uncontradicted and unqualified by those Collegues till weeks and months have elapsed. The right hon. Gentleman in vain endeavours to escape from the difficulty. He says that the words of the noble Earl have been handed up and down this Bench till they are hardly recognizable. Aye, and they will be handed up and down, not only here, but in other places in this country before the question is settled. He seems to think that there is nothing that presses on him except the words "religious equality," and he does not think that those words were ever used. But the noble Earl has never contradicted the use of that phrase. And whether it was used or not, the intentions of the noble Earl and the intentions of the Government—for whom, if ever man was authorized to speak the noble Earl was authorized to speak—were declared with a copiousness, a fulness, and a variety of expression which left nothing to be desired. And if the noble Earl, as we think, used the words "religious equality," I am quite sure he did not use them in the far-fetched—I will not say much more than far-fetched—sense which the right hon. Gentleman has just assigned to them. He said, "I do not pretend to say that justice and policy may not depend to a great extent on the equalization of ecclesiastical arrangements in Ireland." ["Order."] I hope the words were heard. They were spoken on behalf of the right hon. Gentleman by the Secretary of State for the Home Department; the right hon. Gentleman heard them, and he suffered them to remain without contradiction from the 10th of March to the 22nd of May. But the noble Earl then went on to quote those other words that have been quoted again and again, and of which, in the early part of this evening, I understated the effect—

> "There would not be, I believe, any objection to make all Churches equal; but the result must be secured by elevation and not by confiscation."

I beg the right hon. Gentleman to observe that his subtle—I will not say sophistical, for that might give offence—his subtle explanation of the character of "religious equality," even if it has an application under the exercise of his forcible ingenuity to the case of an individual, certainly does not avail to explain this remarkable expression—"there is no objection, I believe, to make all Churches equal." If individuals can be equal when one belongs to an endowed and the other to an unendowed communion, I think the right hon. Gentleman himself will hardly tell me that Churches are equal when one of them enjoys the ecclesiastical property of the country and another has no share whatever in that property. What we have said on former occasions upon this question, and what will be said both here and elsewhere throughout the country, is this—I do not speak for myself; for myself individually, I have not scrupled to own that, with the opinion I entertain of the circumstances of Ireland, I should have thought it or might have thought it my duty to raise the question absolutely—unconditionally, and even without a hope of party support; but taking the facts that have occurred during the present Session, I say that in the enterprize upon which this party has entered with respect to ecclesiastical policy in Ireland, even if we are banded together by common opinions and by common votes, those opinions and those votes have reference to a policy which has been, in point of fact, forced upon the House and on the country, and which has by no means gone in advance or anticipation of the views of the Government. It is the counter plan which we have proposed to the project of the Government—which, if there be meaning in words, was a project of concurrent endowment. It can hardly be thought unfair to put that construction upon the speech of the noble Earl, for the noble Earl himself has never disclaimed the construction put upon it. It will bear but one construction. The noble Earl knows that perfectly well, and he has stood the brunt of it like a man. Moreover, the noble Earl does not stand alone. The declarations of the right hon. Gentleman have been in concurrence with those of the noble Earl. The right hon. Gentleman says he expressed his disapproval of paying the priests. No doubt he said he disapproved of what was called paying the priests. Now, what is called "paying the priests?" Why, the giving them an annual stipend from the State. But there are other ways of dealing with the priests; there are other ways of fulfilling the objects that the right hon. Gentleman has expressed, far more agreeable than the giving them that stipend, dependent upon the annual will of Parliament, which is called "paying the priests." Am I justified in saying that the right hon. Gentleman has contemplated a resort to those methods or not? It is important that the country should be well informed upon this point. What did the right hon. Gentleman say both last year and this year was the key of his ecclesiastical policy for Ireland? He said, "You must create, and not destroy." Had those words a meaning? Yes, they had a meaning, and if illustration were wanted there is abundance of illustration from other quarters. The right hon. Gentleman, twenty-four or twenty-five years ago--[*Laughter, and* "Oh, oh!"]—That is premature derision—The right hon. Gentleman, twenty-four or twenty-five years ago, made a speech the sentiment of which he has adopted and made his own in pith and substance within the last six weeks. ["Oh, oh!"] Is it not fair to refer to the declaration of the right hon. Gentleman made during the present Session? He said, "In my conscience the sentiment of that speech was right." [Mr. DISRAELI: The historical sentiment.] I have not so gathered it, but I accept the addition. The historical sentiment of that speech was right. Why, undoubtedly; the whole speech was historical, and a remarkable speech it was. What was the historical sentiment of that speech? That the true policy for Ireland was to be found in the state of things that was in force in 1636, and that at that time there was a recognized equality between the Protestant and Roman Catholic Churches. That was the historical sentiment of that speech, adopted by the Prime Minister on behalf of the Home Secretary and all his Colleagues, and announced to us as the policy of the Government. Well, it is in opposition to that policy that we have proposed a plan which contemplates, not the erecting of a variety of endowed Churches in Ireland, but the doing away with that endowed Church which now exists there. There is another point which, as was to be expected, has been imported into this debate. The right hon. Gentleman the Secretary of State for the Home Department and other hon. Gentlemen have urged strongly their opinion that, if not the intention, yet the effect of these proceedings must be to undermine and destroy the Church of England. Well, that is a very serious matter. I do not say who is right and who is wrong, but I will venture to state the opinion which I believe to a great extent we entertain on this side of the House. It is idle to tell us that there are in our ranks some Gentlemen — not, I believe, very numerous, whatever their weight may be in other respects — who have declared themselves to be the determined foes of the principle of Establishments in whatever country and under whatever circumstances. I know no reason why those Gentlemen, differing from the most of us upon the abstract principle, yet agreeing with us—or rather, perhaps, I should say, we agreeing with them upon the actual measures that ought to be applied to the peculiar case of Ireland — I know no reason, I say, why, because they are associated with us in the votes they give, we are to be held more responsible for their peculiar opinions than the right hon. Gentleman is to be held responsible for the opinions of every Gentleman who may happen to sit behind him, and who may chance to be connected with an Orange Lodge, or of every foe to the concession of Roman Catholic Emancipation, or of those who would gladly go back if they could in every measure of beneficial legislation in this country of late years. The real difference between the two sides of the House, as it appears to me, is this:—What we hold is that the Church of England is in the main—I use the word roughly—good, that is to say it is an Establishment which exists under circumstances which enable it to perform all the duties of an Establishment; and that, secondly, it performs those duties. And that it is acknowledged to perform them, appears first of all by the warm and devoted attachment of a very large portion of the nation, and in the next place by the willing acquiescence of a very large portion also of those who actually dissent from its tenets. And if I use again a monosyllable for the sake of brevity, and say that the Church of Ireland is a bad Establishment, I do not mean to cast a slur upon the character either of its ministers or its members. I mean that it is bad as an Establishment, because, as tested by the experience of three centuries, it has proved its action to be hopeless in fulfilment of the work for which an Establishment exists. And here allow me to say that the right hon. Gentleman takes an undue liberty when he says that our proceedings are in avowed disregard of the feelings and interests of Protestants. They are no such thing. ["Hear!" *and* "Oh!"] Gentlemen may be perfectly entitled to say, either in that or in any other way, that our proceedings are in disregard of the feelings and interests of Protestants; but they have no right to say that they are in avowed disregard of those interests and feelings if we disavow that intention; and I claim my right to state that in my conscientious conviction the existence of the Established Church in Ireland is hostile and injurious to the interests of Protestantism. It may seem to some Members who sit in this House a very strange opinion, but it is an opinion that you may just conceive it possible for men to entertain; for, after all, it is the characteristic of a civilized age that people do at length bring into their minds some conception that it is possible for other people honestly and conscientiously to differ from them, and until we have learnt that lesson we have made but little progress in true civilization. Now, the opinion I have stated is one which I believe to be very widely entertained on this side of the House, and much more widely out-of-doors. ["No, no!"] Hon. Gentlemen say "No;" but, as I am informed, nine-tenths of the people of Scotland—speaking roughly—think that the existence of the Established Church of Ireland is hostile to Protestantism. But I will not dwell merely upon testimony of that kind. I happen to have in my hand a speech of the Bishop of Ripon, whose name and character are well-known, and, as I believe, are highly respected by all who know him, made at a meeting for the promotion of the Irish Church Missions, on the 20th of April, 1868. In that speech the Bishop expressed very strong disapproval of the movement in which we are engaged; but what did he say about the interests of Protestantism in the event of the Established Church being removed? He said they would flourish more than ever. Here are his words:—

> "Let the State, if she will, break the most solemn contracts. Let her violate the Act of Union, let them call on the Queen to violate her Coronation Oath."

All this proves to you what an excellent judge in this matter the Bishop of Ripon is. You may rely on everything he says. I will continue to read—

> "Let the Church be disendowed and disestablished. The State did not make the Church, and the State could not un-Church. If this did unhappily take place, she would attract to herself the sympathy of the Church of England, and by such an agency as that society, which would become more than ever necessary, the truth of God would be more and more diffused through the length and breadth of the land, and many valuable souls would be brought to know the Lord Jesus Christ."

And, with great respect to Gentlemen sitting opposite, we think we are quite entitled to agree in this view of the matter if we think fit. Disregarding imputations which the right hon. Gentleman is pleased to favour us with, I take leave to declare that the opinion prevailing with us is, that these two Establishments—the one which is good of its kind and the other which is bad of its kind—must not be considered as identical in quality; our doctrine is, that by extinguishing the bad you will increase, and not diminish the good; your opinion seems to be, that an Establishment should be upheld because it is an Establishment; that, whether it be good or bad, is a matter of secondary importance, and that the destruction of what is bad in the Establishment puts what is good in danger. This to me is a paradox contrary to all human experience. But, whatever be the justice or injustice of these respective opinions, one thing is certain, and that is—that if the Church of England be constantly, fervently, enthusiastically associated in the speeches, in the minds, and in the thoughts of a large party with the Church of Ireland, that association, which might have been fanciful, will have become real, and that danger, which should be imaginary, will become formidable. Now, Sir, this is possible from the two controversies between us. One is, whether the Irish Church should cease to exist as an Establishment; the other is, whether the the fall of the Irish Church will tend to draw after it the fall of the English Church? My belief is that, as to the first of these controversies, its end is near, and that those who sit opposite to me, though they may deprecate that contingency, do not doubt its early arrival. But this may happen, that the first of these controversies—namely, that which involves the question of the Established Church of Ireland—may be decided in our favour; the second of those controversies—namely, whether the Established Church of England is to be decided by the fall of the Church of Ireland—may be decided in your favour by these persistant declarations that religious equality in one quarter of the kingdom absolutely means religious equality in all, and that it is impossible to draw distinctions between the Church which is the Church of the people in the main and the Church which has not the smallest pretentions to be considered as the Church of a majority. Take care, I beseech you, lest by persistently declaring these things to be truths you make them truths, and by your own imprudence induce consequences that we have never intended and that we profoundly deprecate. Sir, these are contingencies I do hope will receive the careful consideration of Gentlemen opposite. It is not the first time we have seen such things happen in history. It may be that after public opinion has brought about the disestablishment of the Irish Church, those very Gentlemen who are now asserting the impossibility of those consequences will be found standing at this table deprecating their advent; and they may be liable to have the very principles which they are declaring for the purposes of to-night quoted against them. For my own part, I am reluctant to reiterate again and again professions which I own are of very little value. That statement may not unnaturally be received by the noble Lord (the Earl of Mayo) and by other large-minded men with a certain amount of suspicion, and it is far better to be moderate in declarations of this kind; but I must own I have stated the general grounds upon which our argument or contention proceeds —namely, that the removal of an Establishment which does not do its work is in the end, if not a positive advantage to an Establishment that does, yet, at all events, is in the nature of the removal of a very great disadvantage. I think that there is not a man who would deny that the cause of the Church of England against her antagonists, if she has them, is made more arduous and difficult by the existence of the Church Establishment in Ireland. [An hon. MEMBER: No.] Did I hear an hon. Member say "No?" I think the sound proceeds from an hon. and gallant Gentleman (Colonel Stuart Knox) whose courage I never doubted; but certainly on no occasion has he, I think, given a more signal exemplification of that courage than in challenging that statement. The hon. and gallant Gentleman, if I interpret him aright, contends that the cause of the Church of England is improved for the purpose of argument against its adversaries by its association with the Church of Ireland. If the hon. and gallant Gentleman adopts that argument he is, I am afraid, leading a forlorn hope, for he will not, in my belief, find even in the quarter where he sits any considerable support for that view. Our conscientious belief is that it is for the advantage of the Church of England that this controversy in Ireland should be ended; but at the same time I never desired to conceal my opinion that we must deal with this Irish question as an Irish question, and that nothing could be more impolitic with reference to the highest interests of the Empire than to adopt the course which has been often proposed and which has been proposed by some to-night—namely, that we should tell the mass of the people in Ireland that they have no choice but to endure an Establishment alien to them, and that we have no choice but to force it upon them, lest the making of alterations in the arrangements of the Irish Church should be the means of bringing the same alterations upon the Church in England. That is not the way, I hold it, to cement the Union between the two countries; if the Union between the two countries is, indeed, to be not merely a Union on paper, but a union of the hearts of men. An argument was used by the right hon. Gentleman the Secretary of State for the Home Department upon which I need not dwell for more than a moment, and it is the last topic to which I shall refer. It was that the House of Lords ought to have been consulted by Resolution or Address before an attempt was made to send to them a Bill of this nature. I presume that the right hon. Gentleman was serious in making that statement, but I am not aware that upon any occasions except the very rarest—and I am certainly not aware of any whatever upon which by any except the Executive Government—an attempt has been made to put the two Houses of Parliament in action simultaneously. But if I were to refer to all the great changes which have occurred during the last thirty-five or forty years, to say that we ought to have referred them to the House of Lords, with a view to having them dealt with simultaneously in both Houses, would be the same as to say that they ought to have been extinguished in the bud, and that the country ought to have been deprived of the enormous advantages which have undoubtedly accrued from that legislation.

THE EARL OF MAYO: I hope the House will permit me to trespass upon their attention for a very few moments, and I am sure that hon. Gentlemen on both sides will acknowledge that, after the manner in which I have been alluded to in the course of this debate, I have a claim to their attention for a short time. Of the sentiments enunciated by me on the occasion referred to, when it became my duty to address the House on the part of the Government on the Motion proposed by the hon. Member for Cork (Mr. Maguire), I have no reason to be ashamed, and I have no words to retract. I believe that the opinions to which I then gave expression have for a very long time been shared in by the most eminent men, and by the greatest statesmen, and they are opinions of which no man who knows the state of things in Ireland has any reason to be ashamed. I maintained then, and I hold the same opinion now, that the existence of the Established Church in that country does not involve in any way a religious ascendancy in an offensive sense, by which I mean that the existence of the Established Church does not prevent the complete and free exercise by Members of other churches of their religious worship, or prevent them from placing their churches in any position they may deem desirable. The whole of the remarks I made before I used the words which have been quoted were in furtherance of that opinion. I believe a great change has for years been taking place in Ireland, and that there has been a gradual elevation of churches other than those of the Established Church, very much to the benefit of the country at large. Holding the opinions that the process which has been going on a long time was a salutary one, I firmly believe that it should not be stopped. In expressing that opinion I wished to convey to the House that I thought it was desirable that the course of ecclesiastical arrangements which has prevailed for many years should be continued, and that it should not be violently arrested. That was the opinion I expressed, and that is the opinion I still hold. I never did propose that which I am accused of having proposed — namely, an immediate and large endowment by the State for religious purposes. I defy anyone to quote any single expression of mine which would lead him to think that any proposal of that kind was either possible or desirable. With regard to the *Regium Donum,* I had the pleasure several times this spring of communicating with gentlemen who are anxious that that grant should be increased. I told those gentlemen what I have before stated in this House—that it was a miserable pittance, and was totally inadequate for the purposes for which Parliament originally gave it; but I told them at the same time that, considering the present feeling of the House and the temper of the country, it would be useless and mischievous to propose an increase of that Grant, so that my opinion upon this point is well known to the persons most interested in the matter. No one who has sat as long as I have in this House could believe that any Government would be wise in proposing a large scheme for the payment of Roman Catholic priests. Looking to the strong feeling in this House and to the repeated declarations of the Roman Catholics themselves as to their acceptance of salaries for their clergy, no man in his senses would think of making such a proposition, and it is impossible to discover from anything that I have said that either I or any Member of the Government ever contemplated such a proposal. But I must remind the House what has been the line of policy adopted by them for many years on this question. I must remind them how the Maynooth Grant has been increased and how the *Regium Donum* has been over and over again maintained, and how from time to time chaplains of all denominations of Christians have been appointed to public institutions, workhouses, and gaols, and how chaplains of all denominations have been appointed to the Army with the sanction of the House. Throughout my whole speech I intended to convey to the House that I thought that the policy which the Legislature has pursued for some time ought to be continued, and that it might be desirable when the opportunity arose that that policy should be further enlarged. I believe that in expressing those opinions I expressed the opinion of every man who has studied the state of Ireland for the last sixty years, and that I was only enunciating the opinions of Pitt, Sir Robert Peel, Lord Derby, Sir James Graham, Earl Russell, and opinions that had been repeatedly urged for many years with eloquence and power by the right hon. Gentleman the Member for South Lancashire. I beg to remind the House that I distinctly stated that of all means to be adopted for remedying Irish grievances I thought confiscation the very worst; and I believe that any proposal for the immediate overthrow of the Irish Church would be attended with dangerous consequences, some of which we have already witnessed, and I announced distinctly as the cardinal policy of the Government, that we were prepared to maintain in Ireland and in every part of the United Kingdom the religious Establishments that now exist.

Mr. NEWDEGATE attempted to address the House, but was inaudible in consequence of persistent cries of "Divide!" and "Question!"

Question put.

The House *divided*:—Ayes 312; Noes 258: Majority 54.

AYES.

Acland, T. D.
Agar-Ellis, hn. L. G. F.
Agnew, Sir A.
Akroyd, E.
Allen, W. S.
Amberley, Viscount
Andover, Viscount
Anstruther, Sir R.
Armstrong, R.
Ayrton, A. S.
Aytoun, R. S.
Bagwell, J.
Baines, E.
Barclay, A. C.
Barnes, T.
Barron, Sir H. W.
Barry, A. H. S.
Barry, C. R.
Bass, A.
Baxter, W. E.
Bazley, T.
Beaumont, H. F.
Beaumont, W. B.
Biddulph, M.
Bingham, Lord
Blake, J. A.
Blennerhasset, Sir R.
Bonham-Carter, J.
Bouverie, rt. hon. E. P
Bowyer, Sir G.
Brady, J.
Brand, rt. hon. H.
Bright, Sir C. T.
Bright, J. (Birmingham)
Bright, J. (Manchester)
Browne, Lord J. T.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Bryan, G. L.
Bulkeley, Sir R.
Buller, Sir A. W.
Buller, Sir E. M.
Burke, Viscount
Butler-Johnstone, H. A.
Buxton, C.
Buxton, Sir T. F.
Candlish, J.
Cardwell, rt. hon, E.
Carington, hn. W. H. P.
Carnegie, hon. C.
Carter, S.
Castlerosse, Viscount
Cave, T.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chambers, T.
Cheetham, J.
Childers, H. C. E.
Clay, J.
Clement, W. J.
Clinton, Lord A. P.
Clinton, Lord E. P.
Clive, G.
Cogan, rt. hon. W. H. F.
Colebrooke, Sir T. E.
Coleridge, J. D.
Collier, Sir R. P.
Corbally, M. E.
Cowen, J.
Cowper, hon. H. F.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crawford, R. W.
Crossley, Sir F.
Dalglish, R.
Davey, R.
Davie, Sir H. R. F.
De La Poer, E.
Denman, hon. G.
Dent, J. D.
Dering, Sir E. C.
Devereux, R. J.
Dilke, Sir W.
Dillwyn, L. L.
Dixon, G.
Dodson, J. G.
Doulton, F.
Duff, M. E. G.
Duff, R. W.
Dundas, F.
Earle, R. A.
Edwards, C.
Edwards, H.
Eliot, Lord
Ellice, E.
Enfield, Viscount
Erskine, Vice-Ad. J. E.
Esmonde, J.
Evans, T. W.
Ewart, W.
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Fildes, J.
FitzGerald, rt. hn. Lord O. A.
FitzPatrick, rt. hn. J. W.
Fitzwilliam, hn. C. W. W.
Foley, H. W.
Foljambe, F. J. S.
Forster, C.
Forster, W. E.
Fortescue, rt. hn. C. S.
Fortescue, hon. D. F.
French, rt. hn. Colonel
Gaselee, Serjeant S.
Gaskell, J. M.
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Glyn, G. C.
Goldsmid, Sir F. H.
Goldsmid, J.
Goschen, rt. hon. G. J.
Gower, hon. F. L.
Gower, Lord R.
Graham, W.
Gray, Sir J.
Gregory, W. H.
Grenfell, H. R.
Greville-Nugent, A. W. F.
Greville-Nugent, Col.
Grey, rt. hon. Sir G.
Grosvenor, Earl
Grosvenor, Capt. R. W.
Grove, T. F.
Hadfield, G.
Hankey, T.
Hanmer, Sir J.
Hardcastle, J. A.
Harris, J. D.
Hartington, Marq. of
Hay, Lord J.
Hay, Lord W. M.
Hayter, A. D.
Headlam, rt. hn. T. E.
Henderson, J.
Heneage, E.
Henley, Lord
Herbert, H. A.
Hibbert, J. T.
Hodgkinson, G.
Hodgson, K. D.
Holden, I.
Holland, E.
Horsman, rt. hon. E.
Howard, hon. C. W. G.
Howard, Lord E.
Hughes, T.
Hughes, W. B.
Hurst, R. H.
Hutt, rt. hon. Sir W.
Ingham, R.
Jackson, W.
Jardine, R.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kennedy, T.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E
Labouchere, H.
Laing, S.
Lawrence, W.
Lawson, rt. hon. J. A.
Layard, A. H.
Leader, N. P.
Leatham, E. A.
Leatham, W. H.
Lee, W.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Lloyd, Sir T. D.
Locke, J.
Lorne, Marquess of
Lowe, rt. hon. R.
Lusk, A.
MacEvoy, E.
M'Kenna, Sir J. N.
M'Lagan, P.
M'Laren, D.
Maguire, J. F.
Marjoribanks, Sir D. C.
Marshall, W.
Martin, C. W.
Matheson, A.
Melly, G.
Merry, J.
Milbank, F. A.
Mill, J. S.
Miller, W.
Mills, J. R.
Milton, Viscount
Mitchell, T. A.
Moffatt, G.
Monk, C. J.
Monsell, rt. hon. W.
Moore, C.
More, R. J.
Morrison, W.
Murphy, N. D.
Neate, C.
Nicol, J. D.
Norwood, C. M.
O'Beirne, J. L.
O'Brien, Sir P.
O'Conor Don, The
O'Donoghue, The
Ogilvy, Sir J.
O'Loghlen, Sir C. M.
Onslow, G.
O'Reilly, M. W.
Osborne, R. B.
Otway, A. J.
Owen, Sir H. O.
Padmore, R.
Paget, T. T.
Parry, T.
Pease, J.
Peel, A. W.
Peel, J.
Pelham, Lord
Philips, R. N.
Platt, J.
Pollard-Urquhart, W.
Portman, hon. W. H. B.
Potter, E.
Potter, T. B.
Price, W. P.
Pritchard, J.

Proby, Lord
Ramsay, J.
Rawlinson, Sir H.
Rearden, D. J.
Rebow, J. G.
Robartes, T. J. A.
Robertson, D.
Roebuck, J. A.
Rothschild, Baron L. de
Rothschild, Baron M. de
Rothschild, N. M. de
Russell, A.
Russell, F. W.
Russell, Sir W.
St. Aubyn, J.
Salomons, Mr. Ald.
Samuda, J. D'A.
Samuelson, B.
Scott, Sir W.
Seely, C.
Seymour, A.
Shafto, R. D.
Sheridan, H. B.
Sherriff, A. C.
Simeon, Sir J.
Smith, J.
Smith, J. A.
Speirs, A. A.
Stacpoole, W.
Stanley, hon. W. O.
Stansfeld, J.
Stock, O.
Stone, W. H.
Stuart, Col. Crichton-
Sullivan, E.
Sykes, Colonel W. H.
Synan, E. J.
Talbot, C. R. M.
Taylor, P. A.
Thompson, M. W.
Tite, W.
Tomline, G.
Torrens, W. T. M'C.
Tracy, hon. C. R. D. Hanbury-
Trevelyan, G. O.
Vandeleur, Colonel
Vanderbyl, P.
Verney, Sir H.
Vernon, H. F.
Villiers, rt. hon. C. P.
Vivian, Capt. hn. J. C. W.
Waldegrave-Leslie, hon. G.
Warner, E.
Watkin, E. W.
Weguelin, T. M.
Western, Sir T. B.
Whalley, G. H.
Whatman, J.
Whitbread, S.
White, J.
Whitworth, B.
Williamson, Sir H.
Winterbotham, H. S P.
Woods, H.
Wyvill, M.
Young, R.

TELLERS.

Glyn, G. G.
Adam, W. P.

NOES.

Adderley, rt. hon. C. B.
Annesley, hon. Col. H.
Archdall, Captain M.
Arkwright, R.
Baggallay, R.
Bagge, Sir W.
Bailey, Sir J. R.
Baillie, rt. hon. H. J.
Baring, T.
Barrington, Viscount
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Beresford, Capt. D. W. Pack-
Bernard, hon. Col. H. B.
Booth, Sir R. G.
Bourne, Colonel
Brett, Sir W. B.
Brooks, R.
Bruce, Lord E.
Bruce, Sir H. H.
Bruce, Major C.
Bruen, H.
Buckley, E.
Burrell, Sir P.
Capper, C.
Cartwright, Colonel
Cave, rt. hon. S.
Cecil, Lord E. H. B. G.
Clive, Lt.-Col. hn. C. W.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cole, hon. H.
Cole, hon. J. L.
Cooper, E. H.
Corrance, F. S.
Corry, rt. hon. H. L.
Courtenay, Viscount
Cox, W. T.
Cremorne, Lord
Cubitt, G.
Curzon, Viscount
Dalkeith, Earl of
Dawson, R. P.
Dick, F.
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
Dowdeswell, W. E.
Du Cane, C.
Duncombe, hon. Adml.
Duncombe, hon. Colonel
Dunne, rt. hon. General
Du Pre, C. G.
Dutton, hon. R. H.
Dyke, W. H.
Dyott, Colonel R.
Eaton, H. W.
Eckersley, N.
Edwards, Sir H.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, Sir P. G.
Egerton, hon. W.
Elcho, Lord
Fane, Lieut.-Col. H. H.
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Finch, G. H.
Forde, Colonel
Forester, rt. hn. General
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Garth, R.
Goddard, A. L.
Goldney, G.
Goodson, J.
Gordon, rt. hon. E. S.
Gore, J. R. O.
Gore, W. R. O.
Gorst, J. E.
Grant, A.
Graves, S. R.
Gray, Lieut.-Colonel
Greenall, G.
Greene, E.
Grey, hon. T. de
Griffith, C. D.
Gurney, rt. hon. R.
Gwyn, H.
Hamilton, Lord C.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Viscount
Hardy, rt. hon. G.
Hardy, J.
Hartley, J.
Hartopp, E. B.
Harvey, R. B.
Harvey, R. J. H.
Hay, Sir J. C. D.
Heathcote, Sir W.
Henley, rt. hon. J. W.
Henniker-Major, hn. J M.
Herbert, rt. hn. Gen. P.
Hervey, Lord A. H. C.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Hildyard, T. B. T.
Hodgson, W. N.
Hogg, Lieut.-Col. J. M.
Holford, R. S.
Holmesdale, Viscount
Hood, Sir A. A.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Hubbard, J. G.
Huddleston, J. W.
Hunt. rt. hon. G. W.
Ingestre, Viscount
Innes, A. C.
Jervis, Colonel
Jolliffe, hon. H. H.
Jones, D.
Karslake, E. K.
Karslake, Sir J. B.
Kavanagh, A.
Kekewich, S. T.
Kelk, J.
Kendall, N.
Kennard, R. W.
Keown, W.
King, J. G.
King, J. K.
Knightley, Sir R.
Knox, Colonel
Knox, hon Colonel S.
Lacon, Sir E.
Laird, J.
Langton, W. G.
Lanyon, Sir C.
Lascelles, hn. E. W.
Lechmere, Sir E. A. H.
Lefroy, A.
Legh, Major C.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, C, P.
Liddell, hon. H. G.
Lindsay, hon. Colonel C.
Lindsay, Colonel R. L.
Long, R. P.
Lopes, H. C.
Lopes, Sir M.
Lowther, Colonel
Lowther, J.
Lowther, W.
Mahon, Viscount
Mainwaring, T.
Malcolm, J. W.
Manners, Lord G. J.
Manners, rt. hn. Lord J.
Matheson, Sir J.
Mayo, Earl of
Meller, Colonel
Miles, J. W.
Mitford, W. T.
Montagu, rt. hn. Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, hon. Major
Morgan, O.
Mowbray, rt. hon. J. R.
Neeld, Sir J.
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
Noel, hon. G. J.
North, Colonel
Northcote, rt. hn. Sir S.
O'Neill, hon. E.
Paget, R. H.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Parker, Major W.
Patten, rt. hon. Col. W.
Paull, H.
Peel, rt. hon. General
Pemberton, E. L.
Pennant, hon. G. D.
Percy, Mjr.-Gn. Lord H.
Powell, F. S.
Pugh, D.
Read, C. S.
Repton, G. W. J.
Robertson, P. F.
Royston, Viscount
Russell, Sir C.
Sandford, G. M. W.
Saunderson, E.
Schreiber, C.
Sclater-Booth, G.
Scott, Lord H.
Scourfield, J. H.
Selwin-Ibbetson, H. J.
Severne, J. E.
Seymour, G. H.

Simonds, W. B.
Smith, A.
Smith, S. G.
Smollett, P. B.
Somerset, Colonel
Somerset ,E. A.
Stanhope, J. B.
Stanley, hon. F
Stanley, Lord
Stirling-Maxwell, Sir W.
Stopford, S. G.
Stronge, Sir J. M.
Sturt, H. G.
Surtees, C. F.
Surtees, H. E.
Sykes, C.
Thorold, Sir J. H.
Thynne, Lord H. F.
Tollemache, J.
Torrens, R.
Treeby, J. W.
Trevor, Lord A. E. Hill-
Turner, C.
Turnor, E.
Vance, J.
Verner, E. W.
Verner, Sir W.
Walker, Major G. G.
Walpole, rt. hon. S. H.
Walrond, J. W.
Walsh, hon. A.
Warren, rt. hon. R. R.
Waterhouse, S.
Welby, W. E.
Williams, F. M.
Woodd, B. T.
Wyld, J.
Wyndham, hon. H.
Wyndham, hon. P.
Wynne, W. R. M.
Wynn, C. W. W.
Wynn, Sir W. W.
Yorke, J. R.

TELLERS.

Taylor, Colonel
Whitmore, H.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Friday* 5th June.

House adjourned at a quarter before Two o'clock, till Monday next.

HOUSE OF LORDS,

Monday, May 25, 1868.

MINUTES.]—Select Committee—On Contagious Diseases Act (1866), The Earl Nelson and Lord Ebury *added.*
Public Bills—*First Reading*—Army Chaplains* (116).
Second Reading—(£17,000,000) Consolidated Fund.*
Third Reading—Endowed Schools* (98), and *passed.*

ARMY CHAPLAINS BILL [H.L.]

A Bill to afford greater Facilities for the Ministrations of Army Chaplains—Was *presented* by The Lord Silchester; read 1ª. (No. 116.)

House adjourned at a quarter past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, May 25, 1868.

MINUTES.]—Public Bills—*Ordered*—Local Officers Superannuation (Ireland).*
First Reading—Local Officers Superannuation (Ireland)* [137].
Second Reading—Voters in Disfranchised Boroughs* [128].
Committee—Representation of the People (Scotland) [29]—R.P.
Considered as amended—West Indies* [124].
Third Reading—Local Government Supplemental (No. 2)* [120]; Pier and Harbour Orders Confirmation, &c.* (118); Unclaimed Prize Money (India)* [122]; Reformatory Schools (Ireland)* [65]; Partition* [107]; Medical Practitioners (Colonies)* [125]; Divorce and Matrimonial Causes Court* [119), and *passed.*

IRELAND—PARTY PROCESSIONS ACT.

QUESTION.

Sir FREDERICK HEYGATE said, he wished to ask the Chief Secretary for Ireland, Whether, in the opinion of the Government, the time is not arrived when it would be wiser to repeal the Party Processions Act (Ireland); and whether, in their opinion, the preservation of the public peace could not be equally secured by a strict administration of the Common Law of the land?

The Earl of MAYO replied, that, in answer to the Question put to him by the hon. Member for Belfast some time ago, he stated that it was not the intention of the Government to propose during the present Session the repeal of the Party Processions Act. He also stated that he thought that, after the authoritative and lucid manner in which the law had been stated by Mr. Justice Fitzgerald, it was quite clear that no uncertainty as to the state of the law could exist. That learned Judge laid down that there were three things necessary to constitute a breach of the law. The first was, that there should be an assembling together in procession; the second was, that there should be the bearing of flags and emblems; and the third was, that the wearing of distinctive sashes and symbols should be such as was calculated to provoke animosity and ill-feeling between various classes of Her Majesty's subjects. At the same time he (the Earl of Mayo) stated that any uncertainty which could possibly arise, must arise from juries taking different views as to the meaning of the words "calculated to provoke animosity and ill-feeling between various classes of Her Majesty's subjects." The Government had considered these words with the greatest care, with a view, if possible, to render them more clear; but they had come to the decision that such an amendment as was proposed was impossible, and that these words could not be altered without materially interfering with that right of meeting for the purpose of public discussion which the Government, in common with the Members of that House, felt ought not to be restricted. He regretted most deeply that a feeling should prevail that the law had not been administered with impartiality. All he could say was, that as far as the present Government was concerned, they had endeavoured to administer the law with the strictest impartiality and fairness; and he felt convinced that Parliament would never be prepared to repeal this Act, unless such a state of things came about, that in the celebration of these anniversaries and meetings parties would abstain from exhibiting those flags and symbols which every candid man must admit were calculated to provoke animosity and ill-feeling between the various classes of Her Majesty's subjects in Ireland. He did not think the existence of the Party Processions Act interfered with the Common Law of the land. If a breach of peace should occur in connection with these processions, it would be tried under the Common Law. The Act in question constituted an offence which was totally irrespective of the fact whether a breach of the peace occurred or not.

POST OFFICE—WEST INDIA MAILS.

QUESTION.

Mr. GILPIN said, he wished to ask the Secretary to the Treasury, If any decision has been arrived at as to the substitution of another island for that of St. Thomas as the Harbour and Depôt of the West India and Pacific Mails; and, if he will consent that no change or renewal of the existing contract shall be sanctioned by the Government till the whole subject has been submitted to the examination of a Committee of this House, with power to take evidence?

Mr. SCLATER-BOOTH: Sir, it has been proposed by the Government to extend the existing contract for a limited period; but in the contract provision is made for the substitution of some other station for St. Thomas, and the Government have been collecting information on the subject and are about to take it into consideration, with the view of arriving at an early decision. It would not conduce to a speedy or satisfactory decision if the matter were now submitted to a Committee of this House. The hon. Member must recollect that, in accordance with the usual practice, the contract, when completed, must be submitted to the House for its approval, and the best course will be to follow the usual precedent in such cases.

DURHAM COUNTY COURTS.

QUESTION.

Mr. HENDERSON said, he wished to ask the Secretary to the Treasury, Why so much time has been wasted and the best season of the year for building purposes allowed to pass away without any progress having been made towards the erection of the new County Courts in the city of Durham, Government having purchased and had possession of a site for that purpose several months, and the house where the present Courts are held being most inconvenient and entirely unfit for the conduct of public business?

Mr. SCLATER-BOOTH replied, that he was informed that the purchase of land in the city of Durham was not for the purpose of County Courts, but for the construction of offices in connection with the County Courts; and the reason why the building was not proceeded with was because the Estimate connected with County Courts was already very large, and it was thought desirable to give the money to those towns where the accommodation of County Courts was wanted. Durham already had a County Court well adapted for its purpose.

QUEENSLAND—POLYNESIAN LABOURERS.—QUESTION.

Mr. TAYLOR said, he wished to ask the Under Secretary of State for the Colonies, If he can state when the Correspondence relating to the importation of Polynesian labourers into Queensland will be laid upon the Table?

Mr. ADDERLEY stated, in reply, that the Bill of the Queensland Legislature, guarding against any abuse of immigration from the South Sea Islands, had only reached the Colonial Office that day, and the Government had not had time to consider it. The allegations of abuse from various quarters had been referred back to those who made them for their authority, and when the answers had been received the Paper should be laid on the table.

POSTAL SERVICE.—QUESTION.

Mr. CRAWFORD said, he wished to ask the Secretary to the Treasury, To

State the proportions in which the sums collected as postage, in connection with the services referred to in Parliamentary Paper, No. 68 of the present Session, are divided amongst the several contributories in diminution of their shares in the cost of those services; and, if he will lay upon the Table an account of the sums so divided for the years ended the 31st of March of 1867 and 1868, and of the adjustments made with the contributories in question in respect of their shares?

MR. SCLATER-BOOTH said, in reply, that the sums paid for postage in India, Australia, and England were divided, after certain deductions, equally among the contributory countries; and if the hon. Member moved for a Return of the sums divided, and of the manner of the division for 1867 and the current year, that Return would give a more clear explanation of the point than any statement he could now make.

ARMY—PAYMENT OF MUSKETRY INSTRUCTORS.—QUESTIONS.

MAJOR ANSON said, he would beg to ask the Secretary of State for War, Whether it is his intention to consolidate the pay of officers and sergeant-instructors of musketry and gymnastics, and reduce the amount on the plea that they only receive working pay, and do not work on Sundays; and, if so, whether this system of retrenchment will be extended to the War Office, and the pay of the clerks in that department diminished by an amount equal to fifty-two days per annum?

SIR JOHN PAKINGTON, in reply, said, there were several classes of persons under the War Office performing continuous duty, and it was proposed that they should all be paid on the same principle.

LORD ELCHO said, he wished to know, Whether musketry instructors were employed by the year, month, or hour?

SIR JOHN PAKINGTON said, he did not think they were appointed by the year, or for any exact period. They were appointed for a certain duty, and for so long as their assistance was required.

RIOTS AT ASHTON, STALEY BRIDGE, BIRMINGHAM, &c.

MOTION FOR ADJOURNMENT.

QUESTION.

MR. MAGUIRE, who had given Notice to ask the Secretary of State for the Home Department, Whether his attention has been seriously called to the frequent instances of riot and disturbance, injury to person and destruction of property, caused in certain districts of this country by the addresses of a person named Murphy, and his colleagues; and whether he could give any assurance to the House that the delivery of such addresses could be prevented for the future? said, he desired to supplement his Question by a brief statement and that he might put himself in Order, he would conclude with a Motion for the adjournment of the House. He thought if the House would attend to him for a very short time, there was not a Member of the House who would not feel he was justified in calling the attention of the House to the subject of his Question. He was sure that every good and generous man in the country must have witnessed with pain and disgust the systematic attempts which had been for some time past made to excite evil passions and sow dissension among the population in many of the manufacturing districts of the country, by inflaming those prejudices which naturally arose from differences of religion and of race—prejudices which he asserted every Christian man and true patriot ought rather endeavour to allay. There was, as they all knew, a considerable Irish Catholic population in many of the large cities of England; and throughout every manufacturing town in England there was a considerable number of Irishmen and Catholics. Now, he did not claim for his countrymen any peculiar excellence. Like other branches of the human family they had their defects and their weaknesses, but none even of their worst enemies denied that they possessed many sterling qualities and many great virtues, or that they were deeply attached to their country and their faith. He was not in the least opposed to free discussion, and had no desire to stifle the expression of public opinion; but there was a great difference between free discussion and a licence to abuse and outrage the religion of others. There had been during the past twelve months, in nearly all the leading communities, attempts made on the part of a certain organization which he would not mention, to inflame the passions of the English people against the Irish; and the religion of the Roman Catholics had been made the pretext of the assault. He intended only to refer to the late proceedings at Ashton-under-Lyne, and would not allude to what had taken place at Blackburn and Birmingham. This was a matter of life and death to many, and as interesting to the people of this country as any question which could be brought under the notice of Parliament. Wherever this Mr. Murphy and the agents of the society to which he had alluded had gone—wherever they had raised the standard of intolerance the result had been most mischievous. There had been rioting, destruction of property, and sometimes loss of life.

MR. NEWDEGATE said, he rose to Order. He was far from wishing to deprive the hon. Member of any latitude the House might wish to accord him; but he hoped the hon. Member would not depart from the usual—["Order."]

MR. MAGUIRE said, he believed he was perfectly in Order. He did not wish to do anything to cause ill-feeling in the House or out of it. His only object was to put an end to a state of things which caused bad blood throughout the community, and to enable men of different religious views to live in peace and amity. For the last three or four months the people of Ashton had been kept in constant fear and apprehension by the advent of these emissaries of disturbance; and he had it on the authority of a clergyman that during that time the Roman Catholics had been obliged to stop up night after night to protect their churches and schools. On the 9th instant there was a great tea party, consisting of about 1,000 persons, most of them wearing Orange ribbons. On the next day, which was Sunday, there was an Orange procession. He was sorry to say that the Irish were provoked, and no doubt they were parties to the riot that ensued; but it should be remembered that they had been systematically provoked for months previously. After they were dispersed, at a late hour of the night two Catholic chapels were nearly gutted, and the houses in several of the streets in which the Irish dwelt were wrecked. His complaint was, that the magistrates did not take any active steps to suppress that riot. He made that assertion on the authority of a letter he had received from Mr. Aspland, Chairman of the Lancashire county magistrates, a gentleman who was not a Catholic, but, he believed, a Unitarian, and a man of the highest character. Mr. Aspland stated that the riot was allowed to proceed for four hours without any attempt being made to check it. The riot, which commenced on the Sunday, was continued on the Monday morning though the Home Secretary was asked by some clergymen to afford them protection. Fifty-one houses were wrecked and gutted on the Monday night. He was informed that although 500 special constables had been enrolled during the day, and one of the officers of police who had at his command a large body of policemen offered his services at the Town Hall, the magistrates did not accept his assistance. They seemed to be utterly helpless and feeble, and the result was a state of things utterly disgraceful to a Christian country. One hundred and ten houses and shops, two chapels, one school, one hall, and two priests' houses were wrecked. Wherever this Murphy appeared there was riot and disorder. Speaking of Ireland, Murphy said, "The country can never be quiet until every Catholic priest is hanged." Referring to an execution that took place, Murphy said he would put the rope around the culprit's neck, and around the neck of the priest too. Scarcely under any circumstances had the magistrates of the manufacturing districts been equal to the discharge of their duty. He (Mr. Maguire) would tell the House what he did when charged, under similar circumstances, with the preservation of the peace of his own city, and what these magistrates could have also done. In the midst of the Belfast riots there was great excitement in his city, and at that time a person came to lecture there against "Anti-Christ" and the Pope. He knew that persons would have gone to meet those who assembled to receive that man, and at every risk he stopped him. Being a Catholic, he stopped him at the risk of being charged with bigotry; but there was a time when a man must brave everything to save the peace of the community. Though he incurred for himself the deadliest hostility amongst those who entertained strong views on religion, he had the approval of every man who loved peace and order. He wished to ask the Home Secretary what steps were taken to preserve the peace? Was he satisfied that sufficient precautions were adopted? When the riot commenced was it stopped with vigour? And what steps would be taken to prevent this man from going to other parts of England and producing elsewhere the same terrible results? In his programme, issued at Bury, Murphy stated that he would take his wooden walls to Manchester. Every man knew there was an enormous Irish population in Manchester, and they might anticipate what would be the result. He said that, in spite of the authorities, he would go there. He said he would go to Preston and every town in Lancashire, and would not fail to visit Liverpool. There being 150,000 Roman Catholics in Liverpool they must see what would be the effect of inflaming the passions of the Protestants and Catholics there. Murphy said there were Irishmen in Liverpool whose motto was "No surrender;" and declared that one of them was better than forty Papists. The Duke of Wellington did not think so.

Sir LAWRENCE PALK rose to Order. He objected to the hon. Gentleman reading from a newspaper.

Mr. MAGUIRE explained that he had read from the paper because he did not wish to quote from memory, which might prove fallible. Murphy stated in his programme that he intended to make the tour of all these places, and he (Mr. Maguire) asked if the local authorities and the Home Office were prepared to accept the challenge Murphy had given to them? Were they prepared to prevent the preaching of disunion, and to take steps for the preservation of the peace? He (Mr. Maguire) wished that his countrymen would not mind this man; but that was asking from them more than human nature was capable of. He knew also that their clergymen had given them the best advice. The disciples and followers of Murphy wherever they met the Roman Catholics in the Lancashire districts retailed the infamous statements they heard from Murphy's platform, offending fathers, mothers, and sisters and brothers in their dearest and most sacred feelings. The Catholic clergy were outraged in every way, and were actually afraid for their lives, having received frequent threats, and the nuns in the district were made the subjects of the vilest and grossest abuse. The book called *Maria Monk*, which had been exposed as a lie in America, forty-three years ago, was disseminated by these people as a means of casting the vilest odium on those whom every Catholic reveres and every Protestant gentleman of honour must respect. He hoped the House would consider he had said nothing offensive to anyone in bringing this matter before the House. Although he did not wish to interfere with the Business of the House, merely asking a Question under the circumstances would not satisfy him. He now asked the right hon. Gentleman, in the name of 200 memorialists, that there should be an investigation into the cause of these riots. The prayer of the memorial was in these words—

> "That the undersigned magistrates and others whose names and descriptions are herein underwritten, humbly request that a Commission be issued by Her Majesty's Government to inquire into the late riots at Ashton-under-Lyne, the cause of these riots, and the proceedings of the authorities, with the view to the Commission pointing out remedial measures for the suppression of such conduct as has been and is now affecting the manufacturing districts of Lancashire."

That memorial was signed by twelve clergymen, eight magistrates, four medical men, one solicitor, four manufacturers, and 161 others. He would conclude by reading a few lines which he had received from a Scotch soldier — who was a Presbyterian and Christian—with reference to the Notice he had placed on the Paper. He believed that letter would meet with the sympathy of every man in that House. It ran as follows:—

> "I am an old officer who has served in the four quarters of the globe, and I have commanded many hundreds of Irishmen and Catholics with the greatest satisfaction. I am an elder of the Presbyterian Kirk; but I have an utter contempt for those who insult others through the religion in which they were born and bred."

Now he (Mr. Maguire) would simply ask for protection for these poor people that they might live in peace in the midst of the society in which they had cast their lot. He might tell those who were the authors of this abominable propagandism that the most grievous consequences, not local merely, but Imperial, would result from the continuance of this detestable strife. He knew that hundreds and thousands of these people had emigrated from the manufacturing districts to America on account of the causes he was deploring. They did not want to increase the feeling in that country against England. He begged to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Maguire.*)

Mr. GATHORNE HARDY: Sir, every one must feel with the hon. Member for Cork (Mr. Maguire) how disgraceful and discreditable the riots which have occurred in the North of England have been to the parties concerned; and I cannot sufficiently deplore and condemn the excesses committed in Ashton in the wrecking of a whole street, and the destruction of a Roman Catholic chapel. At the same time, I do not think that the hon. Gentleman has been altogether just to the magistrates of that place. The Mayor at the time when the riots occurred was absent, but it is stated to me that there was a gentleman named Mason—I believe a magistrate for two counties and also for the borough — who from the first moment that he received notice, while at chapel, was with little intermission in constant attendance during the entire week, and did all in his power to put a stop to the riots. It appears from a statement I have received from the Mayor that in January last there was some apprehension of riots, and special constables were sworn in to the number of 100. The local authorities received instructions to assemble them when occasion required, and they were assembled with the police at the Town Hall on the first evening of the riots, and the troops were also sent for; but on the Sunday evening the excesses do not seem to have gone very far. I do not intend to enter into the circumstances which attended the riots, or to say which party was the aggressor, as that does not come within the scope of the hon. Gentleman's Question. But on the Monday these violent outrages were renewed, and great destruction of property, no doubt, took place. With respect, I will not say to the proximate cause, but to the original cause of those disturbances, the hon. Member attributed them to the addresses of a person named Murphy and his associates, who have been lecturing in the North of England. The Question which the hon. Gentleman put on the Paper, and which is hardly addressed to the point to which the hon. Gentlemen adverted towards the close of his remarks—namely, the issue of a Commission—is whether I could give an assurance to the House that the delivery of such addresses could be prevented for the future? Now, as I understand, the mode which is adopted by Mr. Murphy when he is going to lecture at a place is either to hire a room for the purpose or to make use of a building which belongs to him, and to which persons are admitted by ticket. There is no analogy in such proceedings to meetings held in the open air, and I am not aware that there is any law in existence by which a person can be prevented from delivering controversial lectures either in a room which he takes or a structure which he carries about for the purpose. No person is compelled to attend those lectures. If, however, such a lecturer uses language calculated to lead to a breach of the peace, or of a seditious or blasphemous character there is a remedy; but so long as the person lecturing confines himself to what the law cannot take hold of I am not aware of any means of putting a stop to the delivery of such lectures. The hon. Member said he should be averse from any interference with free discussion; but I am afraid, unless you were to impose a limit with regard to the language used, which would be found intolerable, you must rely under the present law on the moderation of those who lecture, and on the authority of persons of influence on their side, whether in religion or politics, to make them temperate in the language they employ. I am not able to say, therefore, that I contemplate any mode by which persons going to deliver controversial lectures which in themselves are not wrong, in buildings which are their own or are hired, can be prevented from doing so. The hon. Gentleman is aware that it is in the power of any person, who has reason to apprehend that such lectures are likely to lead to a breach of the peace, to swear an information to that effect, and so bring the question to an issue. But that is a question for the local authorities, and not for any central authority in London. With respect to the part I have taken, it has been this—The Roman Catholic clergymen to whom the hon. Gentlemen referred telegraphed to me, and I at once telegraphed back to the chief constable and magistrates of the borough telling them they could have extra assistance if required, and at the same time I called on them to swear in a sufficient number of special constables, and if they could not find as many as they required to apply for military aid. We received an answer to the effect that they did not require any additional assistance, for that the force at their disposal was sufficient. I am not aware that after that there was any extreme disturbance. I believe during the week afterwards they were able to maintain order in the town. There are now a great many persons waiting to take their trial, and I believe, without issuing a formal Commission, the facts of the case will come out fully in the ordinary way before a jury, otherwise I might perhaps have been prepared to issue a Commission; but I believe that such a course now might prejudice the trials about to take place before the Judges of the land. Without entering into detail, which I do not think the present occasion calls for, I will say this, that every effort will be made by the authorities in London to assist magistrates who require aid in their endeavours to keep the peace. But information must be sworn before the local authorities if the protection of the law is to be appealed to; for I am not aware that, without entirely interfering with free discussion, we have any other means of putting down such proceedings as those of which the hon. Gentleman complains.

MR. MILNER GIBSON said, he should not do his duty if he did not make a remark or two with respect to the conduct of the magistrates of Ashton during the recent disturbances, as it had been impugned by the hon. Member for Cork (Mr. Maguire). He had gone into this matter with considerable care, and he had come to an entirely opposite conclusion from that of the hon. Gentleman. His conclusion was, that the magistrates and chief constable had shown remarkable skill and firmness, accompanied by moderation, in dealing with the riots. It should always be remembered that the police force of a borough was not constituted to deal with a riot every day in the week, and when a disturbance such as that under discussion sprang up unexpectedly and suddenly, of course the magistrates were placed in considerable difficulty. He begged the House, however, to take this strong fact into account, that, although there was a deplorable destruction of property in one or two streets, and the homes of some of the poor Irish were sacked and their furniture burnt, yet the riots were put an end to without the loss of a single life, and he believed there was only one person who could be said to have received any serious personal injury. As the Secretary of State had said, the rioting on Sunday was not considerable, and, though unexpected by the authorities, it was put down by means of the police and special constables with comparatively little difficulty. It commenced again on Monday evening, and what did the magistrates do? Mr. Mason wrote a letter to the commanding officer, who was in barracks not a mile distant, to keep his troops in readiness, and he also wrote and carried about in his pocket another letter, and kept a mounted messenger by his side to take it to the officer, requiring him to put his men in motion without delay. The magistrates, of course, acted with him, and constables were placed in all parts of the town to watch, so that the force collected at the Town Hall, consisting of special constables and a large body of county and borough police, might be sent to any point where a riot might break out. A riot occurred in a particular street, where houses were sacked and windows broken; but in a few minutes the special constables and police, accompanied by the magistrates, were on the spot, and the riot at once ceased, no resistance being offered to the authorities. After this, information arriving that an attack was being made on St. Mary's Catholic Chapel, the police and special constables were immediately sent to the spot, and that riot also was put down. Now, considering that the disturbances had been suppressed by the use of the constable's staff, and not by the unnecessary use of the military, he thought that, instead of blame being imputed to the magistrates, they ought to be thanked for the skill which they had displayed in putting down the riots without any more serious results. While concurring in that part of the hon. Member's remarks which referred to the lectures of Mr. Murphy, he must call the attention of the Home Secretary to a branch of the subject which had not been noticed. The riot in Ashton on Sunday, the 10th, was not caused by any lecture by Mr. Murphy. Mr. Murphy had been there in the preceding January, and probably a certain feverish feeling existed in the town between Catholics and Protestants; but what occurred on Saturday, the 9th, the day previous to the riots? Why, a great political meeting was held, under the auspices of a society called the Protestant Electoral Union. The clergy of the district were present, and the speeches for the most part condemned in no measured language the proceedings of his right hon. Friend the Member for South Lancashire (Mr. Gladstone). One of the rev. speakers was Dr. Tresham Gregg, who came from Dublin, and described himself as a gentleman who had a valuable living in Ireland; but, from the extraordinary anomalous state of the law, had no duties to perform in connection with that living. He stated that he nevertheless felt it his duty to devote himself to the service of his religion, and that every minute of his time had been occupied in meditation and in thinking how he could benefit the Protestant interest, and promote the cause of religion. He added that he had a plan which would raise all classes to one social level, and would sweep away Popery for ever. Several other clergymen made speeches of a very strong character; but since it might not be in Order to quote them, he would not describe them from memory. Many of the clergy and leading persons of the district were present at the meeting, which was called a tea-party. The president was provided with what was called, at the opening of the proceedings, an Orangeman's hat, which he put on in order to preside in proper form and with due dignity, and there was an immense display of Orange favours. A great number wore these ribands, and the next day whole streets were filled with persons flaunting them in the faces of the Irish. Well, the Irish donned their green, and on that Sunday afternoon the riot began. The authorities had had no apprehension of serious disturbance, the chief constable having given the magistrates an assurance that, notwithstanding the violent speeches, things had since gone on peaceably. Indeed, he had left Ashton for the purpose of visiting some of his relations. Now, he (Mr. Milner Gibson) called upon the Home Secretary to use his influence with his political friends, so that upon occasions of this kind, when there were Orange parties, they might not deck themselves with orange ribands at tea parties, in the midst of a population already excited by the lectures delivered by Murphy and other agitators. Speaking advisedly, he thought it would have been becoming that these clergy should not have attended a meeting of such a strong party character. He had no doubt that the most respectable Conservatives altogether repudiated Murphy; but he begged to inform the Secretary of State for the Home Department that at this Protestant Electoral Union meeting a verse of "Rule Britannia" having been sung, three cheers were proposed for Mr. Murphy, and were received with a will. To a certain extent, therefore, those present at the meeting identified themselves with the teachings of Murphy. He thought the Secretary of State for the Home Department had exercised a wise discretion in not countenancing the idea that there was any case for a Commission; for, deplorable though the riots had been, and attended with much mischief to many poor families, he believed the accounts had been much exaggerated, and he further believed that the magistrates had performed their duty with ability and discretion.

Mr. WHALLEY said, he hoped the remarks of the right hon. Gentleman the Member for Ashton (Mr. Milner Gibson) had been mere badinage, and that he had not gravely called attention to the orange ribands at the meeting of the Protestant Electoral Union as an excuse for the outrages which had been committed. He was, himself, a subscriber to that in common with many other Protestant societies; and he sincerely assured the House that if all the facts could be fully stated this subject would be one of the most important questions that had ever been brought before them. If, however, the hon. Member for Cork (Mr. Maguire) imputed to him responsibility for this society or for Mr. Murphy—as from his frequently turning to him during his speech he appeared to do—why had he given him no notice of his intention to bring the subject forward? He had no idea, on coming down to the House, that this discussion would occur. The President of the Union had that day called upon him, and had read to him an account of these transactions, which went to show that at no period of our history had there been a more deliberate organization on the part of the Romish priesthood for putting down freedom of speech. Boys at school, even, were drilled for the purpose of answering the summons of the priest and putting down all obnoxious speakers. Men were drilled in their chapels for the same purpose; and, indeed, there was a system of terrorism for putting down every kind of discussion. As the right hon Gentleman the Member for Ashton had clearly shown, it was not this Mr. Murphy who had excited the disturbances, but the Rev. Tresham Gregg, or some other person; so that the excuse on which the Question had been brought forward was altogether fallacious. For his own part, he had had no communication with this Mr. Murphy for eight or nine months, and he had had no communication with the Electoral Union; so that he was not an interested party in the matter. He believed, however, that a more honest, truthful, and he might almost say a more careful man in his statements, had never appeared as a public lecturer than this Mr. Murphy. As to a Commission, this was by no means the first time that hon. Gentlemen below the Gangway had asked for an investigation; but they had invariably shrunk from it when the opportunity had been offered to them. He should be glad to believe that the hon. Member was serious in his suggestion for an investigation; but he really did not mean it, and he defied him to an investigation.

Mr. MAGUIRE rose to Order. Was it Parliamentary for a Member to say that another Member had distinctly told a lie?

He had made a certain statement, and meant it in all faith and honour. Now, had any Gentleman a right to imply that he had not spoken truly?

MR. SPEAKER: Certainly not.

MR. WHALLEY said, that on a previous occasion the hon. Member for Cashel (Mr. O'Beirne) challenged him to prove a certain statement; but after an hour spent in vainly attempting to appeal to the honour and rectitude of the hon. Member, so as to be allowed to redeem the pledge, the Speaker interposed, and he had to desist. If he had said anything offensive to the hon. Member for Cork he exceedingly regretted it; and he was sorry he could not believe that the hon. Member had the least intention or expectation of a Commission being granted.

MR. SPEAKER said, the hon. Member must not repeat what he had already been told was not in Order or Parliamentary.

MR. WHALLEY said, that as the hon. Member had placed no Notice on the Paper of any investigation he was not justified in making the statements he had made. He believed that, although the hon. Member was of course unconscious of the fact, the statement he had made was the exact reverse of the truth. Would the House permit him to state what he knew on the subject? He had stated that he would be answerable for the statements of Mr. Murphy. Upon two occasions, when Mr. Murphy was lecturing in Birmingham, he had made inquiries in order to ascertain whether the reports of his lectures in the London newspapers were correct, because if they had been he should have withdrawn from the society that sent Mr. Murphy forth. He found, however, that these reports of what Mr. Murphy had said were entirely fabricated, and that not one word of the kind had been uttered by Mr. Murphy. No doubt the tendency of the proceedings was towards the effect mentioned by the right hon. Member for Ashton-under-Lyne (Mr. Milner Gibson) but that was solely through the reading of documents furnished by Popery itself. Instead of answering him, an organization of men, boys, women, and girls had been got, and this was the cause of the riots at Wolverhampton, Birmingham, and other places. The question was, whether there should be the right of public discussion on these matters in our towns. Why, there was scarcely the right to speak in that House. He most cordially supported the suggestion that there should be an investigation into this subject.

SIR GEORGE BOWYER said, he wished to state a material fact to show that Mr. Murphy's lectures ought to be put an end to. He had himself been present at one of these meetings at Chelmsford, and had not only heard Murphy say that all the convents in England ought to be burnt, but had heard him incite a mob of the lowest description to go and burn the neighbouring convent of New Hall. [MR. WHALLEY: What did he say?] He (Sir George Bowyer) should be the last man to wish to restrict fair discussion; but when a lecturer incited those before him to commit crimes and breaches of the peace that was not fair discussion. In the course of those outrages churches had been destroyed, the houses of Roman Catholics had been gutted, offences against the peace had been committed; there were disturbances wherever Mr. Murphy went; and the reason was that he did not restrict himself to fair discussion, but incited the people to commit outrages against the law. These occurrences deserved the serious consideration of the Secretary of State, in order that he might put a stop to meetings which were not held for purposes of discussion.

MR. NEWDEGATE said, that the greater portion of the speech of the hon. Member for Cork (Mr. Maguire) was not in accordance with the mere Question, of which he had given Notice. The hon. Member had made statements with reference to cases of riot, for which numerous persons had been committed and were to be tried. It seemed to him (Mr. Newdegate) that this was not fair, and that it looked like an attempt to prejudice cases of men who are now *sub judice.* He rejoiced at the answer given by the Home Secretary. He knew nothing of Mr. Murphy, except that he was connected with the Protestant Electoral Union, a body to which he (Mr. Newdegate) did not belong. When the disturbances broke out last year at Birmingham, the reports of them were at first so uncertain, and so garbled, that he requested a friend to go down and inquire what had happened. It appeared that Mr. Murphy had arrived at Birmingham, and had given notice of his intention to deliver lectures. On the Sunday previous to his lectures he was to hold a service in his temporary hall; but before he opened his lips several persons who were going to the building were knocked down in the streets. Now, that was not what Englishmen were accustomed to, and that was the origin of what were called Orange disturbances at

Birmingham. The hon. Member told them. that there was a proposal to hold such a discussion in Cork, and that he had exerted himself to put it down. But the people of England were not accustomed to have free, if lawful, discussions put down by violence. From what occurred last year in Birmingham, he believed that there was great danger to freedom of discussion, since the Roman Catholic population appeared to be organized, and committed outrage before the discussion began. They had no right to interrupt discussions in private buildings hired for the purpose; but if they were to be attacked before the discussions began, he thought that the spirit of the people would not bear coercion of that kind, which they knew to be contrary to the law. He was glad to hear that the Home Secretary had decided that these matters should be left to the action of the Courts of Law. One of the strangest signs of the time was an extraordinary decision lately given, by which a book, called *The Confessional Unmasked*, had been condemned by the Court of Queen's Bench. This book might be *per se*, objectionable; but the judgment appeared to have been delivered upon a false issue, assumed by the Court itself. The learned Judges seem to have supposed that the doctrines, which this book was intended to expose and to arrest, were not current. There was a case, however, which would be recollected by the elder Members of that House, in which an hon. Member (Sir J. Tyrrell) rose in his place and stated that an attempt had been made by a Romish priest to convert a female member of his family by placing in her hands a book founded upon the authorities, whose doctrines the work known as *The Confessional Unmasked* was intended to expose. He made that statement to show that while the Roman Catholics appealed against the excitement caused by these lectures, the rights of families were invaded by the secret and insidious introduction of books, such as were condemned by the work in question. The Protestants were not the first aggressors, either in Birmingham or in Ashton; and if the hon. Member for Cork were anxious for the preservation of peace, he must induce persons of his own religion to abstain from outrage before discussions commenced, and during discussion, when that discussion was conducted within the limits of the law, and in places hired for the purpose of carrying it on. Should the hon. Member for Cork feel it his duty hereafter to bring any question of that sort before the House, he hoped he would give such a Notice as would enable hon. Members to be prepared to discuss the topics he might introduce.

Mr. **PAULL** said, he wished to call attention to the extreme inconvenience of that Motion having been made at all. The custom, often stated by Mr. Speaker, and which he thought amounted to a rule, was that Motions for the adjournment of the House ought not to be made unless some pressing emergency existed; and, he thought it would be a very advantageous thing if Mr. Speaker, on such occasions as the present, enforced his opinion to that effect.

THE CONVICT BARRETT. — QUESTION.

Mr. **BRIGHT**: I rise, Sir, for the purpose of putting a Question on a very different subject, and I put it with extreme pain, with a great sense of responsibility as far as I am personally concerned, and with no less an appreciation of the responsibility of the Minister to whom I am about to address it — the right hon. Gentleman the Secretary of State for the Home Department. It is with reference to a paragraph that has appeared in the newspapers announcing the decision of the Home Office in the case of the convict Barrett. I know that many Members of the House will blame me for the course I am taking; but at the same time, I beg they will believe me when I say that I never rose to say anything in this House under a stronger sense that it was my duty to say it, or with a greater feeling of pain than I experience in intruding a subject of this nature on their attention. I am not about to make a speech at all; but the House knows that on two occasions the execution of this convict has been postponed, first for a week and afterwards for another week; that an inquiry has been made, conducted on the part of the convict by friends of his, and by his counsel and solicitor, and on the part of the Home Office by some gentlemen sent down to Glasgow from that Department. At least one of the investigations was held in public. The other, I believe, was not; but I am not about to challenge either the one or the other. I merely state this to show the amount of care that has been taken in their conduct; for the right hon. Gentleman has taken great pains, I believe with the view of ascertaining the truth in this matter. I have no doubt he holds, with a very old writer, that—

> "When the life of man is in debate
> No time can be too long, no pains too great."

And he has taken those pains. But the statement made to me is this: that the case has been referred to the Lord Chief Justice before whom the trial took place, and that the opinion of the Lord Chief Justice, which of course must have great weight, is unfavourable to the prisoner. But it is further stated that the points on which the Lord Chief Justice has come to his decision are points which arose out of the evidence that was in the possession of the Crown Lawyers at the time of the trial, but which at the trial was not produced. And it is argued with some force, I think, that it is very unfortunate for a prisoner who has been convicted that a doubt should arise as to the propriety of the conviction, and that then the conviction should be confirmed upon evidence which was in the possession of the Crown Lawyers at the trial but was not then produced. Now, I am able positively to say that persons who are as much interested in the right in this matter as the right hon. Gentleman, and much more so than I have any right to be, are of opinion that the conviction is not to be sustained by the evidence; and more —I beg the House to listen — that it is affirmed that it is within the power of the right hon. Gentleman to have the case retried on another charge of murder arising out of the same unhappy outrage; and that if that second trial took place before a jury, when the whole of the former evidence, and also the whole of the subsequent evidence would be submitted to them, the result, whatever it might be, would be felt to be much more fair to the prisoner and much more satisfactory to the public. I am empowered to say on behalf of those most interested, and on behalf of the prisoner himself, that there will be no plea of a former acquittal if that second trial takes place, and that, therefore, if the right hon. Gentleman has the power—there are many cases, of course, in which it could not be done, but the peculiarity of this case is such as I believe to admit of it—I say if he has—or had—the power, even at this late hour, I would suggest that such a course as that should be adopted. The House will permit me to observe that with all my experience of Home Secretaries—and it has now extended over twenty-five years—I can say of the right hon. Gentleman, as of all his predecessors, that he has taken great pains, with, I believe, as great an anxiety as I could have felt to come to a right decision on the case. I have never known a Home Secretary — I believe there has not been one in our time, and I hope there never will be one—who would not devote all the care that is possible to ascertainment of the truth and the doing of justice in cases of this nature. Therefore in what I say I am not even insinuating a charge of any kind against the right hon. Gentleman. I can only say of him, as of his predecessors, that in cases of this description I think all men ought to show towards the Secretary of State for the Home Department the greatest possible forbearance, and should give him credit for the most careful exercise of his judgment, and should remove out of his way anything whatsoever that could give him pain in the discharge of the tremendous, and, I will say, the appalling duty which the law lays upon him in cases of this nature.

Mr. GATHORNE HARDY: Sir, in rising again I have to ask the permission of the House, because I have already spoken upon this Motion. I have nothing to complain of in the manner, the tone, or the language in which the hon. Gentleman addressed me in calling my attention to this momentous subject; nor, I think, can he exaggerate the importance which belongs to the office which the Home Secretary has to discharge in cases in which appeals are made to him to recommend an exercise of the prerogative of mercy; and more especially in a case such as this, which involves a question of life and death. I will just explain to the House very briefly the position in which this case stands. Upon the trial of the man who now lies under sentence of death evidence was called for the defence, setting up an *alibi* on the part of the prisoner. That *alibi* was tried by a jury, and was negatived. Subsequently memorials were sent in, unfortunately not very early but so short a time before the day fixed for the execution that it became my duty, in order that the allegations in those memorials might be fairly weighed, to respite the execution in the first instance, and, having examined them myself, to do what is done in all these cases—namely, transmit them for the examination of the Judge, or rather in this instance of the Judges who tried the case, for the trial was held before the Lord Chief Justice and Mr. Baron Bramwell. Therefore, on the documents coming up called declarations or affidavits, but which were not affidavits of such a character as is usual in Courts of Justice, for I doubt whether perjury could have been assigned upon them—on those documents being sent up setting up the same *alibi* as had been previously raised, and other evidence as to the prisoner having been at Glasgow at the time he was said to have been in London, an officer belonging to the office of the Solicitor of the Treasury went down to Glasgow to make all inquiries, and ascertain the truth as to the affidavits that had been made. Certain other affidavits were made before him there. I am not aware that any search was made for persons to give evidence against the prisoner; but there were persons who came forward and gave evidence of what they knew on the subject, and those affidavits were also transmitted to London and laid before the Judges. In addition to that there were likewise certain documents in the possession, I will not say of the Crown Lawyers, but of the authorities at the time of the trial, and they were not brought forward at the trial because they did not appear to bear upon the question then before the Court. But there were questions raised which were not foreseen at the trial, and which were immediately in connection with the second case of the *alibi;* and especially as to the convict having gone by a particular name. Those documents also were placed before the Judges. I do not in all my life remember any instance in which a more careful investigation was given than that which was given by the Lord Chief Justice in this case. Satisfied as the Lord Chief Justice was with the verdict—satisfied as he was in the first instance that the verdict was correct, and satisfied, also, as Mr. Baron Bramwell was in the first instance of its correctness, he went into the investigation almost as if there had been no trial at all, in order to come to a conclusion upon it. Having completed that inquiry, and investigated the case with the greatest minuteness, both those learned Judges arrived at the conclusion that there was no ground for suspecting the accuracy of the verdict. They did not recommend that there should be any further trial such as the hon. Gentleman suggests—for that matter was also before them—but they came to the conclusion—and in that conclusion I have felt myself bound most entirely to concur—that the circumstances of the case are such as to leave no doubt in the minds of those who have investigated them, that the man is guilty of the charge.

Motion, by leave, *withdrawn.*

EX-GOVERNOR EYRE.—QUESTION.

COLONEL JERVIS said, he rose for the purpose of asking a Question of the Government, and, as he intended to make a few observations, he should, in order to put himself in Order, conclude with a Motion. He did not often trespass upon the attention of the House, and on the present occasion he should be as brief as he generally was. It was his duty in February last year to ask the Government a question with respect to certain prosecutions then conducted against General Nelson and Lieutenant Brand. He merely asked, without entering into the circumstances of the case, whether those officers, having really obeyed orders to the best of their ability, and being brought by a legal quibble before the Courts of Law in this country, the Government proposed affording them the fullest legal assistance? The answer he received from the right hon. Gentleman, then Chancellor of the Exchequer, was that he had no doubt whatever that when an officer in her Majesty's service, obeying the commands of his superior officer, performed acts which were afterwards legally impugned, it would of course be the duty of the Government to defend him. The officers whom he had just named were accordingly defended by counsel appointed by the Treasury, or some Department of the War Office. These prosecutions had now taken a new phase, and a Governor, whom a large portion of the people of this country considered to have done his duty, and to have saved one of the most noble colonies which England possessed, and which this country had held for nearly two centuries, was now arraigned before a Court of Justice for doing that which he had deemed to be his duty. It was not his intention to enter into the merits of the case, which had now gone before another tribunal; but he would simply ask the Government whether, after having sent out a Royal Commission to inquire into the conduct of this Governor—a man who had raised himself entirely by his own ability to the situation he held, and who, whether rightly or wrongly, considered that he was only performing his duty in what he did—they meant now to leave him to subscriptions raised through the medium of advertisements in the newspapers, or whether they were prepared to undertake his defence? The Royal Commission reported that Governor Eyre was entitled to praise for the skill, promptitude, and vigour he displayed in the early stages of the insurrection; and whether or not he exceeded the limits of discretion at any period was a question to be tried. He, therefore, wished to know whether Governor Eyre would receive from the Government that assistance to which he was entitled for his defence, or was it to be understood that any man undertaking the government of a colony would in future have to fall back on public charity for his defence should he be placed in a felon's dock on trial? He begged to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Colonel Jervis.*)

MR. GILPIN said, he thought it much to be regretted that these persistent Questions should be put in the House at a time when the matter to which they referred was *sub judice.* If it were not for that circumstance, he should not have waited for Questions from hon. Gentlemen opposite before he called attention to the case of Governor Eyre, and the position in which he now stood. It must not be supposed that Members on the Opposition side of the House, as well, he believed, as some on the other side, who, for the sake of English justice, were desirous of proving that the poorest subject of England's Queen had a right to due protection, were in any way influenced by bitter feeling towards Governor Eyre. ["Oh, oh!"] He pitied hon. Gentlemen opposite if they could not suppose that that was so. He had read most carefully and attentively every word of the Report of the Commission, of which the gallant Colonel had only read a very small part, and the Commissioners did not say that there was not ground for further inquiry. It had been stated, and he believed truly, that after the rebellion had been put an end to, as declared in the Proclamation of the Governor himself, 350 persons, having as much right to the Queen's protection as the gallant Colonel himself, were put to death unnecessarily; and it had been further stated that the Governor of Jamaica took the opportunity of a local insurrection to seize a political opponent who was not then living within the jurisdiction of martial law.

COLONEL JERVIS rose to Order. The hon. Gentleman was answering that which he had never stated. He had carefully avoided all references to the Jamaica dispute.

MR. SPEAKER said, the gallant Colonel was out of Order. The gallant Colonel could not limit the observations of another hon. Member upon the subject he had introduced.

MR. GILPIN said, he had no previous intention of addressing the House on the subject; but he felt keenly in reference to it, and took an opposite view to that taken by the hon. and gallant Member. He would rejoice if a jury found Governor Eyre not guilty of these charges. All that he claimed on behalf of the humanity and justice of England was that Governor Eyre should have a fair trial, in order that the poorest of our colonists should know that the protection of the Queen was over him, whether he lived in her Eastern or her Western dependencies.

MR. DISRAELI: Sir, in answer to the Inquiry of my hon. and gallant Friend, I would remind him that this question had been considered by the Government somewhat more than a year ago, when he made an inquiry of me in this House. Her Majesty's Government have seen no reason whatever to doubt the judiciousness of the course they then took, and which was officially, I believe, communicated to Governor Eyre. General Nelson and Lieutenant Brand were, without doubt, officers obeying the command of a superior officer; and it was the opinion of the Government that it would be their duty to defend any officer in that position if his conduct were attacked, and if he were subjected to a prosecution. But the case of Governor Eyre appeared to be quite of a different character; and without going, on a question like this, unnecessarily into detail, Her Majesty's Ministers were of opinion that it was not part of their duty to undertake the defence of Governor Eyre; but that it was their duty to watch the proceedings at the trial, to make themselves acquainted with the evidence brought against Governor Eyre, and otherwise produced; to form their opinion when in possession of that evidence; and if they thought, after the trial, that it was their duty to make a proposition to Parliament to support Governor Eyre in the defence he had made, they would not shrink from performing their duty in those circumstances. In the present case, they intend to take the same course, reserving to themselves the right, when the trial is concluded, of forming an opinion as to the course they will take.

Colonel STUART KNOX said, that on Friday evening he rose to put a Question to the hon. Member for Westminster which the rules of the House prevented him from doing, of which, no doubt, the hon. Member (Mr. Stuart Mill) was very glad. He now wished to ask the Government whether their attention had been called to a letter in *The Times* of to-day signed "Charles Buxton;" and whether in their opinion the statements in that letter were justifiable? The following passage occurred in it:—"It would be very painful to me to suppose that these proceedings would entail pecuniary ruin upon Mr. Eyre's family." No doubt it would. "Happily it is notorious that sums vastly beyond all possible costs are at his disposal. [*Cries of* "Order!"]

Mr. SPEAKER: So far as I understand, the Question proposed by the hon. Member is a Question addressed to a Member of the Government, whether they have formed an opinion of a letter written by a Gentleman on a subject not connected with anything before this House?

Colonel STUART KNOX: My object is that the people of this country shall know that a Gentleman called Charles Buxton,—["Order!"]—I believe a Member of this House, has written such letter—["Order, order!"]

Mr. SPEAKER: There is a Motion before the House upon which it is competent for any Member to address the House; but I pointed out that to address a Question upon such a subject to the Government is not pertinent to the argument of any Question before the House, and I think it ought not to be introduced.

Colonel STUART KNOX: My object is that the country should know that the Jamaica Committee wish to have it supposed that there are large sums at the disposal of Governor Eyre, and that no money is required for his defence. In that respect the letter was most unfair to Governor Eyre, and I trust it will be reported to the whole country that the statement is not correct.

Motion, by leave, *withdrawn*.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL—[Bill 29.]

(*The Lord Advocate, Mr. Chancellor of the Exchequer, Sir James Fergusson*)

COMMITTEE. [*Progress 18th May.*]

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Bill *considered* in Committee.

(In the Committee.)

Clause 3 (Occupation Franchise for Voters in Burghs).

Clause 3, page 2, lines 5—11 omitted.

Amendment proposed to insert in lieu thereof the words—

"Is and has been for a period of not less than twelve months next preceding the last day of July, an inhabitant occupier, as a lodger, of part of any dwelling-house, such part being of the annual value of ten pounds or upwards."—(*Mr. Bouverie.*)

Question proposed, "That those words be there inserted."

The LORD ADVOCATE said, he would suggest to the right hon. Member for Kilmarnock (Mr. Bouverie) that the best course would be to postpone his Amendment until the Committee had considered the proposed additions to the clause. The way in which this matter of the lodger franchise had been introduced into the English Bill, was by making it the subject of a separate clause; and he was perfectly willing to bring up a clause, in exactly the same form as that of the English Bill, conferring the lodger franchise in Scotch burghs.

Mr. BOUVERIE said, he was satisfied with that undertaking.

Amendment, by leave, *withdrawn*.

Mr. CRAUFURD moved, in page 2, line 4, after the word "and," to insert the words—

"Is and has been during that time entered on the valuation roll for such burgh as the inhabitant occupier of such dwelling-house or part of a dwelling-house."

His object was that the valuation roll should continue, as now, to be the basis of the registration.

The LORD ADVOCATE said, he was sorry he could not agree to the Amendment proposed. Its effect would be to limit, and that in a most objectionable manner, the franchise conferred by the Bill. The Valuation Act provided that there should be put upon the valuation roll the names of all holders of tenements, including dwelling-houses, within the borough; but the 2nd clause of that Act concludes with the proviso—

> "Provided always that it shall be in the power of such Commissioners or Magistrates, if they deem fit, not to insert in any Valuation Roll under this Act the names or residences of the tenants of any lands or heritages on rentals not amounting to £4 per annum."

So that this Amendment would give the magistrates power to limit the franchise at their option. He thought that was not a proposition which would receive the approval of the House.

MR. CRAUFURD said, he had no intention or desire to limit the franchise, and he believed that his Amendment would not have that effect; because the Valuation Act did not give the magistrates the option of removing persons from the roll, but only empowered them to remove the names of those who claimed exemption on the ground of inability to pay. The Amendment, taken in connection with other Amendments which he should propose in a subsequent clause, would not interfere with those of which the Lord Advocate had given notice.

MR. MONCREIFF said, he hoped the hon. and learned Member would not press his Motion.

Amendment, by leave, *withdrawn*.

THE LORD ADVOCATE: Sir, I rise for the purpose of proposing the Amendments in this 3rd clause that stand in my name. On Monday last the Committee struck out the 3rd and 4th sub-divisions of the clause. The 3rd sub-division is not of much consequence to the Scotch Bill, for there is no system of compounding in Scotland. In Scotland the inhabitants of all dwelling-houses are liable to be put on the parish rate book, and therefore it is not material to go back on that decision of the Committee; but I think that the change effected in the Bill by striking out the 4th sub-division is one of material importance to the principle on which this Bill is founded. The Bill is founded on the same principle as the English Bill. In Scotland there is a power of exempting persons from payment of the poor rate upon the ground of their poverty or inability to pay; and in order to bring the Scotch Bill into harmony with the provisions of the English Act, we propose a proviso which is to be found in the Notice Paper. This proviso contains three branches. The first runs in this way:—It is provided that no man shall under this section be entitled to be registered as a voter,

> "Who shall have been exempted from assessment or payment of poor rates on the ground of inability to pay."

The second runs thus—

> "Or who shall have failed to pay, on or before the first day of August in the present or the twentieth day of July in any subsequent year, all poor rates (if any) that have become payable by him, in respect of said dwelling-house, or as an inhabitant of said burgh, up to the preceding fifteenth day of May."

The third is—

> "Or who shall have been in the receipt of parochial relief within the twelve calendar months next preceding the said last day of July."

The first and third branches of this proviso received the assent of hon. Gentlemen opposite, who were of opinion that such a provision would be right and proper; and therefore I apprehend that I need not address the Committee at any length in support of these propositions—namely, that a man excused from payment of rates in respect of his being a pauper is not a proper person to exercise the franchise, and, in like manner, that a person in receipt of parochial relief is not a proper person to exercise the franchise. But respecting the middle proposition—namely, that any person who shall fail to pay his rates shall not be entitled to vote—there occurred some doubt. Thinking that the person who fails to pay is as little to be trusted as the man unable to pay, I see no ground for making any distinction between the two. By the Scotch Poor Law Amendment Act, Section 24, passed in 1845, it is expressly provided, in respect to the election of Poor Law Guardians, that any person exempted from payment of rates or assessments for the relief of the poor, on account of inability to pay, or who shall not have paid his rates and assessments, shall not be entitled to vote. This is therefore not altogether a novel principle in our law; and when we are establishing a new franchise for Scotland, we should make no distinction between the two countries, and should endeavour, as much as possible, to make the legislation for the two countries conformable. It is not necessary for me to trouble the Committee further, for I have reason to think that this Amendment will receive the support of hon. Gentlemen opposite. I shall not therefore trespass further on the attention of the Committee.

Amendment proposed, in page 2, Clause 3, line 13, after "voter," insert—

"Who shall have been exempted from assessment or payment of poor rates on the ground of inability to pay; or who shall have failed to pay, on or before the first day of August in the present or the twentieth day of July in any subsequent year, all poor rates (if any) that have become payable by him, in respect of said dwelling-house or as an inhabitant of said burgh, up to the preceding fifteenth day of May; or who shall have been in the receipt of parochial relief within the twelve calendar months next preceding the said last day of July: Provided also, That no man shall under this section be entitled to be registered as a voter."—(*The Lord Advocate.*)

Mr. J. B. SMITH said, that in England every householder was assessed to the poor rates, and he understood that to be the case in Scotland. ["No, no!"] Then how could the law in England and Scotland be the same? He wished to know whether every householder in a burgh in Scotland was not entitled to be placed upon the rate book?

The LORD ADVOCATE said, that such was his understanding of the law. Under the 40th section of the Poor Law Act tenants of all lands and tenements without limitation were directed to be placed upon the poor rate book, and he knew of nothing in the law of Scotland which prevented the operation of that section in that country.

Mr. MONCREIFF said, he thought it only reasonable that he should explain what appeared to him to be the position of the Bill with regard to the Amendment now proposed, and of the Scotch Members with regard to it. The other night the House came to a very important vote, after a full discussion, and in a remarkably full House. That vote was taken upon the 3rd and 4th sub-divisions of the burgh enfranchising clause, which made payment of poor rates a condition of the possession of a vote. The House came to the conclusion that those two sub-divisions ought not to remain in the Bill. The Amendment under which this Resolution was come to had been placed on the Paper by his right hon. Friend the Member for Kilmarnock (Mr. Bouverie), and had stood there for a considerable time along with other Amendments. Now, it seemed to be suggested the other day that the Scotch Members had some design in this, and that their object was to put the Government in an embarrassment. He could only say that nothing could be further from their intentions. He did not mean to say that if they had supposed the Government would take this seriously to heart, that would actually have made any difference in our course. But he did say it had never entered into their minds for a moment that upon a subject of detail of this kind such a course should have been adopted by the Government—first, in consequence of the experience of last Session; and, in the second place, in consequence of the statement of the right hon. Gentleman when the Bill was introduced. They looked upon this as a matter of detail only. They thought they were at liberty to deal with details, and accordingly that Motion was put upon the Paper simply as part of the Amendments we thought necessary in order to make the Bill acceptable in Scotland. He was anxious that it should be clearly understood what were the matters that appeared in their opinion to be very objectionable in these two sub-divisions, and they were two separate elements of the franchise. One was, that the rating of an occupier should be essential to his possession of the franchise; and the other, that he should have paid his rates before the 20th of July. In regard to the first of those, the Scotch Members held a very strong opinion. Looking at the subject in connection with the provision of the Bill, their view was this, that, by making the fact of being rated the principle of the franchise, and by the subsequent clauses of the Bill, you introduced the rating principle into Scotland, and that an interference with the free action of the parish authorities was thereby occasioned which could not fail to create much inconvenience. That was altogether apart from the principle of the personal payment of rates. That was another, and an important matter; but what they were anxious for was that there should be no interference in this Bill with the action of the parish authorities in matters of rating. In England a very different state of things existed. In England there was, he believed, no other general valuation of the property of the country but that which was used for the imposition of the poor rate; and accordingly in 1832, under the Reform Bill, the overseers of the poor were made those who were to work the machinery of the Reform Act; not that there was the slightest connection between the working of the franchise and the poor rate, but because the machinery of the one happened to be convenient machinery for the other. But in Scotland the thing was entirely different. In 1854 the Valuation Act was passed, and in that measure it was declared that the assessment should be levied in accordance with the provisions of that Act. He had always regretted that on that occasion they did not take the opportunity of doing away with the provisions in the Poor Law Act of 1845 in regard to making deductions from gross revenue. In 1856, as a complement of the Valuation Act, the Burgh Registration Act was passed; and in 1861 his hon. Friend the Member for Lanarkshire (Sir Edward Colebrooke) carried the County Representation Act, also based upon valuation; so that the result was that up to the present time the Rating Act and the Franchise Acts in Scotland were totally different. The proposed plan of registration certainly afforded a great deal of convenience, as the assessor had only to take the valuation roll and select those who were entitled to the franchise. The best thing they found in the Bill was that the parishes were only bound to rate every person appearing on the valuation roll, and to exercise a certain power of exemption when they considered it necessary. It had been the practice in Scotland, up to the present time, to exempt in the different parishes, according to the views of the Parochial Board, all persons assessed under £4, sometimes under £3, and sometimes lower. There was, in his opinion, no necessity for dealing with that matter in this Bill. It could only produce confusion. The original provisions in the Bill, objectionable as they were with regard to burghs, were still more objectionable with regard to counties. There were a great many parishes where there was no poor rate at all; and not only that, but there was no general valuation of what was called rateable value, and so the right hon. and learned Lord (the Lord Advocate) was obliged to resort to the invention of a rating solely for the purposes of this Bill. However, he had no doubt that his right hon. and learned Friend, were it not for the symmetry he intended to produce, would agree with him in repudiating it. What was proposed to be done under these circumstances? The Scotch Members placed the Amendment on the Paper objecting to the principle upon which these sub-divisions were basde. There was a second matter—he meant the payment or non-payment of rates imposed, which was totally different from making the rating the basis of the franchise. A "hard and fast line" might have been drawn at £5, £4, or £3, and they might still have objected to it; but if any man had not paid his rates, he should not be allowed to appear on the roll or vote, and in the same way in the Reform Act, as there was no general poor rate in Scotland, non-payment of assessed taxes was considered the first and proper disqualification from coming under the Bill. However, he believed that from the time the Bill passed till now that had not been effected. He had no respect for the opinion that, if a man did not pay the poor rates, he should not be placed on the roll. The payment of the poor rates, it was said, was the test of his fitness. Why, he might not have paid his police rates, his rent, his Christmas bills, and he might be in arrears to everybody around him; and yet he might have paid the poor rate. He thought that part was entirely nugatory. Since the vote of the other night, there had been a general feeling upon his side of the House, not only on the part of Scotch Members, but among their English friends, that they might as well avoid having a crisis on this matter. They certainly did not expect that the armour against which all the ordinary missiles of the Opposition had been directed in vain was to be penetrated by a dart from the Scotch Members. That being the feeling of the House, it was thought desirable to see whether they could not come to an arrangement, and obtain some concession at the hands of the right hon. and learned Lord Advocate. They accordingly communicated with his right hon. and learned Friend, and he was happy to say he received their propositions in a spirit of the greatest fairness, and the result of their negotiations was this—that the right hon. and learned Lord Advocate on the one hand would give up the end of the 16th clause by which he compelled the parishes to rate every one upon the roll, and that he would also give up the 18th clause, which provided regulations as to the rating of persons omitted from the roll of assessments; and he proposed to bring up a clause providing for the rectification of errors in the case of persons improperly exempted. So much for the burgh franchise. Well, with regard to counties, his right hon. Friend undertook to abandon the rating, and to adopt the rental qualification—a very proper concession—for the provisions of the Bill as it stood were utterly impracticable. At the meeting of the Scotch Members to-day, they unanimously resolved to agree to those terms. He thought he had satisfied the Committee that the Scotch Members had solid grounds for the objections they had made, and, later, for the arrangement they had come to with the Government. They had been met by the Lord Advocate in the fairest spirit, and he hoped the Committee would ratify the understanding which had been arrived at.

Mr. HODGKINSON said, he wished to call attention to the fact that there was a considerable variation in the Scotch and English Reform Bills in the time allowed for the payment of rates. He could see no reason why the 15th of May should be fixed as the time up to which rates must be paid in Scotland, while in England it was the 5th of January. He could not understand why the rein should be drawn tighter in the case of one country than it was in the case of the other, and he therefore trusted that the dates would be made in both cases the same.

Mr. G. YOUNG said, that his learned Friend (The Lord Advocate) had stated that by the law as it at present existed every householder was to be put upon the register and would then be qualified to vote provided he paid his rates. He could only say that he did not so interpret the existing law, however it might be altered by the provisions of this Bill. It was true that by the Poor Law Act of 1845 the assessor for the poor rate was required to make up the roll of all ratepayers including the occupiers of all kinds of houses; but by the Valuation Act of 1854 it was provided that the names of all occupiers, being mere tenants of lands and tenements let at a rent not amounting to £4, should not be inserted in the valuation roll, and that in all cases where any lands or heritages should be let at a rent not amounting to £4 per annum, and the names of the occupiers thereof should not have been inserted in the valuation roll, the proprietors of such lands or heritages should be charged with and have to pay the whole of the assessment on such lands and heritages, but should have relief against the tenant for payment thereof. It was analogous to the law of the compound-householder, there being a provision in Clause 31 to the effect that where the rent was under £4 the landlord should pay the whole of the assessment, including the assessment for poor rate, not only his own half as landlord, but also the tenant's half. The landlord had a statutory right to recover from the tenant. He wished to know whether these tenants would be regarded as tenants paying their rates, or would a tenant so situated be denied the franchise? He also asked whether a change in the law of rating was intended. The requisition that the names of all the small tenants should be placed on the valuation roll seemed to imply that this was so, and that in future the rates would be assessed one-half on the landlord and one-half on the tenant. But if this were done the landlord would pay his part, and the tenant's half would be lost to the parish except where political strife induced agents to manufacture voters. He noticed that the proposed Amendment disfranchised those who had been "exempted from assessment or payment of poor rates. "Exemption from assessment" was scarcely grammatical. Besides, the exemption was not from the imposition. The assessment was made, and the person was afterwards exempted from payment. The clause seemed to require amendment in another respect. As it now stood it might be held to disfranchise for ever every householder who had at any time been exempted from paying poor rates. He presumed that that was not the meaning of his right hon. and learned Friend; but that the exclusion was intended to apply only to the year in which such exemption took place. His last question was as to whether those who were partially exempted from payment of rates would be disfranchised? The common mode of exemption was not total but partial exemption, and it would be unjust that such partial exemption should work disfranchisement, because a very large number of householders paid a reduced rate on their holdings, which, however, amounted in actual cash to a great deal more than the full rate of many another householder.

Mr. HIBBERT said, he thought that the word "assessment" should be omitted. He assumed that a person who was relieved from paying a part of his rates would be disfranchised, and very properly.

Mr. M'LAREN said, he would propose to leave out the words "assessment or." The Amendment would then read smoothly, and the grammatical criticisms would no longer apply. Now that they had taken the Land Valuations Act they had nothing to do with the Poor Law assessment, and anything which related to that should be left out altogether. Then, as to the suggestion which had been made that the 15th of May should be left out, and the 5th of January substituted, as in the English Act, he thought it was of no great importance; but still it would be an improvement if the words were as in the English Act, because in Scotland the practice in the boroughs was to lay on the poor rate for twelve months, from the 15th of May in one year to the 15th of May in the succeeding year; so that if the rate were to be laid on exactly on the 15th of May everybody would be disfranchised, because nobody could have paid that rate. He did not think the thing had ever occurred, or was ever likely to occur. But no possible inconvenience could arise if the 5th of January was substituted for the 15th of May. Practically, the rates were collected long before the 15th of May; but if the 5th of January was put in it would be no disadvantage, and there would be no danger of the rate being laid on in May, and thereby disfranchising a whole constituency. Then, in reference to the criticism that parties might be exempted partially from the poor rates. He had never met with anyone who was partially exempted from poor's rate. He believed such cases very rarely arose; but if a person were exempted from even a tenth of his rate he would properly be disfranchised. He hoped the learned Lord Advocate might leave out the words "assessment or," and put in the 5th of January instead of the 15th of May, and then all possible objections would be removed.

SIR EDWARD COLEBROOKE said, that the practice as to assessment was diverse, in some cases the assessment being from May, in others from November. In the one case the time was too short; in the other much too long. He thought it desirable that the Government should consider whether there should not be some fixed date—say the 5th of January; and, if not, whether it would not be better to dispense altogether with a clause which would operate with such inequality as that under discussion.

COLONEL SYKES said, the object of the Government was to assimilate this Bill to the English Bill so far as regarded the ratepaying clauses. The most direct way of accomplishing that object, as there were places in Scotland not assessed to the poor, would be not to specify poor rates, but to make the franchise depend upon the payment of any burgh rates whatever. In the city which he represented, besides 4,236 £10 householders, in 1867 there were 265 at £9, 332 at £8, 415 at £7, 324 at £6, 912 at £5, 1,428 at £4, the total assessed to taxes for municipal purposes at and under £10 being 9,323. Of these 1,121 were rated under £4. The payment of any other rate would be just as good as a poor rate for a test of the qualification to vote. All that ought to be required was that a tenant should be rated and pay his rates by a certain day. If he did not, let him by all means be disfranchised. He ought not, however, to be disfranchised permanently, but only for that year. A certain time—say five or six months—should be allowed, during which he might be at liberty to pay his rates and re-claim the franchise. He thought the 5th of January would be the most convenient date to adopt.

MR. ELLICE said, he must express his regret that the settlement existing under the 2nd and 31st clauses of the Valuation Act was to be disturbed. He did not think the Parochial Board was the best body to determine what exemptions should take place. He preferred leaving that duty to the Commissioners of Supply in counties, and to the magistrates in boroughs, who were popularly elected, and were not such exclusive bodies as the Parochial Board. The Valuation Act, which had been in existence for fourteen years, had worked most satisfactorily. In the Scotch burghs there were large numbers of tenements which could scarcely be dignified with the name of houses. He thought the clause would require some further revision, and he earnestly hoped the Lord Advocate would take the matter into his consideration, and accede to the Amendment of which he had given Notice, after the words "inability to pay," in line 3 of the Lord Advocate's Amendment, to insert the words "or whose names shall not have been inserted on the valuation roll."

THE LORD ADVOCATE said, he regretted that he could not accede to the Amendment of the hon. Member for St. Andrews (Mr. Ellice), which was not consistent with the spirit either of this or of the English Bill. Its object was to go back upon the decision of the House, that it should not be in the power of magistrates to disqualify. It would, in fact, make that compulsory which was at present optional, and would draw a fixed line at £4. It would be still more objectionable if it were not a fixed line. However, that Amendment was not at present before the Committee, and he had only mentioned it because it had been just referred to by the hon. Gentleman. Some criticisms had been made by the hon. and learned Member for the Wigton burghs (Mr. G. Young).

Now, he was not aware whether the hon. Gentleman had been present at the meeting held that afternoon. [Mr. G. YOUNG: No!] He was glad to hear that, and he must confess that the hon. Member did not appear to be actuated by the spirit of the meeting. At the suggestion of a hon. Member opposite he had assented to the introduction of the words "assessment of;" but finding that objections had been raised against them, he should now offer no opposition to their omission. With reference to another suggestion made by the hon. Member for the Wigton burghs, he might remark that he had no objection to its adoption. He referred to the proposed insertion after the word "who," of the words "at any time during the said period of twelve calendar months." That would effect an improvement, and make the meaning of the clause more clear. According to the custom in Scotland, poor rates were laid on at Whitsuntide. They were collected after Martinmas, and if they were not paid before February diligence or execution issued; so that by Whitsuntide it was ascertained who were the defaulters from whom payment could not be obtained. There was no further assessment until October, when the valuation rolls were made up. Therefore, no persons would be affected by his Amendment except those who were in arrear, against whom execution had been issued, and who were returned as defaulters. He had been asked by the hon. Member for Wigton whether the £4 line did, or did not, apply to the poor rate. In Scotland, it was optional to exclude from the valuation roll tenants under £4; but there were very few burghs—probably not six-sevenths of the whole — which availed themselves of the option, and he held that where this was done, collectors for the parochial authorities were bound by the 40th section of the Poor Law Act to place on the rate books all the tenants without exception. It was quite true that the 1st section of the 31st clause of the Valuation Act had this effect—that where the option had been exercised of excluding from the valuation roll those under £4, then the proprietors should be required to pay the whole of the assessment on such lands or tenements. But the poor rate was really a personal tax. The value of the tenement was merely the measure of the liability of the person to pay. The 41st clause contained this provision—"That nothing should exempt any person or property not previously exempt, or liable to assessment." The 31st clause did not apply to poor rates, especially when taken in connection with the 41st. He therefore begged to submit that a correct view had been taken of this matter, and that the clause, with the Amendments he was ready to accept, would give effect to the views of the House.

MR. MONCREIFF said, that questions of mere phraseology were necessarily left open, and his impression was that the clause would require some revision to make it work satisfactorily.

MR. G. YOUNG asked, whether the Amendment was intended to include partial as well as total exemption?

THE LORD ADVOCATE: Yes; it is intended to apply to partial as well as total exemption.

Clause, as amended, *agreed to.*

Clause 4 (Ownership Franchise for Voters in Counties).

SIR EDWARD COLEBROOKE moved, in line 21, to omit the word "and," and insert the words—

> "2. Has had a residence within the County in his own occupation during the twelve months next preceding the last day of July."

The object of the Amendment was to prevent the creation of faggot votes which had been resorted to in some of the Scotch counties, and in one instance to such an extent that the resident voters could be easily swamped by those who were non-resident. It would be in the recollection of hon. Members that a similar Amendment was rejected on the English Bill of last year, chiefly because it would have a disfranchising effect. The question was one which was quite as important as affecting Scotland as England; because in the former country, as in the latter, power was held by persons wholly unconnected with the counties, but who, through manufacturing interests and general influence over the burghs, could affect an election; and this gave great umbrage to those who took part, naturally took part, in county elections. Now, he hoped to be able to induce the Committee to give a favourable consideration to his Amendment. In the first place, his proposal did not require, as that of last year did, that a qualifying residence should form a part of the occupation; and next, it applied to the property qualification, and not to the occupation. The Reform Act of 1832 was full of abuses like this, and they had accumulated with respect to pocket or rotten burghs in such a way that, by the influence of these burghs, county elections were often carried. He thought his Amendment would recommend itself to the Committee, and he therefore begged to move it.

MR. BAXTER said, there was considerable force in what had fallen from his hon. Friend, and he sympathized very much with the objection he had taken to the clause as it stood, because there could be no doubt that in former times in Scotland advantage was taken to create faggot votes to a great extent; but he had a strong feeling that with the enlarged constituencies, and the new franchise, those faggot votes would not be created nearly to the same extent. Besides, he could not help feeling it would be rather ungracious, without strong reasons, to adopt for Scotland a different principle to that laid down in the English Act. He wished also to keep to the old lines of the Constitution—that the votes for counties should be based on ownership. He hoped the hon. Baronet would not divide the Committee on the question.

MR. M'LAREN said, he was sorry he could not agree with the hon. Member for Montrose (Mr. Baxter). There was nothing so common as for men to begin by praising something, and ending by giving their votes against it. The hon. Member for Montrose said that the hon. Baronet had a capital case, and yet he was going to vote against him. If the Committee would take into account the smallness of the Scotch counties—[Mr. BAXTER: Some of them.] If you will allow me, there were several of these small counties that could be overpowered by the extraneous voters of Edinburgh and Glasgow—that is, the electors of these counties might be overpowered by them. Why, there were many counties in Scotland which might be much more appropriately called parishes. No doubt, it was quite true that in the great English counties of four or ten times the magnitude of the small Scotch counties, there was a foreign element introduced; men living in London had votes in Lancashire, Leicestershire, and other counties. It did not follow that that element could be safely imported into the small Scotch counties. It certainly did deteriorate, and in certain cases overpower, the resident electors. He could mention a case where a considerable majority voted for a candidate, but the people of the county were overpowered by voters from the city he had the honour to represent. Now, he thought that was a bad state of things, and should not be allowed to exist.

MR. H. BAILLIE said, he trusted that the Committee would not agree to a proposal for disfranchising a large portion of the proprietors of land in Scotland.

MR. SINCLAIR AYTOUN said, he would give his vote to any Amendment which would prevent the creation of faggot votes. Surely the hon. and learned Gentleman who sat on the Treasury Bench could draw up such a clause. But he could not admit that, because faggot votes had been created in Scotland in a few cases, an enormous number of *bonâ fide* voters should therefore be disfranchised. There were, as the hon. Member for Edinburgh had truly observed, counties in Scotland which might more properly be called parishes from their extreme smallness. Again, if the Amendment were adopted the anomalies between the county franchise in England and Scotland would be such as ought not to exist.

MR. CUMMING-BRUCE hoped that the Amendment would not be accepted by the Committee. There were no electors more independent than those of the small counties.

MR. MONCREIFF said, he had a very strong opinion upon the question raised by his hon. Friend the Member for Lanarkshire (Sir Edward Colebrooke); but he was of opinion that the practice of creating faggot votes had not been carried to so great an extent as was thought. So much difference of opinion existed, even among hon. Members on that (the Opposition) side of the House upon the question of residence, that he thought his hon. Friend would exercise a wise discretion in withdrawing the Amendment. It was desirable that they should be as unanimous as possible, in order to complete the work which was before them.

SIR EDWARD COLEBROOKE said, he did not concur in the objections urged against the Amendment, and therefore he would not withdraw it. He would prefer to have it negatived rather than take that course. This was a subject which would crop up again.

Amendment *negatived.*

MR. CRAUFURD moved, in line 25, to leave out the word "clear," so that it should remain "yearly value" simply.

THE LORD ADVOCATE opposed the proposition on the ground that the clause as it stood was in accordance with the provision of the English Act of last year. However, as he did not think it a matter of much consequence, he would agree to the proposition.

Amendment *agreed to.*

MR. M'LAREN moved to omit the words "five pounds" and to substitute "forty shillings." As they had to submit to pay poor rates as in England, they had a right to claim the 40*s.* franchise as in England.

THE LORD ADVOCATE said, the Amendment would not have the effect of extending the English franchise to Scotland, for the 40*s.* English franchise referred only to freehold property. The difference proposed to be made would add some thirty voters only in the whole of Scotland.

Amendment *negatived.*

SIR EDWARD COLEBROOKE moved to omit the following words at the end of the clause:—"As also of the interest of any heritable debt affecting the said lands and heritages." It very frequently happened that small houses were built with borrowed money, and the clause, as drawn would deprive the owners of such houses of the franchise.

MR. M'LAREN said, that a creation of faggot votes took place last year in Renfrewshire, which could not have taken place if the interest of the borrowed money had had to be deducted.

MR. BAZLEY thought the clause, as it stood, would be the only preventive of faggot vote-making. It was a fact that the mortgages of small properties were in the hands of the district banker, who had entire command of the votes.

THE LORD ADVOCATE thought the clause as it stood would prevent the creation of faggot votes, properly so called.

MR. MONCREIFF asked if it would be desirable for the assessor under this clause to go rummaging through every person's property. In the case of persons who had borrowed money the factor or local agent might put a claimant for the franchise into the witness-box, and call upon him to state the amount of burdens upon his property, thus causing great expense and annoyance. He entreated his right hon. and learned Friend not to insist upon this provision.

SIR JAMES FERGUSSON contended that they would not establish a beneficial franchise if they gave facilities for making improper votes, and therefore he hoped the Amendment would be rejected.

MR. CRAUFURD declared that if the words proposed to be omitted were left in, they would disfranchise practically a large portion of £10 holders.

Amendment *agreed to.*

Clause, as amended, *ordered* to stand part of the Bill.

Clause 5 (Occupation Franchise for Voters in Counties).

SIR EDWARD COLEBROOKE moved to leave out the word "rateable," in line 43, and insert "yearly." He hoped the Government was disposed to make some concession on this point.

THE LORD ADVOCATE said, the Government were willing to assent, in substance, to the alteration proposed, which, it was alleged, would have the effect of removing some inconvenience that was apprehended. In at least 100 parishes of Scotland there were no poor rates, and no rateable assessment. The Bill proposed to secure a uniform assessment, and that the full value return should be given of all property, with a net assessment also, between £12 and £50. As, however, it seemed that that would be objected to, the Government had thought it right to give way; and he therefore proposed to substitute for the words "rateable value of £12" the words "annual value of £14 or upwards, as appearing on the valuation roll of such county," that amount being the equivalent for a £12 rating.

SIR EDWARD COLEBROOKE withdrew his Amendment.

Amendment of THE LORD ADVOCATE *agreed to.*

MR. BOUVERIE, who had given Notice of a Motion to leave out sub-divisions 3 and 4 of the Clause 7, said, that he should not press it, understanding that the Lord Advocate was about to bring forward an Amendment on the same subject.

THE LORD ADVOCATE moved an Amendment to leave out from "3. Has" to "may" in line 7, and insert—

> "Provided, That no man shall under this section be entitled to be registered who shall have been exempted from assessment or payment of poor rates on the ground of inability to pay; or who shall have failed to pay, on or before the first

day of August in the present or the twentieth day of July in any subsequent year, all poor rates (if any) that have become payable by him in respect of said lands and heritages up to the preceding fifteenth day of May; or who shall have been in the receipt of parochial relief within twelve calendar months next preceding the said last day of July."

Amendment *agreed to.*

MR. CRAUFURD said, that with a view to prevent the creation of faggot votes, he begged to move to add at the end of the clause the following words:—

"Provided, that no man shall, under this section, be entitled to be registered as a voter by reason of his being a joint owner or joint occupier of any lands or heritages."

SIR JAMES FERGUSSON said, this matter stood on a somewhat different footing from those fictitious properties which had just been considered. There could be no more legitimate title to the franchise than the joint occupancy of a farm. A farmer very often wished that his son should be associated with him, and, in fact, family arrangements were frequently dependent upon it. The question was altogether apart from faggot votes, and he could not consent to the Amendment.

MR. DALGLISH said, that from his own personal experience he thought it desirable that the Amendment should not be pressed.

MR. MONCREIFF said, there would be an opportunity of discussing the question more at large upon the clauses to be brought up at a later stage, and recommended his hon. Friend to withdraw his Amendment for the present.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 6 (Restriction on Number of Votes in City of Glasgow).

MR. J. LOWTHER suggested that the clause should be so worded as to apply to any three-cornered constituency, since it was possible that Glasgow might not be the only one in that position.

Clause *postponed.*

Clause 7 (Electors employed for Reward within Six Months of an Election not to vote).

SIR ANDREW AGNEW suggested the omission of the word "agent." It was desirable that an agent should be a gentleman of social position. He usually was so, and he ought not to lose his vote through acting in the capacity of agent.

MR. BAXTER said, these disqualifications were decided upon in the case of the English Bill, after full discussion.

MR. POWELL said, he hoped the words would be omitted.

MR. BERESFORD HOPE said, he trusted the words would be retained.

Amendment *negatived.*

Clause *agreed to.*

Clause 8 (Universities to return Two Members).

MR. J. LOWTHER said, the clause raised the important question of distribution of seats, which had never been properly discussed by the House or the Committee. He thought they ought to have from the Government some explanation as to the places which they proposed to disfranchise before they entered upon the question of the allotment of the seats. They ought, in fact, to catch their hare before they cooked it. The hon. Member for Montrose (Mr. Baxter) had made a very objectionable proposal in regard to the distribution of seats. A counter proposal of a still more objectionable character had been made by his hon. Friend (Sir Rainald Knightley). Another proposal, which stood in the Bill as it was originally framed, was more objectionable than either of the others. In his opinion the proposal of the Government to increase the number of Members of that House was one of the most dangerous ever submitted to a Legislative Assembly. A fourth proposal, with which he largely concurred, and of which the hon. Member for Devonshire (Sir Lawrence Palk) had given Notice, had not yet been brought before the Committee. He objected to any and every proposition which had either for its immediate or ultimate object to make any addition to the monotonous and one-sided character of the representation of Scotland. He appeared before the Committee in this respect as the Scotchman's friend. In the first place, he would submit that the claims of Scotland to representation at the expense of England could not be made out when the representation of certain parts of the kingdom was considered. The West Riding of Yorkshire had claims to a considerable addition to its representation. Its population amounted to about half the population of Scotland.

MR. CANDLISH rose to Order. The hon. Member was not confining himself to the clause now before the Committee.

THE CHAIRMAN: The clause was

called on, and the hon. Member proposed to make some observations on it. I assume that he is going to conclude with a Motion.

Mr. J. LOWTHER contended that his remarks were germane to the question whether there should be two Members for the Scotch Universities. His objection was to any proposition the object of which was immediately to make an addition to the representation of Scotland at the expense either of England or Ireland. The West Riding of Yorkshire, with half the population of Scotland, had twenty-two Members, while Scotland had fifty-three; and four Members at least were due to the West Riding before it could be placed on an equality with Scotland. And yet it was proposed to take a seat from Northallerton, which was in the county of Yorkshire, and to give it to Scotland. Ever since the time of the Picts and the Scots there had been nothing more unjustifiable. The hon. Member for Montrose made a raid on the northern counties; but he (Mr. Lowther) could not assent to a Motion for taking a seat from so populous a district and giving it to Scotland. He might also cite the case of the County Palatine of Lancaster, the population of which was about five-sixths of that of Scotland, and the representation of which was miserably inadequate. According to the standard set up by the hon. Member for Montrose, a balance of eleven Members ought to be given to Lancashire to bring that county up to the representation of Scotland. Representation and voting power were two very distinct things. The numerical force of Scotland in the divisions of that House was a very different thing from the fair and adequate representation of all classes and sections of the community. For a very long time the Executive of Scotland had been actually unrepresented in that House, and very great inconvenience had been caused to the Government thereby; and had it not been for the volunteered good offices of the hon. Members for Ayrshire and Peeblesshire, the inconvenience would have been still more serious. After a very considerable interval the Scottish Executive was represented in that House; but the Lord Advocate found a seat for one of those very English boroughs (Thetford) which had fallen within the devouring grasp of the hon. Member for Montrose. He maintained that a fair and complete representation of Scotland was not to be expected from the scheme of the hon. Member.

The CHAIRMAN reminded the hon. Member that he had not yet applied his remarks to the clause.

Mr. J. LOWTHER said, he intended to propose that the clause be postponed, in order that the Committee might receive information from the Government as to the constituencies that were required. He protested against any attempt to diminish the English or Irish representation for the sake of Scotland.

Moved "That the Clause be postponed." (*Mr. J. Lowther.*)

Mr. BAXTER said, he hoped that the Government would not listen to the proposal of the hon. Member for York (Mr. J. Lowther). The Scotch Reform Bill had been brought in in the second week of the Session, and the Scotch Members had been kept week after week in expectation that progress would be made with their Bill. Yet now, in the fourth week of May, the hon. Member made a proposal which was equivalent to asking the Government to drop the Bill for the present Session. The hon. Member had, in fact, delivered that night the speech he ought to have made last Monday. The hon. Member was now too late. He trusted that if they did not finish the clauses that evening, they would get through the Committee on an early night.

Sir LAWRENCE PALK said, he wished to treat Scotland with perfect fairness in this matter. The question decided the other night was merely this, that certain boroughs in England should be disfranchised. Scotland, from some source or other, was to receive seven additional Members, and he should be prepared to assist in giving Scotland that number. But he protested against the assumption that the decision come to the other night was that seats should be taken from England and given to Scotland.

Mr. BERESFORD HOPE said, that the observations of the hon. Member for Montrose were tantamount to a confession of the weakness of his cause, or else he would not have been in such a hurry to pledge the House beforehand to a general Resolution, before they had considered the details upon which it ought to have been based. The disfranchisement of the seven boroughs, which had been affirmed so hastily the other night, was the abandonment of one more of the principles of the Reform Bill, formally acquiesced in by the Government, although directly in face of the declarations from the Treasury Bench last year, that no centre of representation was to be taken away. If they wished to carry Reform to a successful issue, they would have, in cold blood, to re-consider the hasty and unwise decision to which they had arrived the other evening a little before eight o'clock, at the summons of empty stomachs, when, rather than let their dinners spoil, they had wiped out seven English seats. This was not so inconsequential a proceeding as it might at first sight appear, for it ought not to be forgotten that, excepting in the case of penal disfranchisement for corrupt practices, no precedent for the abolition of boroughs could be found, except in the one great settlement of 1832. Still, all that had been done on that night was to pass a Resolution, which the House might or might not embody in a clause; and accordingly it would be only decent to wait till it could be proved that there were other constituencies ready and fit to be put in the place of those which had been condemned, before settling the terms of that clause. It was disgraceful to Parliament to proceed in the haphazard way they were doing, and with reference to the Motion before them, he was of opinion that they ought to have the special seats to allot, before allotting them. As it was, they were acting the part of the spendthrift who made his engagements before he had calculated his assets. They ought to learn a little homely prudence, and be sure that they had a balance at their bankers' before proceeding, as they were doing, to draw cheques. There was one point on which he differed *toto cœlo* from the hon. Member for York. His hon. Friend characterized the proposal of the Government to increase the Members of the House, as one of the most dangerous in its nature which he had ever heard of. He (Mr. Beresford Hope) was unable to regard the proposal in that light, and he regretted the want of courage with which the First Lord of the Treasury had allowed his own bantling to be bolstered without saying a word for it. It had never been fairly brought forward; it had never been argued in the House; and the objection to a moderate increase stood, in the absence of any reason in its behalf, a mere relic of an outworn superstition. There was nothing hallowed in the present number of 658 which had come about by pure haphazard. At the beginning of this century the House was increased by 100, as it had been at the beginning of the 18th by forty-five; again, to go no further back than the 17th century, James I. had created the constituency which he had the honour of representing, together with that of the sister University; while it was not till after the Restoration that in the reign of Charles II. the County Palatine, and the city of Durham respectively, acquired the right to return Members. It was a mere figment of the imagination to suppose there was anything sacred or immutable in the actual number of Members; and the Government was much to blame for not having fairly challenged the consideration of the question.

MR. HAYTER concurred with the hon. Gentleman who had just sat down in thinking it impossible that they could enter upon the question of the distribution of the seats before they had the seats to distribute. Their present position reminded him of the old adage, "*Ex nihilo nihil fit.*" He hoped that the Government, whether they now went on with that question, or postponed it to a future day, would take into their consideration the fact that the vote of last Monday broke up the arrangement relating to the re-distribution of seats arrived at by the Reform Bill of last year, and converted into waste paper certain of its clauses and schedules.

MR. SMOLLETT said, he should support the Motion of the hon. Member for York (Mr. J. Lowther). It appeared to him that the time had come for reporting Progress. The concessions made by Gentlemen on the opposite side had enabled the franchise clauses of the Bill to be discussed, and they had now arrived at the re-distribution of clauses, which he considered by far the most important part of this measure. As it now stood, seven seats had been allocated, he must say, in a very unsatisfactory manner. But the time was come when the Lord Advocate ought to rise and tell them how he meant to allocate the ten seats apparently placed at his disposal by the vote of the other night. He suggested that the whole of the re-distribution clauses should be withdrawn, and others, embodying a new and improved scheme, should be substituted; otherwise, he believed the re-distribution would be taken out of the hands of the Ministers, and transferred to Gentlemen oppposite. With a little more concession on both sides, it was his belief that a more satisfactory measure might be framed. If the Lord Advocate would give more attention to the great towns of Scotland—such as Glasgow and Dundee—a great improvement might be effected. He must re-model altogether the groups of burghs as they now stood, for the present groups were a disgrace to the Scottish representation. They contained numerous small villages and hamlets which had no right whatever to urban representation. These should be eliminated from the groups as they now stood, and new life infused by adding large towns which had grown up within the last thirty years. Unless some such arrangement were made, in his opinion, the Bill would never give satisfaction; but, by making these changes, it might be brought into a state which would be accepted as creditable in Scotland both by the agricultural and the manufacturing districts. He trusted that the Lord Advocate would withdraw these clauses and bring forward a new scheme giving to Scotland ten Members instead of seven.

Colonel FRENCH said, that if ten Members were to be taken from small English boroughs, he saw no reason why they should not be given to large unrepresented towns in England instead of being transferred to Scotland. He thought the claim of Ireland to increased representation was greater than that of Scotland. Ireland, from her population and taxation, was entitled to twenty-seven additional Members. There were towns in Scotland which had not 1,000 voters each. The number of voters in the Scotch counties was particularly small; and he had himself given notice of a Motion that no county which had less than 1,000 electors should be entitled to send Members to this House. If boroughs with only a few voters were disfranchised, why not counties also? Peeblesshire and Selkirkshire had only 500 voters each, and there was the nomination county of Sutherland with only 180 electors. The number of county electors which would be added to the constituency of Sutherlandshire under the present Bill would not amount to 300, three-fourths of whom were on the property of the Duke of Sutherland, to oblige whom the Leaders on both sides had coalesced to support this scandalous blot in the Scottish representation. He therefore asked whether English towns would tolerate the transference of their representation to Scotland. He considered the Motion of the hon. Member for York (Mr. J. Lowther) a very reasonable one, and he should therefore support it.

Mr. CUMMING-BRUCE said, he had witnessed with regret the success of the Motion of the hon. Member for Montrose (Mr. Baxter). It might have been a good party move; but he thought at the time that it was likely to end in Scotland receiving no additional representation at all. He was present in the House when the present Prime Minister, then Chancellor of the Exchequer, stated that it was his determination to avoid any measure proposing a diminution of Members for England, and that declaration was received with universal acclamations of approval by English Members, which induced one to think that the determination would be maintained. It would be an act of the greatest possible injustice to disfranchise ten small constituencies unconvicted of any crime whatever. He was unwilling to get rid of small constituencies, because he considered that they sent most valuable representatives to that House; and he had not forgotten the eloquent defence of them made by the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone). He quite agreed with the hon. Member for Cambridge University (Mr. Beresford Hope) that the objection that had been made to the increase of the numbers of the House was a mere bugbear; and whether the increase should be seven or ten did not greatly signify. He should be extremely sorry if the Committee did not affirm the proposition to give two Members to the Universities of Scotland. England had four or five University Members; Ireland had two; and why should not Scotland, with her four Universities, have two Members also? He was sure the Scotch Universities would return most valuable Members in connection with education, literature, and science. But while he thought they should insist on having two Members for the Scotch Universities, he did not wish to get them at the expense of the small boroughs of England. They must eventually increase the numbers of the House; and he hoped English Members would not do Scotland the injustice of limiting her representatives to the present number. Everything pointed towards an increase in the numbers of the House. He did not think the right hon. Gentleman the Member for South Lancashire would disagree from that proposition. Looking to the increase of the population and the wealth of the country, as well as of the private business of the House, he thought that ten additional Members were scarcely adequate to the necessities of the case. The Scotch Members were often congratulated on their being able to form a snug little Parliament of their own; but that certainly could not apply to the present case, as they had great reason to complain that they had not been consulted regarding the arrangement of seats proposed by the Bill.

MR. GLADSTONE: Until about an hour ago, when the Member for the University of Cambridge (Mr. Beresford Hope) rose, I was under the impression—the happy impression—that there was a general conviction in the Committee, as in the House, that we ought, if possible, to go on and make progress with this Bill. A Motion more disappointing than that of the hon. Member for York (Mr. J. Lowther), and supported by speeches more disappointing, I can hardly conceive; because not only do they attempt to go back on propositions deliberately affirmed by the House, but they attempt that in the way most inconvenient—not by challenging a direct issue, but by voting the postponement of the clause; and why? Because, says the hon. Member for the University of Cambridge, the conclusion was arrived at before dinner. The hon. Member thinks it exceedingly improper to arrive at any conclusion before dinner. His speech was founded on this proposition—and those which followed were founded on the same doctrine—that the number of the Members of this House ought to be increased, and that that is the proper way of finding additional Members. Now, if that is the course to be adopted, let it be proposed distinctly —not under the form of a proposition that leaves everything completely in the dark. But if that question is to be raised again, it is going back on what was almost unanimously settled. For what happened last week? The right hon. Gentleman the First Minister of the Crown has certainly done all in his power, and made every effort he could make to induce the House to find the additional Members for Scotland by increasing the number of Members in the House, but he very fairly acknowledged last week that he found that to be impracticable. He conceded in the most express terms the point in dispute. He expressed a rather feeble preference for the proposal of the hon. Baronet the Member for Northamptonshire (Sir Rainald Knightley) over that of the hon. Member for Montrose (Mr. Baxter), but he acquiesced in the result. Under these circumstances, when the disposition to increase the numbers of the House, entertained and promoted by the Government so far as could be by the exercise of their fair influence, has been deliberately and finally abandoned, with a frank admission, on account of their discovery that it was opposed almost universally to the feeling on this side of the House, and likewise to the feeling and opinion of a considerable number on the other side, I must say, if we are really to satisfy the country, by making progress in this Bill, that ought to be regarded as a settled question. My hon. Friend the Member for Montrose, at all events, has done all he could to bring this matter to a straight and speedy issue; and I think we may fairly ask that we should be allowed to go forward, either proceeding on the power taken by my hon. Friend in the Instruction granted last week, or in some direct manner having his proposition overthrown and the vote of the House last week reversed.

MR. R. J. HARVEY said, he believed that, although Scotland might be satisfied, England would never consent to the taking of ten Members from English boroughs and transferring them to Scotland. That would be a great breach of faith so far as the English county Members were concerned, who had been induced by the promises held out in regard to the re-distribution of seats to consent to the Bill of last year. In his county two Members had been taken away from Great Yarmouth and one from Thetford, and now it was proposed to take away the other Member from Thetford.

MR. H. BAILLIE said, the Government had proposed to give seven additional seats to Scotland, and what the Committee desired to know was what was to be done with the remaining three seats placed at their disposal by the Motion of the hon. Member for Montrose (Mr. Baxter). A rumour was afloat that an arrangement had been come to between the Scotch Members and the Government, by which the whole ten seats were to be given to Scotland, instead of some of them being allotted among the large towns of this country. He wished to know from the Government whether that report was correct or not? Perhaps on the whole it would be better that the question should be postponed in order to give the Government an opportunity of re-considering the matter.

MR. MONCREIFF said, this was a Motion to delay the consideration of this clause upon a matter which he understood had been agreed upon by both sides of the

House. If the right hon. Gentleman the First Lord of the Treasury would only get up and state what were the intentions of the Government upon the question there would be an end of the matter.

Mr. SANDFORD said, that he thought the Motion of the hon. Member for York a fair and consistent Motion. The hon. Member had not been fairly treated by the right hon. Member for South Lancashire (Mr. Gladstone). Although power had been given to the Committee to deal with the ten seats, yet the boroughs to which they belonged had not yet been disfranchised. It had been distinctly understood on that side of the House that only seven of those ten Members were to be given to Scotland, and it yet remained to be decided what was to be done with the remaining three seats. If any understanding had been come to between certain parties in that House that the whole of the ten Members were to be given to Scotland, that was no reason why such an agreement should be binding upon the whole House. Members on that side of the House had happily not yet arrived at that stage of subserviency. They were at perfect liberty to discuss the propriety of that arrangement.

Mr. DISRAELI: Sir, the right hon. Member for Edinburgh (Mr. Moncreiff) has blamed me for not addressing the Committee before upon this Question; but the fact is that I have risen two or three times for that purpose, and on one of those occasions I gave way to the eloquence of the right hon. Member himself; his remark, therefore, was somewhat superfluous. The hon. Member for York (Mr. J. Lowther) has made a Motion to which I cannot assent. I thought to-night was to be an eminently practical night, during which we were to make some considerable progress in passing the Scotch Reform Bill, and securing that early appeal to the country on another question which nobody in this House is more anxious to hasten than are those who have the honour of being Her Majesty's Ministers. The hon. Member for York said he did not clearly know what we were called upon to vote for with regard to the re-distribution of seats, and it was impossible for us to go on with the discussion of re-distribution. It was upon that ground that he moved that the consideration of the clause should be postponed—he said it was impossible to go on without a plan. But the hon. Member has a plan of re-distribution before him—he has the Bill upon which we are now in Committee, and which contains many propositions which may be modified—as most propositions are—in Committee, but which are certainly distinct propositions. The hon. Member says we are not justified in apportioning the new seats in Scotland until we have determined upon the means by which those new seats are to be secured. In laying down that proposition the hon. Member assumes that an increase in the number of the Members of this House is impossible. The Bill, however, was originally framed upon a contrary assumption. There is something very contradictory in the speeches and opinions of hon. Members on this side of the House, who seem to be not unfavourable to an increase being made in the representation of Scotland, while at the same time they tell us that we must not in any way infringe upon the amount of representation at present enjoyed in England, nor yet increase the number of the Members in this House. These views appear to me to involve a representative problem very difficult of solution. I am anxious to induce the Committee to arrive at such a frame of mind as will insure that if we do not to-night completely settle the question we may at least come to a point where we may fairly see before us a speedy settlement. In that hope I will endeavour to lay before the Committee the views which I, who have naturally considered this question not a little, entertain respecting it. In the first place, I must say that I know of no arrangement existing between Her Majesty's Government and the right hon. Gentleman or any party in this House; and therefore the indignation of the hon. Member for Maldon (Mr. Sandford) upon that head was altogether unnecessary. The Committee will recollect that when I first introduced this question of the representation of Scotland, with the view to make it more considerable and more effective I proposed a scheme by which that representation would have been increased by seven Members, and these Members were to be divided between great civic communities, counties, and the learned bodies, and certainly, considering the limited means at our disposal, that plan promised to be an effective one. Under that plan, however, the seven additional Members so given to Scotland were not to be taken from Scotland or Ireland, but were to be provided by increasing the number of the Members of this House to that extent. I have never heard myself any argument against that plan for providing the additional Members; but I know there are many plans not successful in this world against which no arguments have ever been offered. I agree with the right hon. Member for South Lancashire (Mr. Gladstone) that there is no cabalistic charm in the number 658, as he told us a few years ago. I agreed with him then upon that point, and I agree with him now upon it; but unfortunately he does not now agree with me. What would have been the effect of giving seven additional Members to Scotland? Why, it would have increased the representation in the country of the great towns and of the considerable counties, and it would have given for the first time representation to those learned bodies of which Scotland is justly proud. By carrying into effect that scheme the balance of representation between England and Scotland would have been changed, and changed to the advantage of Scotland in no inconsiderable degree, but in a degree which we believed justice would have authorized us in proposing, and which we thought the feeling in England would have tolerated and perhaps have welcomed. But when you change the process, and propose that the seven additional Members that are to be given to Scotland are to be taken from England, you are in fact giving fourteen Members to Scotland as far as the balance of influence is concerned. I do not at this time wish to enter into the merits of such a proposition as that to which I have referred; but I do wish to point out to the Committee the very essential difference between the two propositions, which the Committee should calmly consider before arriving at a decision upon the question. I say this because I have observed in the discussion upon the subject that the difference between the two propositions has not been recognized, and that the question has been looked upon as one merely of providing the additional representation for Scotland, either by adding to the general representation of the House, or by deducting a certain number of seats from the aggregate representation of England. There being, although not an avowed, unquestionably a general feeling in this House that the number of its Members should not be increased—I may state that the number of Members of this House has been repeatedly increased, and that it has never been increased without our representation being rendered more efficient. We had to re-consider this Bill in this view: Was it just that the representation of Scotland should remain unaltered? After so large a settlement as that which has been made in the last two years in the electoral system of this country, it would, I think, have been a mistake not to have made some increase in the representation of Scotland; and, in spite of the difficulties we have had to encounter in carrying this into effect, I still adhere to that opinion. Now, upon this subject two proposals have been made—one by the hon. Member for Montrose (Mr. Baxter), and the other by the hon. Member for Northamptonshire (Sir Rainald Knightley). I believed both those plans to be unwise, and preferred the original plan of the Government, which was well-matured and well-considered. When the right hon. Gentleman the Member for South Lancashire says that, though disapproving both these plans, the Government expressed their willingness to adopt whichever the Committee might decide upon, I cannot help thinking that the right hon. Gentleman misapprehended what I said. What I stated was that the Government disapproved both those plans; but that if the Committee decided in favour of one of them we would consider its decision, and endeavour to make such a proposal founded upon it as, in our opinion, would probably be satisfactory. These, I believe, are the exact words I used, and I am prepared to act upon them. Well, what is the position of Scotland at the present moment with regard to an increase in its representation? I am sure that unless the Scotch Members act with discretion and caution—and it is, perhaps, superfluous to suggest to Scotch Members that they should act with discretion and caution—we shall have some difficulty in making that increase in the representation of Scotland to which I, for one, am sincerely favourable. Let us look at the materials before us. Is there any possibility by a re-arrangement of the present representation of Scotland of rendering that representation more effective? My own opinion is that that is not altogether a result of which we need despair. For example, I would take the two counties of Selkirkshire and Peeblesshire, and I am prepared to unite those two counties, which now send one Member each, and give the remaining Member to a group of Border burghs, as has been proposed this evening. That is one change which, though not adding to the representation of Scotland, is likely to make that representation more effective. But we now come to the number of Members we are prepared to add to the representation of Scotland. I will state to the Committee the views which Her Majesty's Government entertain on this subject, and I shall be very happy if those views are accepted by the Committee. I am prepared to support an increase of seven Members to the representation of Scotland; and I may remark that adding seven Members according to the original scheme of the Government, and according to the schemes now popular in the House, are two things essentially different, because in the one case the addition was simply an addition of seven Members, whereas in the other it is really an addition of fourteen. I do think that, after what has occurred on this question, as practical men, we ought to overcome any prejudice or difficulties that may interfere with our dealing with this subject, and not to hesitate to support an addition of seven Members to the representation of Scotland. After listening to the suggestions which have been made, I would myself propose that these seven Members should be apportioned in this wise —I would still increase the representation of the three great counties of Lanarkshire, Ayrshire, and Aberdeenshire, as before suggested, and I would add to the representation of Glasgow and Dundee. The claims of Dundee are, I admit, strong, and may be urged with a force which it is difficult to resist. That will take five Members. We have proposed to render the existing representation in one direction more efficient by adopting the suggested union of Selkirkshire and Peeblesshire, and bestowing the Member so obtained upon a group of Border burghs; and I am still of opinion that it would be wise on the whole to give two Members to the Universities of Scotland. That is a point upon which the Committee can clearly give its opinion. Though the Government think it better to give two Members to the Universities; of course they would listen and give attention to the opinion of the Committee on such a point. We would, of course, prefer to give the additional representation to Scotland by adding to the numbers of the House; but as I cannot flatter myself that that could be done, I would accept the principle laid down by the hon. Member for Montrose in his Instruction. That principle I would apply to the extent I have indicated, but not further; because if you chose to proceed further in its application, I say the claims of England are too great for me to disregard. But, bearing in mind how much we have to do, how short a space of time we have to do it in, and what great issues depend upon our completing this group of legislative measures upon the electoral system of the country, I recommend the Committee not to enter upon the question of dealing with the representation of England. You may to a certain extent be disturbing the settlement which we have arrived at with regard to England by dealing with those seven boroughs, but you can deal with them in legislation in the Scotch Bill. You do not disturb the English Bill; but if you apportion the three other boroughs which you are called upon to disfranchise, and which I see no reason for disfranchising, to meet the demands for representation in England, you must disturb the English Bill, and by so doing you will open a question which you will find it very difficult to close. If you desire to act in a practical spirit with a view to bring these great measures to a completion, I earnestly recommend you to accept the views which, on the part of the Government, I now express for the representation of Scotland. We will give you our earnest support in carrying them into effect, and if you accept them you will, I believe, attain your great objects —increased representation to your great counties, increased representation to your great towns of Glasgow and Dundee, and ample and adequate representation of your seats of learning. You will attain these great results, and you may attain them quickly. I trust, therefore, after this declaration of the intentions of the Government, that the Committee will proceed to-night to the consideration of the increase to the two Universities, and proceed to that consideration with spirit and with effect.

Mr. BOUVERIE said, he regarded the proposals now submitted to the Committee by the right hon. Gentleman at the head of the Government as a totally distinct and new set of proposals. He thought it necessary that they should have some time to consider them; or, if the Committee proceeded at once to their consideration, it ought to be on the understanding that the right hon. Gentleman submitted the scheme now laid before the Committee in a distinct shape as a substitute for that made in the Bill. The scheme was, no doubt, preferable to the one submitted by the Government last year; but still he trusted the Committee would accept the proposal made by the hon. Member for Montrose, which involved a very small addition to that proposed by the right hon. Gentleman opposite, and which was a concession that the Members from the North thought they were entitled to ask at the hands of the House.

SIR LAWRENCE PALK said, he was sorry that he could not be a party to any such compromise as that which had been suggested by the right hon. Gentleman at the head of the Government. He strongly opposed the principle of giving one single seat from the representation of England, after that representation had been settled in a measure which had received the consent of both Houses of Parliament, which had received the consent of the Queen, and which was now the law of the land, and he should feel it his duty to divide the House upon the proposal. He was ready to support the agreement come to last year to add to Scotland's Members, but only by voting for an increase of the House, a proposition against which no valid objection could be urged.

MR. GLADSTONE said, he could quite understand the remark of the right hon. Gentleman behind him (Mr. Bouverie) that the Government had made a proposal involving points new to them, and which might require further time for consideration; but he was in no difficulty in that respect himself. He had had the plan of the hon. Member for Montrose (Mr. Baxter) before him for some time, and being quite satisfied with it was prepared to vote for it. Though the proposal of the right hon. Gentleman was an improvement on the original scheme in the Bill, he saw one fundamental objection to it. He would not enter into controversy respecting any eulogy he had delivered on old nomination boroughs, which served a purpose very different from the use to which the present small boroughs are put. But he was quite convinced that the general judgment of the country having approved the vote of the House by which the extinction of ten utterly insignificant places of only formal representation was decreed, it would be highly unsatisfactory to the country were they to recede from any portion of that vote. If they came to the conclusion that ten seats should not be given to Scotland, it would be hard to restore to life the ten burghs that had been smitten. But he thought the claim of Scotland to ten more Members had been fairly made out, and he was afraid a grievance would remain behind if the ten seats were cut down to the measure of the right hon. Gentleman. With regard to the arithmetical calculation of the right hon. Gentleman, he could not admit that taking seven seats from England and giving them to Scotland would be tantamount to giving Scotland fourteen Members; for if the seven Members were added to the House, Scotland would have 60-665ths of the House, while if the seven Members were taken from England's, Scotland would have 60-658ths. That was the whole difference.

MR. J. HARDY said, that Devonshire would be robbed of six Members if the Scotch seats were to be supplied from England in addition to the disfranchisement of Totnes, and the disappointment of having the promised representation of Torquay unfulfilled. The right hon. Member for South Lancashire (Mr. Gladstone) seemed inclined to explain away his expression of opinion on the value of small boroughs; but he asked the Committee to listen to his words. "Through the medium of small boroughs," said the right hon. Gentleman—

> "You introduce those calm, sagacious, retired observers who are averse from the rough contact necessary in canvassing large bodies. . . If that one ingress is to be the suffrages of a large mass of voters, the consequence is a dead level of mediocrities, which destroys not only the ornament but the force of this House, and which, as I think, the history of other countries will show is ultimately fatal to the liberties of the people."

That explicit declaration needed no comment.

COLONEL SYKES said, he had heard with amazement the proposal of the First Minister of the Crown to withdraw the second Member promised to Aberdeen, with its 90,000 inhabitants, and, as he had shown, nearly 9,000 prospective electors. The assertion of the right hon. Gentleman, that giving seven of England's Members to Scotland would be equal to parting with fourteen, could be supported only on the presumption that Scotland was hostile to England, and that in all divisions its Members would be found in the Opposition Lobby.

COLONEL FRENCH asked, with reference to the Prime Minister's proposal to join two counties, what he intended to do with Sutherlandshire and its 180 voters?

MR. NEVILLE-GRENVILLE said, he hoped the new Scotch Members would not be taken from England; but if it must be so, he thought it very hard that the proposal of the hon. Member for Montrose (Mr. Baxter) should be preferred to that of the hon. Baronet (Sir Rainald Knightley).

THE CHAIRMAN said, it was not competent to the hon. Member to discuss the merits of any plan as opposed to the Instruction given to the Committee.

MR. NEVILLE-GRENVILLE said, he hoped that, whatever was done to satisfy Scotland's claims, the representation of the Eastern Division of Somersetshire, which was the wealthiest and most populous portion of that county, would not be diminished.

MR. BRIGHT: Sir, I am not quite sure whether the hon. Member for York persists in his Motion for the postponement of the clause. I heard that he was about to withdraw it.

MR. J. LOWTHER: I wish to consult the convenience of the Committee, I rather mistook the course I intended to take.

MR. BRIGHT: That is not a very definite answer. I was rather surprised at the language of the right hon. Gentleman at the head of the Government, and at the language of some Members opposite, on this question. They seemed to me to forget that Scotland is part of the United Kingdom; that, in point of fact, Scotland is only a name which we give to the Northern portion of this island; and that if you transfer Members to places north of the Tweed it is only the same as if those places were north of the Thames, or north of the Humber. Nothing could be more unconstitutional and nothing more unfortunate than to deal with this question as if we were giving some portion of our power as English Members to another and scarcely a friendly power which dwells in the Northern part of the island. Now, in the Bill of last year, hon. Gentlemen opposite, following the advice of the right hon. Gentleman, agreed to give three Members to three new boroughs in the county of Durham—to Darlington, Stockton, and, I think, the Hartlepools. Well, but suppose that these three boroughs had been north of the Tweed, what would have been the difference? In point of fact, you are discussing a matter which does not exist, and you are frightening yourselves with a phantom in which there is nothing whatever substantial; and I protest, in the name of every man who wishes for the unity of the kingdom, against the contention in which the right hon. Gentleman has indulged—and I am sure he knows a great deal better—that in taking seven or ten Members from England and putting them to the north of the Tweed, you are aggrandizing Scotland at the expense of England. The hon. Gentleman who represents Dumbartonshire (Mr. Smollett)—I think there is a dispute about the county he represents—laments, I know, very much that the boroughs of Scotland have passed into the hands of the Liberal party, and he knows also that gradually the counties in Scotland are also passing into the hands of the same party. That is literally what you fear, but it is really a very foolish fear; for, after all, the Scotch Gentlemen on this side of the House are merely going a little in advance of you, and you, under the Leadership of the right hon. Gentleman, make progress which to us is highly satisfactory. Therefore there is nothing in this terrible spectre which you are raising up. The hon. Member for Roscommon (Colonel French) has got some notion very likely that some harm is being done to Ireland. But even if the taking of a few Members from England and giving them to Scotland were a harm to England, that could not at all injure Ireland. I do not know anyone more disposed to do justice to Ireland than the Scotch Members in this House. I hope the Committee will take my advice in the matter, and give up all idea that they are about to engage in a transference of power when they take Members from boroughs which, wherever situated, are no true representation, and give them to any real constituencies in any part of the United Kingdom. Now, as to these ten boroughs which are in question, and the disturbance of which appals the hon. Member for Devonshire (Sir Lawrence Palk), I will give you an illustration. The borough which I am permitted to represent contains, I believe, somewhere about 57,000 householders. If you will take all the householders that exist in these boroughs, you will find that, adding them all together, they amount to no more than 7,000. And what I have said of Birmingham, of course, applies to Manchester, Liverpool, and Glasgow. In point of fact, each of those great towns has a number of householders equal to 50,000 more than the whole of these small boroughs which it is proposed to disfranchise. Now, on that fact I wish to make one appeal to hon. Gentlemen opposite. One of the great arguments of the right hon. Gentleman in asking you to agree to an extensive measure of household suffrage last year, and the argument which prevailed with you was, that it was better to settle the question, in the hope that there would be no further disturbance. Now, I ask you, when you are about to pass a Scotch Bill, is it not wise that you should make a re-distribution of seats that to the people of Scotland would appear in some fair degree satisfactory, so that you may not, the moment the new Parliament meets, have the whole question re-opened? If I were a Member of that side of the House — of course it is difficult for me to imagine that —but if I were a Member of that side of the House, and were afraid of progress, of that terrible thing which is called democracy — which means, I believe, generally equal representation—what I should do would be this: I should support the right hon. Gentleman in making the most comprehensive settlement of this question which is possible during the present Session; because there cannot be the smallest doubt that the people of England—unless they have degenerated from their forefathers, unless they have no regard for fairness or freedom—will never consent that there should be the enormous discrepancies which now exist between the representation of these great constituencies and these very small ones, which really are no representation at all. And really I argue that, if you knew your own business and worked your own principles, and maintained your own views, you would agree to a measure which the people of Scotland generally, and their representatives in this House, are willing to accept, rather than pass so small a measure that it will satisfy nobody, and will involve a re-opening of the whole question in the very next Parliament. The right hon. Gentleman is in a difficulty which we can all see. I presume that, if all the Gentlemen who sit behind him would fairly trust in his sagacity on this question, he would agree to the proposition of my hon. Friend the Member for Montrose. He knows that it is a very reasonable proposition, and that it is more likely to close this question than any smaller plan will be. Therefore, if you will not make a disturbance about it, I have not the smallest doubt that he would agree to that proposition. Now, after having last year done so much, after the House has shown so great a disposition to support the right hon. Gentleman, why should you, on a matter like this, make a settlement which will be no settlement, and by agreeing to the Motion of the hon. Member for York, prevent the further progress of this Bill at the present time. I think the proposition of my hon. Friend is moderate and reasonable, and I hope the Committee will agree to it.

MR. WALPOLE: Sir, I quite agree with the hon. Member for Birmingham (Mr. Bright) that it is not desirable that the Chairman should report Progress. We ought to endeavour to arrive, if possible, at a fair and reasonable settlement of the question of the representation of Scotland. But with the other observations of the hon. Gentleman I cannot at all agree. One of the arguments which he has brought forward is the disproportion of large boroughs like Birmingham and the small boroughs which it is sought to disfranchise, and the hon. Member says, "Surely, it is unreasonable that you should refuse to make a settlement of the question by getting rid of these small boroughs." Now, if this argument is good for anything, we ought to reconsider the whole platform of our representation. One of the principles of the Bill of last year was that no borough was to be disfranchised. The more material argument, however, which the hon. Member addressed to us is the great importance of settling this question in a manner which shall be fair and just towards Scotland. Now, I entirely concur in the remark which has been made by many hon. Gentlemen in the course of this debate, that Scotland has a fair claim to additional representation. I should be very glad to see that claim fully satisfied; but when the hon. Member for Birmingham reasons that we are to come now to a settlement of the question, allow me to remind him that this question must now be considered as part of and a continuation of the argument which we had last year with regard to the scheme for a complete reform of the representation in every part of the kingdom. I agree with him that Scotland is as much a part of the kingdom as any county in England, and that therefore we ought to entertain no jealousy about transferring, if it be reasonable, the representation from one portion of the kingdom to the other, even though it goes beyond the Tweed. But the question before us is really this—When you had your Reform Bills before you last year, including the Scotch Bill, which contemplated an addition of seven Members to this House, you did not pause for one moment in settling the question of re-distribution for England; but you went on the supposition that that re-distribution was a settlement of the question as far as this portion of the kingdom is concerned. I think we are quite as much bound to maintain that settlement as to extend additional representation to that part of the kingdom which is north of the Tweed. How, then, are we to reconcile these differences? Unfortunately in consequence of the Motion brought forward on Monday evening, a change was made with regard to the re-distribution of seats, without any determination being come to as to what the re-distribution should be. The consequence is that you have had in the earlier part of the evening to reverse the vote which was come to on Monday, because it was contrary to the principle on which you proceeded last year with reference to rating, and you are now going to adhere to a vote which reversed the principle you agreed upon last year that there should be no disfranchisement. However anxious I may be to give additional representation to Scotland, I think I am quite as much bound to adhere to the settlement we deliberately came to last year, and I therefore cannot vote for reversing it.

Mr. WALROND hoped this would be treated as an Imperial question. He was ready to admit that they ought to legislate upon the same principles for all portions of the United Kingdom; and therefore he should support the Motion of the hon. Member for Devonshire (Sir Lawrence Palk).

Mr. NEWDEGATE said, he thought the proposal of the right hon. Gentleman (Mr. Disraeli) a most judicious one, and he hoped the right hon. Gentleman would place the substance of it in a distinct form before the Committee. He thought the proposal to give ten seats to Scotland would never become law.

Mr. J. LOWTHER said, he had no wish to postpone the clauses, although the more he looked at them the less he liked them. His only object having been to elicit the opinion of the Government, he would withdraw his Motion and support the Motion of the hon. Member for Devonshire (Sir Lawrence Palk.)

Motion, by leave, *withdrawn.*

Mr. BAXTER said, he would now move an Amendment to insert in line 10, after the word "shall," the words having reference to the Scotch University constituencies—

> "Return one Member to serve in Parliament; from and after the end of the present Parliament the City of Glasgow shall be divided into two divisions in the manner specified in Schedule ( ) hereto annexed, and each division shall return two Members; the City of Edinburgh shall return three Members; and the Town of Dundee, the City of Aberdeen, and the Counties of Lanark, Ayr, Aberdeen, and Perth shall each return two Members to serve in Parliament."

Mr. Walpole

He said the right hon. Gentleman at the head of the Government had placed the Scotch Members somewhat at a disadvantage by making an entirely new proposal for the re-distribution of the seats for Scotland. He was glad that the right hon. Gentleman had given up one part of his former plan—namely, that of eliminating small places from the counties with a view of making the counties purely agricultural. He (Mr. Baxter) was entirely opposed to a "hard and fast line" between the constituencies. He entirely differed from the right hon. Gentleman's statement—that to take seven Members from England in order to add them to Scotland gave an additional representation of fourteen Members to Scotland. Even if that were so, Scotland with only sixty Members would still be greatly under-represented. There was a vast disproportion between the representation of England and Scotland; and the Scotch Members would be wanting in their duty if they did not appeal to the sense of justice of the House of Commons upon the matter. The Government proposed to give two Members to the Scotch Universities. He believed the majority of Members on that (the Opposition) side of the House, were opposed in principle to University representation altogether; because they believed it to be indefensible, and because they had not seen much to admire in its practical operation, either in England or Ireland. The Members of the Scottish Universities objected very much to the proposal to divide the Universities into two constituencies. He had heard from an eminent gentleman connected with the Universities that, rather than have two Members on the plan proposed by the Government, they would prefer to be represented by only one Member. He (Mr. Baxter) proposed a single Member as a compromise. With regard to the Amendment he now moved, he had endeavoured to discard party considerations altogether, and his proposal was based on population, wealth, and the number of electors. There were four large cities and four large counties in Scotland; and what he proposed was to give them an adequate representation. He would divide Glasgow, which contained one-seventh of the population of Scotland, into two districts, with two Members for each, and to give an additional Member to each of the following places:—The towns of Edinburgh, Dundee, and Aberdeen, and the counties of Lanark, Ayr, Aberdeen, and the agricultural county of Perth. This plan would get rid of the Boundary Commissioners, and expedite the passing of the Bill. He thought the Government had met them very fairly, and he had nothing to complain of in their conduct. The only difference between them was that, while the Government proposed to give Scotland seven additional Members, he proposed to give her ten. The more the right hon. Gentleman looked into the question, the more he would agree with the hon. Member for Birmingham (Mr. Bright) that Scotland was entitled to larger representation.

Amendment *moved*, in Clause 8, line 19, after "shall," insert—

"Return one Member to serve in Parliament; from and after the end of the present Parliament the City of Glasgow shall be divided into two divisions in the manner specified in Schedule ( ) hereto annexed, and each division shall return two Members; the City of Edinburgh shall return three Members; and the town of Dundee, the City of Aberdeen, and the Counties of Lanark, Ayr, Aberdeen, and Perth shall each return two Members to serve in Parliament."—(*Mr. Baxter.*)

LORD ELCHO said, he thought his hon. Friend the Member for Montrose (Mr. Baxter) was wrong in saying that the Universities would prefer one Member to two.

MR. BAXTER explained that the Gentleman he had referred to said the Universities would, of course, prefer two Members; but, rather than have them in the way proposed by the Government, they would prefer only one.

LORD ELCHO said, there could be no doubt that those interested in the Scottish Universities were strongly in favour of two Members, on the ground that when they were adding so much to the democratic element in that House, it was desirable, as a corrective to the preponderance of mere numbers, that they should give weight to the sort of men who would be likely to be returned from those seats of learning. He was disposed to agree with what had fallen from the right hon. Member for the University of Cambridge (Mr. Walpole), that, considering what was done last year, it was a strong measure to re-open the question of re-distribution. Between the Motion of the hon. Baronet (Sir Rainald Knightley) and that of the hon. Member (Mr. Baxter), the House had had a choice of evils, and he had voted against the latter Motion. In his opinion, they had now gone too far to retract; and therefore, although in principle his right hon. Friend was right in standing by the English Bill, still, the House being now in a false position, he thought a fair compromise was offered by the scheme of the right hon. Gentleman.

MR. VANCE said, that a too ready assent had been given to the principle of giving additional Members to Scotland. He did not think that country was entitled to any additional representation at all. By the Reform Act of 1832 Scotland obtained more than its fair proportion of representatives. According to the Census of 1861 Scotland had a population of 3,066,000, and Ireland 5,800,000, or nearly double. Scotland had 53 Members, and Ireland 105, so that upon the ground of population Scotland was abundantly represented already. Again, if taxation were taken as a basis of representation, the metropolitan districts, whose wealth was greater than that of all Scotland, must be entitled to more Members than Scotland possessed. He thought the Amendment involved a breach of faith with those Members who had voted for the English Reform Bill of last year. But if the House decided on giving seven additional Members to Scotland, he protested against their being taken from England. The vote for disfranchising the ten English boroughs was a purely accidental one, and the claim of Scotland for ten additional Members was perfectly ridiculous. The Whig Government, in their Reform Bill of 1866, proposed seven additional Members for Scotland, and that proposal was adopted by the present Government without due foundation.

THE LORD ADVOCATE said, the question before the Committee was, whether the Scotch Universities should have two Members or only one. There was a general concurrence of opinion that Scotland was entitled to some additional representation. The proposal of the Government was that the Universities should be divided—Edinburgh and St. Andrews returning one Member, and Glasgow and Aberdeen the other. He should much wish to know the name of the person who made that singular communication to the hon. Member for Montrose (Mr. Baxter). He concluded that he must be an English student attending one of their Universities. That proposed division was approved by the *Senatus Academici* and the Councils; and the only question was, whether the Universities should have two representatives or one. Now, the constituency of

Cambridge University was 5,000; that of Oxford, 3,786; Dublin, 1,702. Each of these Universities returned two Members; and London, with a constituency of 1,000, was to return one. Now, the constituency of Edinburgh and St. Andrews would be 5,000, and that of Glasgow and Aberdeen 4,000, each with one Member. Having regard, therefore, to the number of voters, the proposal that the Scotch Universities should between them have two Members was a very moderate one. As to the proposed division, it was thought that some jealousy might probably exist between Edinburgh and Glasgow; and it was therefore much better that the interest of each of these Universities should be attended to by a separate Member.

Mr. LAING said, he was entirely in favour of the general principles of the Amendment of the hon. Member for Montrose (Mr. Baxter) giving ten more Members to Scotland. He thought that the large towns had an incontestable right to increased representation, while, on the other hand, he had a strong feeling in favour of giving two Members to the Scotch Universities. Now, he thought that there was a mode of reconciling the claims of both these interests. When the Committee remembered that the county of Sutherland contained only 181 voters, might they not with perfect propriety group it with the adjoining county of Ross, which was not a large county? He thought the representatives of Scotland would not be doing their duty if they allowed the representation of the Scotch Universities to be cut down from two to one, leaving a separate representation to such a county as Sutherland?

Mr. GRANT DUFF suggested that the hon. Member (Mr. Baxter) should accept the proposal of the Government to give two Members to the Universities, and should omit that part of his Motion which claimed an additional Member for the county of Perth.

Mr. DALGLISH said, as far as he was able to understand, the people of Scotland objected to the Scotch Universities having one-thirtieth of the representation of Scotland. As the English Universities had only one-hundredth of the English representation, and the Irish Universities only one fifty-fifth of the Irish representation, he thought that the Government proposed too large a representation relatively for the Scotch Universities.

Mr. BAXTER said, he had not intended to raise the issue as to whether the Universities should have two Members or only one Member. He should therefore omit the words of his Amendment which related to the Universities, and also adopt the suggestion of his hon. Friend the Member for the Elgin burghs (Mr. Grant Duff), and leave out Perth from his Amendment.

Amendment, by leave, *withdrawn.*

Mr. BAXTER then moved an Amendment.

Amendment proposed, in page 3, line 20, after the word "Parliament," to insert the words—

"The City of Glasgow shall be divided into two divisions in the manner specified in Schedule ( ) hereto annexed, and each division shall return two Members; the City of Edinburgh shall return three Members; and the Town of Dundee, the City of Aberdeen, and the Counties of Lanark, Ayr, and Aberdeen shall each return two Members to serve in Parliament."—(*Mr. Baxter.*)

The CHANCELLOR of the EXCHEQUER said, the proposed Amendment divided itself into several distinct propositions, which he submitted ought to be put separately.

The CHAIRMAN said, there was no necessity for putting each of the propositions separately, inasmuch as they had all been moved as one Amendment, and it was open to any hon. Member to move to amend the proposed Amendment.

Mr. WALPOLE said, he thought it would be advisable to have the question relating to the representation of the Scotch Universities—the question raised by the clause itself—disposed of in the first instance.

Mr. MONCREIFF said, that the Amendment just put by the hon. Member for Montrose (Mr. Baxter) was essentially a re-distribution scheme; and therefore he thought it would be better to have it put as a whole.

Mr. GATHORNE HARDY suggested that the hon. Member for Montrose should allow the latter part of the clause to be carried before he added his Amendment.

Mr. BAXTER said, he did not wish to prejudge the question of the representation to be given to the Universities. His object was to have a decision on the question whether Scotland was to have seven or ten additional Members.

Mr. POWELL asked the Chairman whether, if the proposition regarding the number of Members for the counties and towns named in the Amendment were negatived, there would be any difficulty in moving subsequently that the towns and counties should have additional Members?

Sir JAMES FERGUSSON said, he did not think it would be convenient to decide the case of all those counties and towns *en bloc.* He was of opinion that the question relating to the Universities should be disposed of in the first instance.

The CHAIRMAN, in reply to Mr. Powell, said, that if a given proposition were negatived that same proposition could not be raised again.

Mr. GATHORNE HARDY asked whether, if the Committee decided against the proposition of the hon. Member for Montrose as a whole, a proposition to give a second Member each to Lanarkshire, Ayrshire, Aberdeenshire, and the town of Dundee, could be again raised?

The CHAIRMAN said, that would depend on whether the subsequent proposition was for another scheme of re-distribution. Last year, in the Committee on the English Reform Bill, a Motion was made to give a third Member to each of six large towns. The Committee negatived that Motion; but afterwards, by a subsequent clause, the Committee decided on giving a third Member each to four of those towns. This was held to be a different proposition from the previous one.

Mr. GATHORNE HARDY proposed, as an Amendment to the Amendment of the hon. Member for Montrose (Mr. Baxter), to leave out the words "be divided into two divisions in the manner specified in Schedule ( ) hereto annexed," in order to insert the words "return three Members to serve in Parliament." He wished to explain his Amendment, which was, that instead of giving four Members to Glasgow, which had not been done in the case of any of the large towns of England, they should give it three Members, in the same way as Liverpool, Manchester, and Birmingham.

Amendment proposed to the said proposed Amendment, by leaving out the words—

"Be divided into two divisions in the manner specified in Schedule ( ) hereto annexed," in order to insert the words "return three Members to serve in Parliament."—(*Mr. Secretary Gathorne Hardy.*)

Mr. CARDWELL: It is quite true that the great towns in England did not get four Members; but if you will take Liverpool, associated with the town of Birkenhead; if you will take Manchester together with Salford, which forms part of it; you will find that Manchester and Liverpool have five Members.

Question put, "That the words proposed to be left out stand part of the said proposed Amendment."

The Committee *divided:*—Ayes 222; Noes 261: Majority 39.

AYES.

Acland, T. D.
Adam, W. P.
Agnew, Sir A.
Allen, W. S.
Amberley, Viscount
Anstruther, Sir R.
Ayrton, A. S.
Aytoun, R. S.
Bagwell, J.
Baines, E.
Barclay, A. C.
Barnes, T.
Barry, C. R.
Bass, A.
Bazley, T.
Beaumont, H. F.
Beaumont, W. B.
Biddulph, M.
Biddulph, Col. R. M.
Blake, J. A.
Blennerhassett, Sir R.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Brady, J.
Brand, rt. hon. H.
Bright, J. (Birmingham)
Bright, J. (Manchester)
Buller, Sir A. W.
Buller, Sir E. M.
Buxton, C.
Buxton, Sir T. F.
Calcraft, J. H. M.
Candlish, J.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Carter, S.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chambers, M.
Cheetham, J.
Childers, H. C. E.
Clay, J.
Clement, W. J.
Clinton, Lord E. P.
Cogan, rt. hn. W. H. F.
Colebrooke, Sir T. E.
Collier, Sir R. P.
Colthurst, Sir G. C.
Cowen, J.
Cowper, hon. H. F.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crawford, R. W.
Cremorne, Lord
Crossley, Sir F.
Dalglish, R.
Davey, R.
Davie, Sir H. R. F.
De La Poer, E.
Denman, hon. G.
Dent, J. D.
Dering, Sir E. C.
Dilke, Sir W.
Dillwyn, L. L.
Dixon, G.
Duff, M. E. G.
Duff, R. W.
Dundas, F.
Edwards, C.
Edwards, H.
Eliot, Lord
Ellice, E.
Enfield, Viscount
Erskine, Vice-Ad. J. E.
Esmonde, J.
Evans, T. W.
Eykyn, R.
Fawcett, H.
Fildes, J.
FitzGerald, rt. hn. Lord O. A.
Foljambe, F. J. S.
Forster, C.
Forster, W. E.
Fortescue, rt. hn. C. P.
Fortescue, hon. D. F.
Gavin, Major
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Glyn, G. G.
Goldsmid, Sir F. H.
Goschen, rt. hn. G. J.
Gower, hon. F. L.
Gower, Lord R.
Gray, Sir J.
Gregory, W. H.
Grenfell, H. R.
Greville-Nugent, A. W. F
Greville-Nugent, Col.
Grey, rt. hn. Sir G.
Grove, T. F.
Hadfield, G.
Hardcastle, J. A.
Harris, J. D.
Hartington, Marquis of
Hay, Lord J.
Hay, Lord W. M.
Headlam, rt. hn. T. E.

Heneage, E.
Henley, Lord
Hibbert, J. T.
Hodgkinson, G.
Hodgson, K. D.
Holden, I.
Holland, E.
Horsman, rt. hn. E.
Howard, hn. C. W. G.
Hughes, W. B.
Hurst, R. H.
Hutt, rt. hn. Sir W.
Jervoise, Sir J. C.
Kennedy, T.
Kinglake, A. W.
Kingscote, Colonel
Kinnaird, Hon. A. F.
Knatchbull-Hugessen, E
Labouchere, H.
Laing, S.
Lamont, J.
Lawrence, W.
Lawson, rt. hn. J. A.
Layard, A. H.
Leatham, E. A.
Leatham, W. H.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Locke, J.
Lorne, Marquess of
Lusk, A.
M'Laren, D.
Maguire, J. F.
Marshall, W.
Martin, C. W.
Matheson, A.
Matheson, Sir J.
Melly, G.
Merry, J.
Milbank, F. A.
Mill, J. S.
Mills, J. R.
Mitchell, T. A.
Moncreiff, rt. hon. J.
Monsell, rt. hn. W.
Moore, C.
More, R. J.
Morris, W.
Morrison, W.
Murphy, N. D.
Neate, C.
Nicholson, W.
Nicol, J. D.
Norwood, C. M.
O'Brien, Sir P.
Ogilvy, Sir J.
O'Loghlen, Sir C. M.
Onslow, G.
O'Reilly, M. W.
Owen, Sir H. O.
Padmore, R.
Paget, T. T.
Palmer, Sir R.
Parry, T.
Pease, J. W.
Peel, A. W.
Pelham, Lord
Philips, R. N.
Pollard-Urquhart, W.
Potter, E.
Ramsay, J.
Rawlinson, Sir H.
Rebow, J. G.
Robartes, T. J. A.
Robertson, D.
Russell, A.
St. Aubyn, J.
Samuda, J. D'A.
Samuelson, B.
Saunderson, E.
Scott, Sir W.
Seely, C.
Shafto, R. D.
Sheridan, H. B.
Sherriff, A. C.
Simeon, Sir J.
Smith, J.
Smollett, P. B.
Speirs, A. A.
Stansfeld, J.
Stone, W. H.
Stuart, Colonel C.-
Sullivan, E.
Sykes, Colonel W. H.
Taylor, P. A.
Tite, W.
Trevelyan, G. O.
Vanderbyl, P.
Villiers, rt. hn. C. P.
Waldegrave-Leslie, hon. G.
Warner, E.
Western, Sir T. B.
Whalley, G. H.
Whitbread, S.
White, J.
Whitworth, B.
Williamson, Sir H.
Winterbotham, H. S. P.
Woods, H.
Young, G.
Young, R. [221]

TELLERS.

Baxter, W. E.
Graham, W.

NOES.

Adderley, rt. hn. C. B.
Akroyd, E.
Annesley, hon. Col. H.
Antrobus, E.
Arkwright, R.
Bagge, Sir W.
Bagnall, C.
Bailey, Sir J. R.
Baring, H. B.
Baring, T.
Barnett, H.
Barrington, Viscount
Barttelot, Colonel
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Beresford, Capt. D. W. Pack-
Bernard, hn. Col. H. B.
Bingham, Lord
Bourne, Colonel
Brett, Sir W. B.
Brooks, R.
Brown, J.
Browne, Lord J. T.
Bruce, Major C.
Bruce, Lord E.
Bruen, H.
Buckley, E.
Bulkeley, Sir R.
Burke, Viscount
Burrell, Sir P.
Butler-Johnstone, H. A.
Capper, C.
Carington, hn. W. H. P.
Cartwright, Colonel
Cave, rt. hon. S.
Cave, T.
Cecil, Lord E. H. B. G.
Clive, Lt.-Col. hn. G. W.
Cobbold, J. C.
Cole, hon. H.
Cole, hon. J. L.
Connolly, T.
Cooper, E. H.
Corrance, F. S.
Corry, rt. hon. H. L.
Cox, W. T.
Cubitt, G.
Dalkeith, Earl of
Davenport, W. B.
Dawson, R. P.
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
Doulton, F.
Dowdeswell, W. E.
Du Cane, C.
Duncombe, hon. Adm.
Duncombe, hon. Colonel
Dunne, rt. hn. General
Du Pre, C. G.
Dyke, W. H.
Dyott, Colonel R.
Eaton, H. W.
Edwards, Sir H.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, Sir P. G.
Elcho, Lord
Fane, Colonel J. W.
Feilden, J.
Fellowes, E.
Finch, G. H.
Fitzwilliam, hon. C. W. W.
Floyer, J.
Forde, Colonel
Fordyce, W. D.
Forester, rt. hon. Gen.
French, rt. hon. Colonel
Freshfield, C. K.
Galway, Viscount
Garth, R.
Gaskell, J. M.
Goddard, A. L.
Goldney, G.
Gordon, rt. hon. E. S.
Gore, J. R. O.
Gore, W. R. O.
Gorst, J. E.
Graves, S. R.
Greenall, G.
Grey, hon. Thomas de
Griffith, C. D.
Grosvenor, Earl
Gurney, rt. hon. R.
Gwyn, H.
Hamilton, Lord C.
Hamilton, Lord C. J.
Hamilton, Viscount
Hankey, T.
Hardy, rt. hon. G.
Hardy, J.
Hartley J.
Hartopp, E. B.
Harvey, R. B.
Harvey, R. J. H.
Hay, Sir J. C. D.
Hayter, A. D.
Henniker-Major, hon. J. M.
Herbert, rt. hn. gen. P.
Hervey, Lord A. H. C.
Heygate, Sir F. W.
Hildyard, T. B. T.
Hogg, Lieut.-Col. J. M.
Holford, R. S.
Hood, Sir A. A.
Hope, A. J. B. B.
Hornby, W. H.
Horsfall, T. B.
Hotham, Lord
Howard, Lord E.
Howes, E.
Huddleston, J. W.
Hunt, rt. hon. G. W.
Ingestre, Viscount
Jardine, R.
Jolliffe, hon. H. H.
Jones, D.
Karslake, E. K.
Karslake, Sir J. B.
Kavanagh, A.
Kekewich, S. T.
Kelk, J.
Kennard, R. W.
Keown, W.
King, J. G.
King, J. K.
Knight, F. W.
Knox, Colonel
Knox, hon. Colonel S.
Laird, J.
Langton, W. G.
Lanyon, Sir C.
Lascelles, hon. E. W.
Lechmere, Sir E. A. H.
Lefroy, A.
Legh, Major C.
Lennox, Lord G. G.
Lennox, Lord H. G.
Liddell, hon. H. G.
Lindsay, hon. Col. C.
Lindsay, Col. R. L.
Long, R. P.
Lopes, H. C.
Lopes, Sir M.
Lowther, J.
Lowther, W.
M'Kenna, Sir J. N.

Mackinnon, Capt. L. B.
Mackinnon, W. A.
M'Lagan, P.
Mahon, Viscount
Mainwaring, T.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Martin, P. .W
Mayo, Earl of
Meller, Colonel
Miles, J. W.
Miller, W.
Moffatt, G.
Monk, C. J.
Montagu, rt. hn. Ld. R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, hon. Major
Morgan, O.
Mowbray, rt. hon. J. R.
Neeld, Sir J.
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
North, Colonel
Northcote, rt. hon. Sir S. H.
O'Neill, hon. E.
Paget, R. H.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Parker, Major W.
Patten, rt. hon. Col. W.
Paull, H.
Pemberton, E. L.
Pennant, hon. G. D.
Pim, J.
Powell, F. S.
Price, W. P.
Pugh, D.
Read, C. S.
Rearden, D. J.
Robertson, P. F.
Royston, Viscount
Russell, Sir C.
Salomons, Mr. Aldrmn.
Sandford, G. M. W.
Schrieber, C.
Sclater-Booth, G.
Scott, Lord H.
Scourfield, J. H.
Selwin-Ibbetson, H. J.
Severne, J .E.
Seymour, G. H.
Simonds, W. B.
Smith, A.
Smith, S. G.
Somerset, Colonel
Somerset, E. A.
Stanhope, J. B.
Stanley, hon. F.
Stanley, Lord
Stirling-Maxwell, Sir W.
Stopford, S. G.
Stuart, Lieut-Col. W.
Stucley, Sir G. S.
Sturt, H. G.
Sturt, Lieut.-Col. N.
Surtees, C. F.
Talbot, C. R. M.
Thompson, A. G.
Thompson, M. W.
Thorold, Sir J. H.
Thynne, Lord H. F.
Tomline, G.
Tottenham, Lieut.-Col. C. G.
Treeby, J. W.
Trevor, Lord A. E. H.
Turner, C.
Turnor, E.
Vance, J.
Vandeleur, Colonel
Verner, E. W.
Walker, Major G. G.
Walpole, rt. hon. S. H.
Walrond, J. W.
Walsh, hon. A.
Warren, rt. hon. R. R.
Waterhouse, S.
Welby, W. E.
Williams, F. M.
Wise, H. C.
Woodd, B. T.
Wyld, J.
Wyndham, hon. H.
Wynn, Sir W. W.
Wynne, W. R. M.
Wyvill, M.
Yorke, J. J.

TELLERS.

Taylor, Colonel
Noel, hon. G. T.

MR. DISRAELI said: I would express a hope that after this decision the Committee may be induced to adopt the plan of the Government. I trust, upon reflection, they will find it the best way to expedite business, and that which, upon the whole, will best meet the opinions and feelings of the majority of the Members.

On Question, "That those words be there inserted,"

MR. MONCREIFF: I would suggest that the best course is to report Progress. I think it is a very fair subject for consideration what course we ought to take, and I do not think it is reasonable in the right hon. Gentleman to ask us to go on to-night.

MR. GATHORNE HARDY: The right hon. Member opposite, I understand, wishes us to report Progress. But I trust, at all events, that nothing will be done till the words are inserted upon which the Committee has just divided.

MR. GLADSTONE: That is a most proper proposal. But I am sure the right hon. Gentleman will remember that the plan of the Government has never been put upon the Paper. It was stated verbally to-night; but we have had no opportunity of considering it. I think it is quite plain that the Committee, by the vote at which they have just arrived, have made it useless for the hon. Member for Montrose (Mr. Baxter) to propose the next portion of his Amendment, relating to Edinburgh. But we ought to have the plan of the Government before us in an intelligible shape.

MR. DISRAELI: The proposal of the Government is no new plan, and it is perfectly intelligible. I must say I think this is a favourable opportunity for making progress with the Bill, and that we ought not to report Progress at such an early hour. Unexpected business came on at the commencement of the evening, and prevented our entering at once upon the discussion of this measure; it is now only twelve o'clock, and I really do not think the opportunity ought to be wasted. If the right hon. Gentleman thinks that the plan of the Government, which involves only a few and simple alterations of an original proposal, requires to be better understood, there can be no objection to that. But allow me to say that there is a great deal to be done before those provisions are reached. Let us, having begun with it, at least dispose of the scheme of the hon. Member for Montrose; so that when we do meet again, if it be thought necessary to devote another evening to the subject, the opinion of the Committee may be finally taken upon those points only which it is thought necessary to reserve. I cannot consent to report Progress at twelve o'clock.

COLONEL SYKES said, he should in any case divide the House upon the proposition relating to Aberdeen.

MR. BOUVERIE: Sir, I thought the right hon. Gentleman's proposal a reasonable one in itself, that after this division we should consider whether we could not adopt his scheme. The right hon. Gentleman no doubt wishes to be very fair in his dealings with the Scotch Members; but it is a little hard on us that we should be requested at once to adopt a scheme which we never heard of till this evening, and which is not upon the Notice Paper. A great part of this scheme was to found a new group of Border boroughs, and to unite two of the smaller counties in the South of Scotland; but the names of the boroughs have not yet been stated. The hon. Member for Montrose (Mr. Baxter) may be unwilling to press his Motion further, if time be allowed him for consideration; and on the part of the right hon. Gentleman it would be but fair to give us time to consider his proposals. If these be put upon the Paper, when we meet on Thursday I hope there will be a good chance of despatching the business in the course of the evening.

MR. GATHORNE HARDY: Sir, it is true that the proposals of the Government as stated this evening are not formally upon the Paper; but everything which my right hon. Friend has stated is in the Amendment of the hon. Member for Montrose. If therefore you leave out everything relating to Edinburgh and Aberdeen, the Amendment of the hon. Member for Montrose will carry everything that has been proposed by my right hon. Friend. I do trust, therefore, the Committee will resolve to finish that portion of the business.

MR. ELLICE, with a view of carrying matters to a satisfactory conclusion, hoped the hon. Member for Montrose would accede to the proposition of the right hon. Gentleman opposite, and allow those points to be inserted as to which there was no dispute.

MR. PEASE said, that according to the Instruction moved by the hon. Member for Montrose, the Committee had power to deal with ten seats. Only seven of these were provided for by the plan of the Government. Were the remaining three seats to be left in abeyance, or what was to become of them? An answer to that question would probably affect the votes of some hon. Members sitting near him.

MR. BAXTER regretted very much the decision at which the Committee had just arrived; but felt it his duty to defer to such a plain expression of opinion. It would not be, he thought, consulting the interests of Scotland and of the Liberal party, or taking a proper course, if he were to put the House to the trouble of dividing again with regard to Edinburgh and Aberdeen. He still hoped the right hon. Gentleman would re-consider his determination to give only seven representatives to Scotland.

Amendments made; words inserted.

Mr. Bouverie

MR. GATHORNE HARDY moved to omit from the Amendment the words "the City of Edinburgh shall return three Members."

MR. M'LAREN said, he hoped the Government would re-consider this point. Three Members had been given to Leeds, which had a population not much larger than Edinburgh, while its wealth and taxation were very much smaller. Edinburgh also contributed more to the taxation of the country than Birmingham and than Dublin, which were to have three Members, and as the capital of Scotland its claims ought to be considered.

MR. DISRAELI: Sir, I am quite ready to consider the case of Edinburgh without any prejudice, and without being in the least influenced by the late division. Everybody admires Edinburgh, and everybody respects the representatives of Edinburgh, even though they may not sit on our side of the House. I do not think these questions ought to be decided entirely by population; but I cannot agree with the hon. Gentleman that the population of Edinburgh is equal to that of Leeds, since, according to the last Returns, Edinburgh has 168,000, while Leeds has 207,000. [MR. M'LAREN: I said it was not much larger.] Then, I do not exactly understand why the name of Leeds was introduced. We are virtually giving an additional Member to Edinburgh by giving a representative to its University, and Edinburgh is also indirectly represented by the port of Leith. Therefore the population of Edinburgh will be represented under our new system by no less than four Members. Under these circumstances, I cannot accede to the hon. Gentleman's suggestion.

MR. BEECROFT said, he wished it to be understood that Leeds had a much larger population than Edinburgh.

Amendment *agreed to.*

Moved to omit the words "the City of Aberdeen."

COLONEL SYKES: Sir, at this time of night, or rather morning, and with Members long wearied, I cannot expect any arguments of mine to be listened to; if they were gospel-truths they would be unheeded; but a grievous injustice is about to be inflicted. Here is Aberdeen, with its 90,000 inhabitants, its progress in wealth, its great intelligence, the seat of a celebrated University, and the seat of active shipbuilding and manufacturing industry; and yet it is proposed to strike it out of the Amendment that would give it an additional Member. When the right hon. Gentleman the Member for South Lancashire proposed his measure of Reform, Aberdeen was put down for an extra Member in an official Return delivered in the morning; but before the day was out Aberdeen disappeared from a second official Return, and Edinburgh was substituted. Under these circumstances I hope and trust that the right hon. Gentleman, if he will not permit the question of Aberdeen to be postponed, will consider its claims to one of the three spare seats which will be available. One word more—the ten boroughs that have been disfranchised contain 2,300 electors, while Aberdeen has 4,236; to call this a just system of representation is absolutely a mockery.

Amendment *agreed to.*

Amendment proposed after the word "Parliament," to insert the words—

"The City of Glasgow shall return three Members to serve in Parliament; the Town of Dundee and the Counties of Lanark, Ayr, and Aberdeen shall each return two Members to serve in Parliament."

THE LORD ADVOCATE proposed the insertion of words providing that a Member should be returned jointly by the Universities of Edinburgh and St. Andrews, and the other jointly by the Universities of Glasgow and Aberdeen.

Motion *agreed to.*

THE LORD ADVOCATE moved to add to the 8th clause the following words from the end of the 9th clause:—

"And the City of Glasgow, until otherwise directed by Parliament, shall comprise the places mentioned in Schedule (A.) hereto annexed."

MR. ELLICE moved that the Chairman report Progress.

MR. DISRAELI thought it would be desirable to finish the clause.

SIR EDWARD COLEBROOKE said, that the question before the House was without a precedent in the English Bill, and demanded the serious consideration of the House.

MR. BAXTER said, that if the Amendment of the Lord Advocate was persisted in they would have to consider the vote to which they had recently come. He objected to taking the small towns out of the county of Lanark.

MR. DISRAELI said, that he should have been content to leave the matter to the Boundary Commissioners, only it was impossible for them to deal with it. The better plan would be to deal with the matter by a separate clause.

MR. DALGLISH said, that if any alterations were made in the boundary of the suburbs of Glasgow he should move that they have a Member totally independent of the city of Glasgow, as part of the lower ward of Lanarkshire.

Motion, to report Progress, *withdrawn.*

Amendment, by leave, *withdrawn.*

SIR LAWRENCE PALK, in rising to move the proviso of which he had given Notice, said, that by reason of the vote arrived at the other night, as he thought upon unfair grounds, ten English boroughs had been disfranchised. The right hon. Gentleman at the head of the Government had since proposed to give seven of these ten seats to Scotch burghs. When once a bargain had been arrived at in that House it ought to be maintained with honour on both sides, and last year an honourable bargain was thus made that the additional seats for Scotland should be obtained by a small addition to the number of Members of that House, and should not be taken either from English or Irish boroughs. To support this assertion he would read an extract from the speech of the hon. Member for Wick (Mr. Laing), who said he assumed that the demand of Scotland for additional seats would be met by making a small addition to the number of Members of that House. On the faith of that understanding he and others had voted for the Government; but if he had been told that the additional Members for Scotland would have been taken from England, he, for one, would have strongly opposed the Reform Bill of last year. He did not wish to have the vote of the other night rescinded; but so long as many important districts of England were not fairly represented, he could not consent to give those seats to Scotland. He could not suppose there was any difficulty in increasing the number of Members of that House. The House was already too small, and a plan had been proposed for largely increasing its accommodation, so that he could not suppose an addition of seven votes furnished a reason why a pledge given on both sides of the House should not be kept. The Reform Bill of last year was treated on both sides as a final measure, and, as such, was agreed to by both Houses, and received the assent of the Crown. If, however, before its provisions come into operation an attempt was made to upset it by a vote on another Bill, what hope could there be that the settlement could possibly stand? Conceding, as he did, that seven additional seats should be given to Scotland, he hoped the House would agree to accept the alternative proposed by the Government last year, that these seats should be found by an addition to the seats of that House. In that case the ten boroughs disfranchised by the recent vote of the House might be given either to English counties or to some of the largest English towns.

Amendment proposed, at the end of the Clause as amended, to add the words "Provided the representation of England and Ireland be not thereby diminished."—(*Sir Lawrence Palk.*)

Mr. DISRAELI: Sir, I am not at all surprised that my hon. Friend should call attention to the peculiar condition in which the Committee are placed with respect to the settlement made last year. But I must remind my hon. Friend the Member for Devonshire (Sir Lawrence Palk) that if he accepts, as he seems disposed to do, the vote of the House the other night, by this proposal to apportion these representatives to other parts of England, he really re-opens the whole question, and disturbs the settlement of last year. Now, although I regret that the basis on which our present Bill for Scotland was founded was not agreed to, yet by taking a certain number of seats from England and giving them to Scotland you do not re-open the English Bill; whereas, if you follow the scheme of my hon. Friend you do re-open the whole question of the English Reform Bill, chaos will come again, and instead of arriving at the settlement which has been promised we should embark on "a sea of troubles," and our course might end in disaster. I agree with my hon. Friend in his general views and feelings on this subject. I should be glad if I could have obtained that advantage of increasing the representation of Scotland by adding to the Members of this House; but I found that this was not possible. We have been engaged on this work for two years. It has been a very severe and difficult labour, and I think that, on the whole, we have arrived at a conclusion which will be satisfactory to the country. Both sides of this House acting with considerable unanimity, we felt that, with regard to this question of the increase of Members for Scotland, it was impossible strictly to adhere to the proposal of last Session. But we must look at the whole question as practical men, and see whether, by mutual concession and compromise, we can bring about a satisfactory result. Well, I do not think my hon. Friend need feel dissatisfied on the whole with what has occurred. There has been shown on both sides a very fair anxiety to bring matters to a conclusion. The conclusion is a temperate and a moderate one. It really satisfies all the just claims of Scotland, and satisfies them in a way which peculiarly recommends itself to me—although, of course, I should have preferred my own suggestion—upon this ground, that it does not re-open the English Bill. I hope this will be well weighed by my hon. Friend the Member for Devonshire; and I trust, if he gives his consideration to it, with that mature judgment which I have seen him display in many instances, that, having asserted his principle, in which I entirely sympathize, he will not, after what has occurred this evening, place the Committee under the necessity of dividing, but will feel that we have brought this matter to a settlement which the country will recognize as adequate to the occasion.

Mr. BERESFORD HOPE said, he trusted that the hon. Member for Devonshire (Sir Lawrence Palk) would divide. The Amendment, in fact, raised an important question of principle—that of the number of the House of Commons—which they had not yet had an opportunity of discussing.

Mr. GOLDSMID said, he regarded the proviso as only rendering still more bitter the pill which the Members for the small English boroughs, of whom he was one, had to swallow.

Question put, "That those words be there added."

The Committee *divided*:—Ayes 95; Noes 262: Majority 167.

Clause, as amended, *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Thursday.*

LOCAL OFFICERS' SUPERANNUATION (IRELAND) BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to enable Corporate and other Public Bodies in Ireland to grant Superannuation Allowances to Officers in their service in certain cases, *ordered* to be brought in by Sir COLMAN O'LOGHLEN, Sir JOHN GRAY, and Mr. PIM.

Bill *presented,* and read the first time. [Bill 137.]

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, May 26, 1868.

MINUTES.] — SELECT COMMITTEE — On New Forest Deer Removal, &c. Act, 1851, *nominated.*

PUBLIC BILLS—*First Reading*—Local Government Supplemental (No. 2)* (119); Pier and Harbour Orders Confirmation, &c.* (120); Unclaimed Prize Money (India)* (121); Reformatory Schools (Ireland)* (122); Divorce and Matrimonial Causes Court* (123).

Second Reading—Artizans' and Labourers' Dwellings (93); Stockbrokers (Ireland)* (105).

Referred to Select Committee—Artizans' and Labourers' Dwellings (93).

Committee—Religious, &c. Buildings Sites* (77); Consecration of Churchyards Act (1867) Amendment (16); Sea Fisheries (96-125); Cotton Statistics (102-126); Documentary Evidence* (88).

Report—Religious, &c. Buildings (Sites)* (77); Consecration of Churchyards Act (1867) Amendment (16-124).

Third Reading — (£17,000,000) Consolidated Fund*; Alkali Act, 1863, Perpetuation* (114), and *passed.*

ABYSSINIA—THANKS TO THE ARMY.

THE EARL OF MALMESBURY: My Lords, I wish to inform your Lordships that the Government think it better to postpone the Vote of Thanks to the army in Abyssinia till after Whitsuntide, in consequence of our still remaining without an official despatch from Sir Robert Napier.

CONSECRATION OF CHURCHYARDS ACT (1867) AMENDMENT BILL.—(No. 16.)

(*The Bishop of Oxford.*)

COMMITTEE.

House in Committee (according to Order.)

Clause 1 (Giver of Land may reserve exclusive Right to the extent of One-Tenth).

LORD STANLEY OF ALDERLEY moved an Amendment, of which he had given Notice, to assimilate the law to that existing in Ireland, where the burials of Roman Catholics and others objecting to the rites of the Church of England might be performed in Church of England burial-grounds (on notice being given to the minister) according to the form of the religion to which such person had belonged.

THE BISHOP OF OXFORD said, he could not acquiesce in the Amendment of his noble Friend, which would introduce a change into the general law of England. He could not agree with the noble Lord that allowing ministers of different denominations to come into churchyards, and to perform therein different and various services, would tend to peace—he believed it would have a very different result, and would, moreover, be subversive of the very principle of an Established Church. The noble Lord, moreover, was mistaken as to the state of the law in Ireland. It was necessary to obtain the permission in writing of the clergymen in Ireland before any service other than that of the Church of England could be performed in the churchyard; but the Amendment of his noble Friend proposed that the right to come in should be absolute, subject only to a time to be fixed by the clergyman.

THE EARL OF KIMBERLEY said, the Amendment proposed by his noble Friend was exceedingly desirable. If adopted, it would have the effect of putting an end to some very scandalous exhibitions which now occurred when clergymen happened to possess more zeal than discretion.

LORD STANLEY OF ALDERLEY, in reply, was understood to express a hope that the right rev. Prelate (the Bishop of Oxford), upon reflection, would be able to look favourably upon the principle embodied in the Amendment which had been admitted in Ireland and not refuse a similar concession in England. He would not trouble their Lordships to divide.

Amendment *negatived.*

Bill *reported,* without Amendment.

LORD REDESDALE moved the omission of "one-tenth," with a view to substitute "200 square yards" as the amount of land which a donor might reserve for himself and family.

THE BISHOP OF OXFORD said, he had no objection to allow "one-sixth" to be substituted for "one-tenth;" but decidedly objected to limit a donor's reserved ground to 200 square yards. His object was to induce persons to make as large grants of land as possible.

Word "One-tenth" *struck out*; "One-sixth" inserted instead thereof.

Clause, as amended, *agreed to.*

Another Amendment moved, and *negatived.*

Bill to be read 3ª on *Thursday* next, and to be *printed* as amended. [No. 124.]

ARTIZANS' AND LABOURERS' DWELLINGS BILL—(No. 93).

(*The Lord Chelmsford.*)

SECOND READING.

Order of the Day for the Second Reading read.

LORD CHELMSFORD, in moving that the Bill be now read the second time, said, that although he had consented to take charge of the Bill in their Lordships' House, he feared he should be unable to do justice to the subject. The intention of the Bill was to improve the comfort of the labouring classes of the community in respect of their dwellings; and the magnitude of the evil with which it proposed to grapple was forcing itself daily more and more upon public attention, and, in the language of a petition recently presented in favour of the Bill, legislation on the subject was not only desirable but had become absolutely indispensable. The measure he now submitted to their Lordships had been thrice read a second time in the House of Commons without a division; and on the first occasion, in 1866, it was referred to a Select Committee, which reported upon it favourably. In that year, however, the pressure of Public Business prevented its passing that House sufficiently early to give hopes of its becoming law; and last year, having been read the second time, and gone into Committee, it was withdrawn for a similar reason. This year, however, it was introduced in the other House very early in the Session, and came up to their Lordships unanimously recommended by the House of Commons; its main provisions had been agreed to by both sides of the House; it was under discussion in Committee on three days, and various Amendments were introduced, but no division took place, except one on an insignificant proposition with regard to the Metropolitan Board of Works and the City of London. Hitherto, however, all attempts to remedy the evil by legislation had proved abortive. The measure which he now submitted to their Lordships had been under the consideration of the other House during the last three Sessions. The Bill thus came to their Lordships' House recommended by the unanimous sanction of the other House of Parliament. It was not, however, to be expected that a Bill of this description, which must necessarily be of a compulsory character, as it would interfere with the rights of private property, would be unopposed; it would, of course, meet with opposition from owners of the poorer descriptions of property, which he had heard was daily increasing in value, owing to the wholesale destruction of poor dwellings by the construction of railways and other improvements in the metropolis. The unhappy tendency of the present wholesale destruction of small dwellings in the metropolis, and the consequent overcrowding of poor families, could not be more forcibly illustrated than by an instance which lately occurred. A working man and his family, seven in number, were last autumn flung out of the lodging where they had previously lived, the house being doomed to make way for one of the new metropolitan improvements—the erection of the new Courts of Justice. The work by which the man gained his living required that he should not go far in search of another dwelling; but the neighbourhood being already greatly over-peopled, he was glad to get a single room in a house in an adjacent street, the windows of which overlook one of our great Inns of Court. He had, of course, to pay what to him was a high price for huddling-room in so good a situation; but he had no choice, and thought himself lucky to get in there. What happened? There were then in that house fifty-seven human beings, eating, drinking, and sleeping, cooking and washing, sickly and well, all stowed together during the sweltering days of autumn. Typhus scented its prey too quickly, and marked the wretched man for its own. While he lay ill his wife and six children had to inhale his pestiferous breath, and communicated involuntarily the contagion to the other inmates of the house. The victim had not a chance for life; and when he sunk in death his widow and six children were removed to the workhouse, while his corpse was interred at the expense of the parish. This was not a solitary, but rather a representative instance of a very large class of sufferers. Many parallel instances could easily be produced. Those of their Lordships who had not attended to the subject could have no conception of the large extent to which filth, disease, and pestilence prevailed, and the commonest decencies of life disregarded. But he would not shock their Lordships by many details; he would refer to as few as he could consistently with the necessity of proving that such a measure as the present was urgently required. He would therefore merely give some illustrations drawn from the three principal towns of Liverpool, Manchester, and London. The Report of the Medical Officer of Liverpool for 1867 stated—

> "It has been mentioned that at the nightly visits the inspectors are required to take notice of the arrangements as well as of the number of the persons in a family occupying a single room. The law does not give us any power to interfere in this matter, except in the case of the rooms of the registered common lodging-houses; but the following facts will show the magnitude of the moral evil belonging to the present single room occupation; and the facts will also disclose, however repulsively, the canker which threatens to blight the most sacred bonds of the family and social system. In 62 instances adult sons and daughters slept in the same room with their parents, and in three instances in the same bed. In 152 instances adult daughters slept in the same room, and in 56 instances in the same bed with their parents. In 99 instances adult sons slept in the same room, and in 37 instances in the same bed with their parents. In 214 instances adult sons slept in the same room, and in 158 instances in the same bed with their mothers. In 37 instances adult daughters slept in the same room, and in 27 instances in the same bed with their fathers. In 59 instances the mother with her adult sons and daughters slept in the same room, and in 21 instances in the same bed together. In 12 instances the father with his adult sons and daughters slept in the same room, and in six instances in the same bed together. In 7 instances a mother, adult son, and a female lodger slept in the same room, and in two instances in the same bed together. In 64 instances a man, his wife, and a female lodger slept in the same room, and in three instances in the same bed. In 12 instances a man, wife, and male lodger slept in the same room. In 39 instances adult brothers and sisters slept in the same room, and in 20 instances in the same bed. The overcrowding which we find in sub-let houses is generally connected with, or caused by, these bad arrangements of a family. Thus, for example, in one room of the cubical dimensions of 900 feet, a mother and her two sons, aged 18 and 20, were in one bed, and a man, his wife, and his daughter, aged 18, in another bed."

The space allotted to each person was 150 cubic feet, or less than two-fifths of the measurement allotted to the inmates of our prisons—

> "In another room, of the cubical dimensions of 800 feet, there were found sleeping a father, two sons, aged 18 and 20, a daughter, aged 22, and a female lodger, aged 30. In another room, of the cubical dimensions of 800 feet, there were found sleeping in one bed on the floor two brothers, aged 24 and 26, and four sisters, aged 28, 20, 18, and 16."

The Medical Report for Manchester furnishes similar instances—

> "Paradise Court, 40 yards by 30, contains 43 families, and consists of back-to-back houses, and on one side back-to-back cellars; contains seven privies, situated in the centre of a court, in a very filthy condition, with large ashpit between."

In one place in Manchester, with an area of about 3,000 yards, there were 106 houses and cellars containing 154 families, and 546 persons. One district alone had furnished 200 cases of typhus during a period of nine months. Turning from Manchester to the metropolis, a similar state of things would be found to exist. The Rev. Mr. Andrews, incumbent of St. Luke's, King's Cross, said—

> "At the last Census my incumbency contained a population numbering 8,050. The Midland Railway Company have demolished 275 houses, and in consequence the population, which was 8,050 at the taking of the Census, has been reduced to 3,800, a reduction of more than 4,000."

In Old St. Pancras and the adjoining parishes not less than 750 houses have been pulled down, whereby an estimated population of 18,000 have been ejected. Mr. West, the district missionary, stated that, in consequence of the curtailment of supply, the rent of rooms in the neighbourhood had risen 20 per cent; overcrowding, as a natural result, was intensified, and nine-tenths of the families whose circumstances required residence in the neighbourhood, and who had therefore taken refuge in the surrounding districts, were said to live in one room. Mr. Eldridge, the missionary of the Clare Market district, said that 206 houses, inhabited by the labouring classes, had been demolished for the site of the new Law Courts. These houses contained 1,120 families. Out of 1,000 families in his district, four-fifths live in one room, generally very small. The effect of this was very shortly and strongly described by the incumbent of Trinity, St. Giles's, who said—

> "You have no conception of the state in which people are living in part of my district. They are crowded together, and live like vermin."

And, almost in the same words, the curate of St. Peter's, Regent Square, says, "Part of our district is greatly overcrowded, and the people live like animals." The Registrar of the Evicted Tenants' Aid Association, in his Report referring to the block of buildings between Cow Cross and Peter's Lane, in the East Central district, said—

> "The whole of these rookeries, inhabited principally by the lowest characters, are in every respect totally unfit for human occupation, and for this reason I believe they have been already condemned; if so, the eviction should be proceeded with at once; for, besides the dilapidated state of the whole, the pest-breeding stench arising from the accumulated filth and the overcrowded state of every house are such that it is no wonder that cholera and fever reign supreme. In Broad

> Yard, which consists of 17 houses, inhabited by 45 families, eight persons sleeping within a yard of the only closet in the court were attacked by cholera; of these eight but one recovered. In Rose Alley, where 32 families dwell in 14 small houses, having again but one closet for the common use, Nos. 8, 9, 10, 11, and 12 are full of fever—5 cases were taken this week to Bartholomew's Hospital; other cases at home. Fryingpan Alley, containing 12 houses, with but one closet for the whole, is inhabited by 28 families. Pit Alley, having 12 houses, and, as usual, but one closet for the whole, shelters 26 families. The water in all these tenements is supplied through a hole in the wall for one half-hour daily. There is one house where the water has been entirely cut off for the past two years. On the authority of the missionary consulted by me, and who most kindly gave me every facility for obtaining information, I have to state that the whole of this property belongs to only two persons—one a most influential vestryman of the parish, and the other a lunatic. The missionary solemnly assured me that these places were never entered by either a clergyman or a policeman; the only visitors to these wretched domiciles being the doctor and himself."

He could multiply indefinitely those cases, and he trusted their Lordships would consider those he had given as merely specimens of what was too general; because, even if they considered them all that could be adduced they would have but an imperfect idea of the wretchedness and demoralization which existed in all those places where this terrible overcrowding existed. It would be a reproach to the Legislature and to the country if no attempt were made to remedy, or at least to mitigate, such an evil by legislative interference. Their Lordships would naturally ask whether there was in existence no legislation calculated to carry out in any degree the object of this Bill? In 1851 the noble Earl opposite (the Earl of Shaftesbury) introduced a Bill empowering the local authorities to exercise certain powers with regard to lodging-houses for the poor. It was unnecessary that he should state the details of that Bill, as it was merely a permissive measure, and had failed in carrying out the object in view. By the provisions of the Public Health Act of 1866, the Secretary of State might empower the nuisance authority of any city or town of not less than 5,000 inhabitants to make regulations—

> " 1, for fixing the number of persons who may occupy a house or part of a house which is let in lodgings or occupied by members of more than one family; 4, for enforcing therein the provision of privy accommodation and other appliances and means of cleanliness in proportion to the number of lodgings and occupiers, and the cleansing and ventilation of the common passages and staircases; Penalties not exceeding 40*s.* for any one offence, with an additional Penalty not exceeding 20*s.* for every day during which a default in obeying such regulations may continue."

Where two convictions for overcrowding a house, or the occupation of a cellar as a separate dwelling-place occurred, two justices might direct the closing of the premises for such time as they might deem fit, and in the case of cellars permanently close the same. He believed that Act had not answered the purpose for which it was passed, chiefly because the Local Boards of Health shrunk from putting its provisions in force; and it was in consequence of the necessity being strongly felt for the passing of an effective measure upon this subject that he had been induced to lay this Bill before their Lordships. The Local Boards had shrunk from applying the regulations of the Act with stringency, because the effect of doing so would have been to render homeless multitudes of families who were compelled to find shelter in these unhealthy dwellings. The general provisions of the present Bill were these—Its operation was limited to the City of London, the Metropolis, boroughs not within jurisdiction of Local Boards, towns under Commissioners constituted by local Acts, and places with Local Boards under Public Health Act and Local Government Act. The Bill provided for the appointment of an Officer of Health in any place where none already exists. If the Officer of Health (whether on representation or otherwise) found any street or premises unfit for human habitation, or in a condition to be injurious or dangerous to health, he was to report to the Local Authority. That body, designated in the schedule as being the Local Authority, was to send a copy of the Report to the owner of the premises, together with plans and specifications of the works necessary. The owner, within fourteen days after notice, might state objections to the plan, &c., which the Local Authority might alter. An appeal would lie to the Quarter Sessions. Within three calendar months after the order was made, within one month after determination of the Quarter Sessions, the owner was to state, in writing, whether he would execute works or not. If he elected to execute the necessary works and did not do so, the Local Authority might order the premises to be closed, or execute the works themselves. If he did not elect to do so, the Local Authority might shut up the premises or purchase them; and if the purchase money were not agreed upon, a valuation was to be made of the market value of the property as being unfit for human habitation; where the Local Authority was entitled to acquire premises they might empower a building company to act on their behalf, on terms and conditions as to the payment of the compensation, and as to executing the works under the superintendence of the surveyor to Local Authority. The owner, instead of effecting the improvements, might take down the buildings, but might not re-build on the site any house injurious or dangerous to health. If the lessee refused to execute the works the landlord might do it, but the lease would be forfeited, and the value of interest must be paid. The Local Authority was to hold all property acquired under the Act upon trust to provide, by the construction of new or repairing of existing buildings, the labouring classes with suitable dwellings; and for opening out enclosed, or partially enclosed, alleys or courts inhabited by the labouring classes, or otherwise leaving such open spaces as may be necessary to make them healthful. The Local Authority was every year to present, in the form required by the Secretary of State, an account of what had been done and of monies received and paid. The expenses incurred by the Local Authority were to be defrayed out of the local rate. The Public Works Loan Commissioners might make loans for the purposes of the Act, to be secured by mortgage of the buildings erected or to be erected, and by mortgage of the local rate. The Local Authority was not empowered to increase the local rate for the purposes of the Act beyond 2*d.* in the pound. The Bill applied equally to Scotland and Ireland. Having laid before their Lordships the principal provisions of the Bill, he would proceed to state some of the objections which had been raised against the Bill—their Lordships were no doubt already aware of some of these through the printed papers that had been circulated. In the first place, it was said that this was the first time an attempt had been made to take from private owners compulsorily their property when not required for any public purpose. He did not know in what restricted sense this objection was to be taken; but for himself he could hardly conceive a more important public purpose than that which this Bill was intended to effect. Let them by all means respect private property; but to what species of property did this measure relate? To houses unfit for human habitation, and which were therefore likely to engender disease. Such houses were unfit for human habitation, either by reason of originally improper construction, or from want of proper repair; and in either case, the fault being in the proprietors or lessees, who had promoted an evil which was beyond the power of the law, it would be monstrous that there should be no power to abate the nuisance. Objection had been made by the Vestry of Marylebone to the substitution of the Metropolitan Board of Works for the vestries of the different parishes. Now, he must say the whole of a town was interested in weeding out those nurseries of disease and pestilence which might spread themselves over the community, and that was of infinitely greater importance to the town itself than even the providing parks for the health and recreation of the people. It was not at all improbable that vestrymen of parishes might themselves be the owners of property of this description—and he had read to their Lordships a remarkable instance where this was actually the case—and therefore he felt very strongly indeed that it was infinitely better that the Metropolitan Board of Works, against whom no such imputation of interest could be alleged, should be placed in a position to control this important matter rather than the vestries of the different parishes. Another objection had been made by the parish of Marylebone with regard to the local rate not to exceed 2*d.* in the pound for carrying out the provisions of the Act; but as to this great misunderstanding prevailed. It was not a building rate, as seemed to be supposed—it would not be called for unless where the Local Authority undertook the works and required a loan from the Public Works Loan Commissioners—the property would afterwards be sold to reimburse the expenditure, and the rate would only be required to make up any deficiency between the amount borrowed and the sum realized by the sale. This measure was one of essential importance to the comfort, health, and, he might add, decency of thousands upon thousands in the metropolis. It was only the other day that he read a paragraph in a newspaper, which was by no means complimentary to their Lordships, with reference to this Bill. The *Observer* of the 24th of May, said—

> "The Bill of Mr. Torrens to provide suitable dwellings for the working classes has gone up to

the Lords, and it is already beset with perils. The great property owners of London, more especially those who have seats in the Upper House, are opposed to the measure. A vast area of London belongs to eminent Members of the peerage, and if such noblemen obstruct the passage of the Bill in their own supposed interest, or that of the leaseholders, it will probably be lost and the evils which so much require remedy will not only continue but increase, until once more pestilence will assail us and all classes, under the alarm that will be excited, will begin again to talk of doing something to mitigate overcrowding and the habitation of unhealthy houses."

Lord PORTMAN: Why do not you read the conclusion of the paragraph? It was in these words, "Do this at your peril."

Lord CHELMSFORD said, he did not know whether any of their Lordships were unhappily owners of property of this description, but if they were, he was quite confident it would not influence them in the slightest degree; their only desire would be to enter into the consideration of this measure as they would to any other measure. This he was quite sure of—that if they were to "do it at their peril," they would never be deterred from discharging their duty by such a threat as that; but that they would discharge their duty with respect to it as they did on every other occasion which was for the benefit of the country. He now asked them to give the Bill a second reading. The other evening his noble Friend at the table (Lord Portman), rather irregularly, had made some observations with regard to the Bill, and pressed on him the necessity of sending it to a Select Committee. He thought it undesirable that the Bill should be sent to a Select Committee, because he might be unable to attend the Committee, being engaged in hearing appeals; but he knew very well when suggestions of this kind were thrown out, and with an apparent assent from some of their Lordships, it would not be very hopeful for him to struggle against the proposal. If therefore the noble Lord made a Motion to that effect, he should consent to it and would attend the Committee, and he was happy to add he had secured the services of his noble and learned Friend opposite with the same view. He moved that the Bill be now read a second time.

Moved, "That the Bill be now read 2^a."—(*Lord Chelmsford.*)

The Earl of SHAFTESBURY said, he could endorse, with great sincerity and truth, all that had been said by his noble and learned Friend as to the evil condition of things both in London and many large towns in the country. The Bill proposed was open to many objections, no doubt; but they were not of such a character that they could not be easily amended, or altogether removed in Committee. He thought it most desirable that the House should give a second reading to the Bill, because it really was an honest and a wise endeavour to remedy one of the most terrible evils that ever afflicted any large community. The evil was growing rapidly in all parts of London, and in all the large towns throughout the kingdom. In London, particularly, where the work of demolition was going on at a very great rate for railways and improvements, there was an influx of from 60,000 or 70,000 persons every year, all coming into competition for houses with the displaced families, and the consequence was a great increase in house rents, a necessity for overcrowding, and an increase of rent into the bargain. It was quite true that the Bill directed attention to only one part of the evil—houses unfit for human habitation—but those who were acquainted with the nature of these dwellings, as he had been for thirty years, would readily understand that such a description involved every evil arising from disrepair, from filth, from want of air, want of light, want of water, and from every other noxious influence. The noble and learned Lord had referred, in reference to Liverpool, to the admirable Report of Dr. Trench, who showed how great were the physical and moral evils of overcrowding. He was, however, afraid that overcrowding would be in some measure the consequence of the present Bill. Demolitions would occur without sufficient preparation being made for the displaced population, as Boards of Guardians would probably be disinclined to incur an expenditure which was to be defrayed by a rate. Nevertheless, the state of things in London had become so serious that he was exceedingly anxious that their Lordships should give a second reading to the Bill, as such a proceeding would prove their Lordships' sympathy for the object in view. He was, however, sorry to confess his apprehension that the powers given by the Bill were so extensive and the means of action so limited, that he feared it would remain a dead letter on the statute book. He was anxious, however, that it should be considered by a Select Committee, who might be able to make such alterations as would render it a better working measure, so as to some extent at least to confer a benefit on that class of the population whose condition demanded immediate consideration.

THE DUKE OF SOMERSET said, he thoroughly concurred in the principle embodied in the Bill, and had long thought some such measure necessary; and he was therefore sorry to hear the noble Earl (the Earl of Shaftesbury) say that, after all, the Bill would remain a dead letter. He, on the contrary, hoped that, when it came out of the Select Committee, it would be found to be an effective measure. It should be borne in mind that two of the great requisites for constructing new and improved dwellings for the poor were cheap materials, and the exercise of strict economy in the employment of those by whom the work was to be performed. Now, during the last twenty years Parliament had done everything in its power to reduce the cost of constructing houses for the labouring classes, having taken off the duties on bricks, timber, and glass. But what had the labouring classes themselves done? The noble and learned Lord had described the state of the dwellings for the poor in Manchester as being most objectionable; but what builder would attempt to build houses there, when it appeared from the Report of the Trades' Unions Commissioners, that the moment a man tried to make bricks cheap, workmen in the trade destroyed 100,000 of his bricks in a night, and shot and murdered him. When the noble and learned Lord spoke of the grievous sufferings of the poor from want of proper habitations, it should be remembered that the evil arose, in no slight degree, from the oppressive conduct of others of their own class. Persons in Manchester were not allowed to obtain bricks made in another district. A brick-making company, which proposed to make better and cheaper bricks than had previously been manufactured, were obliged to give up their business altogether. He mentioned these things because, when considering the state of the labouring classes, it was right to bear in mind how far their condition was due to their own conduct. They did all they could to raise the price of materials, and objected to cheap work and to the multiplying of workmen. It was impossible that the benefits, which it was desired to confer on the poor by this measure, could be enjoyed by them unless they themselves had the good sense to assist in rendering the construction of dwellings cheap.

THE BISHOP OF LONDON said, from the view he took of its bearing on the moral and spiritual welfare of the crowded population of the metropolis, his earnest desire was that this Bill might pass. There was always some danger besetting a Bill which was referred to a Select Committee; but he hoped that if this Bill were sent to a Select Committee its details would be considered with a full determination that it should be made an effective measure. The details which had been mentioned by the noble and learned Lord who moved the second reading of the Bill were very similar to those which had been furnished from various parishes in his diocese, and they showed a state of things which was a disgrace to a civilized country. If such a state of things continued to exist he thought that all efforts to improve the spiritual condition of the population and to extend education among the masses must to a great extent be rendered powerless. He had been told that in one of the metropolitan parishes a person who was questioning the owner of some dilapidated cottage property as to his gross and net returns from the property, found it difficult to make the landlord understand the difference between net and gross, the owner stating that during the six years he had been possessed of the property he had never laid out a penny in the repair of his wretched tenements. There was no doubt, as had been pointed out by the noble Duke opposite (the Duke of Somerset), that the state in which the labouring classes were too frequently found was partly due to their not endeavouring to rise to a better condition; but it should, at the same time, be remembered that the very fact of their living in the wretched dwellings provided for them in London and other large towns was one of the causes that tended to demoralize them. In many parts of the metropolis the existence of these miserable dwellings was to be accounted for by the difficulty of making out good titles for the sites on which they stood. In the parish of St. James, in the very centre of the metropolis, there was a person recently living on a piece of ground, where he had erected a miserable one-story house, and there was no one to eject him on account of the difficulty of making out a good title. If some power could be devised by the Select Committee for securing the titles of persons who should erect good dwellings for th labouring classes a great service would be done. He hoped the Bill would be so dealt with by the Select Committee that it would prove an effective measure, in which case he was sure it would be of incalculable advantage in the metropolis and elsewhere.

Lord PORTMAN said, that as his noble and learned Friend (Lord Chelmsford) had consented to the Bill being referred to a Select Committee, he did not feel it necessary to trouble their Lordships with many observations on the subject of the measure; but after the remarks which his noble and learned Friend had read from a newspaper to their Lordships, he felt it would be cowardly of him not to at once state that, as a large owner of house property, he was prepared "at his peril" to oppose in its present form a great deal of the Bill, which, in the paper quoted for the House, was described as "a most salutary and necessary piece of legislation." He would, however, do his best to make a good Bill of what was at present the most crude and dangerous piece of legislation that had for a long period come from the other House of Parliament. He might observe that it would be impossible by any reduction they might make in the cost of materials, and by checking the power of raising wages exercised by trades unions, so to reduce the cost of buildings as to repay in seven years the expenditure which the Bill stated was to be repaid in that time. Then there was this defect in the Bill, that on the ground acquired nominally to build houses for artizans, and on which a vacant site had been made by pulling down dilapidated houses, there was no necessity, according to the terms of the Bill, to erect dwellings suitable for artizans. The requirement was the erection of "human habitations;" but a "human habitation" might be a house suitable for the residence of one of their Lordships. Again, the Bill as it stood would oblige owners who had taken proper care of their houses to pay for the *laches* of persons who had allowed their houses to get into a state of dilapidation, and become centres of disease. Moreover, the attempt to charge Greenwich, for example, to a rate in aid of St. Giles' could not be defended in such a Bill. He had also to observe that there was no provision enabling tenants for life to charge the estate with the cost of improvements. Now, he submitted that it would be very important to have a clause giving such a power brought before the Select Committee for careful consideration. Then, what was the proper definition of the word "owner" as used in the Bill? If claims to ownership were to be made by perhaps some half dozen parties having different interests, was it to be left to the magistrate to decide which of them was the owner for the purposes of the Act, if this Bill should become law? It is very novel to give the Local Authority power to take the freehold to build houses at a loss, for no such house can pay an adequate interest for the expenditure; but what is even worse power is taken to create building companies. He threw out these few suggestions to show how much the Bill needed careful examination; but he believed that if it were sent to a Select Committee, a good measure to meet the evils which the Bill was intended to check would be the result of the Committee's deliberations. The speech of the noble and learned Lord was much applied to the overcrowding of houses; but in the Bill there is not one word that applies to that part of the subject; it is already provided for by law. He (Lord Portman) believed that the Bill had not been framed with due care, and he asked the House to refer it to a Committee of Peers who really understood the subject, and above all to disregard the threats of the writer in the *Daily Telegraph.*

The Duke of MARLBOROUGH trusted their Lordships would read the Bill a second time. Whatever were the faults of the measure in detail it had received the strongest commendations from parties who took interest in the question and who hoped the measure would become law. He had heard numerous statements corroborative of those which had been made by the right rev. Prelate and the noble and learned Lord who moved the second reading of the Bill, as to the condition of the dwellings of the poorer population in London and other large towns. One of the chief merits of the Bill was that it took up the matter where the Sanitary Act of 1866 left it. Under this Sanitary Act there was no power to remove those nuisances which frequently arose from dilapidated buildings in the centres of large populations. The present measure would therefore, he thought, be a great advance upon existing legislation. There were, on the other hand, some objections of considerable weight which had been urged to the details of the Bill, which ought to be taken into consideration, but which could be best dealt with in a Select Committee. When a similar Bill was introduced two years ago the parishes were constituted the "Local Authority" for the purposes of the Bill. Under the present Bill it was proposed to extend the area of taxation to the whole of the Metropolis (exclusive of the City of London, the Local Authority of which was the Commissioners of Sewers), and to intrust the whole control to the Metropolitan Board of Works. He must say that that arrangement appeared to him to be the first step to the equalization of the rates generally over a large and extensive area. That was a point which would require careful consideration. Another reason for referring the Bill to a Select Committee was the necessity of making its details harmonize with the working of private Acts, Acts which had been passed in order to enable particular localities to effect some of those results which it was sought by this Bill to do for the country generally; and it would be but fair to hear the representatives of those places if they had any objections to urge against the measure. He believed that the Bill was capable of being rendered a most effective and valuable one; and he trusted that when it came back to them from the Select Committee it would be in a shape that would render it much more practical in its operation than the noble Earl opposite seemed to anticipate. He (the Duke of Marlborough) thanked his noble and learned Friend for the extreme attention he had given to the measure, and he hoped it would become, if not a perfect piece of legislation, at all events such a measure as was really needed, in order that those dilapidated and unhealthy dwellings in the centres of large populations might be removed.

THE EARL OF DERBY said, he did not think there was any difference of opinion in their Lordships' House as regarded the principle of the Bill. He cordially supported the second reading; but he thought his noble and learned Friend exercised a wise discretion in consenting to have it referred to a Select Committee, because all his (the Earl of Derby's) experience in that House convinced him that when there was a general desire on the part of their Lordships to effect a particular object, that object was much more likely to be attained by the consideration of the details of any measure for the purpose by a Select Committee, composed of persons really interested in the subject, than by any attempt to deal with it in a Committee of the Whole House. It struck him that one great defect in the Bill was its not dealing with the case of overcrowding in dwellings. The Bill proposed to deal with dwellings that were unfit for human habitation. There were, however, a great many habitations perfectly fit for the occupation of three or four persons, but utterly unfit for the occupation of twenty or thirty. And that was a great and serious evil not touched by the Bill. Whatever, therefore, the merits of the Bill—and he did not deny that it possessed great merits — is failed to deal with one most serious point, depending not so much on the owner as on the occupier of property. Every one at all interested in cottage or small house property of any description knew the great difficulty of preventing the introduction of lodgers. For example, in a cottage built with three bedrooms and a kitchen—and no cottage ought ever to be built with less—they constantly found the occupier, though having a large family of his own, taking in one, two, or three lodgers, and so overcrowding his own family to the disregard of all decency, and in spite, it might be, of the utmost efforts of the landlord. Another point to which he hoped the Select Committee would give their serious attention was the ownership of house property of this particular class. In the Bill the word "owner," in addition to the definition given in the Lands Clauses Act, which was incorporated with this Act, was to mean "all the owners, if more than one, of any premises, or estate, or interest in any premises required to be dealt with under this Act." The definition was important, because the owner, under the Bill, was to be called upon to do certain repairs, and if he failed to comply his property might be taken. Take the commonest case in the world, of the owner in fee granting a building lease. His noble Friend (Lord Portman) had considerable experience of this nature in London, as he himself had in other great towns. Suppose that a long lease were granted—as in some places for seventy-five years, or as in others for ninety-nine years—and that shortly before the expiration of the term it appeared that the property was going to rack and ruin, and that the houses were becoming unfit for human habitation. Under the terms of the Bill the Local Authority would call upon the owner to re-build. But the owner might not be the owner in fee; and even if he were, he would have no right to enter upon the property till the expiration of the lease. On the other hand, it would never be worth the while of the lessee, with only ten or fifteen years unexpired interest, to re-build. Under these circumstances, the Local Authority might take possession, because the owner did not do what he had no power to do, and what had been rendered necessary by the default of the lessee. Then the Local Authority themselves, supposing they took possession of the property, could be in no better position than the lessee — they could not re-build for the short term unexpired. He did not at all mean to say that if houses fell into utter want of repair, and became unfit for human habitation, there ought not to exist a power of compelling them to be put into decent tenantable condition, or, failing that, of enabling the Local Authority to pull them down and re-build them. All he suggested was, that the Select Committee, in dealing with this measure, should look carefully at the position of the owner, and see that the definition given in the Bill corresponded with what in practice would be found judicious, and also with an equitable distribution of the burden of responsibility. He did not propose to trouble their Lordships by moving any Instructions to the Committee; he contented himself with calling attention to the two points which seemed to him most to require careful consideration. And he felt certain that the measure would receive, at the hands of the Committee, that patient investigation which its importance so eminently deserved.

Earl FORTESCUE desired to say that having taken a deep interest for twenty-five years in subjects of this class, he was unspeakably gratified at the spirit with which a reform so invaluable had been approached by all the speakers. The speech of the noble Earl who had just sat down afforded probably the best measure of the important labours which the Select Committee would be called upon to undertake. If they could not deal effectually with overcrowding, they might still turn their attention to measures which produced this evil. Railways had an immense influence in this matter; and he was of opinion that if the companies were more liberal in reference to workmen's trains, a great deal of the difficulty of overcrowding might be got rid of. Unless the labouring poor were better lodged school instruction would be insufficient to promote the well-being of the people.

Motion *agreed to*: Bill read 2^{a} accordingly.

Lord PORTMAN *moved* that the Bill be referred to a Select Committee.

Motion *agreed to*: Bill *referred* to a Select Committee.

And, on Friday, May 29, the Lords following were named of the Committee:—

Ld. Privy Seal
D. Somerset
D. Beaufort
E. Derby
E. Shaftesbury
E. Carnarvon
E. Cadogan
E. Kimberley
L. Bp. London
L. Sundridge
L. Foley
L. Portman
L. Chelmsford
L. Westbury
L. Meredyth
L. Penrhyn.

SEA FISHERIES (IRELAND) BILL.

(*The Duke of Richmond.*)

(No. 96.) COMMITTEE (ON RE-COMMITMENT).

Order of the Day for the House to be again put into Committee on the Bill (*on Re-commitment*) read.

The Marquess of CLANRICARDE *presented* a Petition of Frank T. Buckland and others praying for Amendment of the Bill, and that it may be referred to a Select Committee, and expressed his opinion that it would act most prejudicially in reference to the prosperity of the Irish oyster fisheries, especially as the present system of dredging was very destructive. At all events, he did not see why the Convention should not be suspended for a year, to give time to make arrangements.

House in Committee accordingly.

The Duke of RICHMOND stated the course he proposed to adopt with a view to meet the case of the Irish fishermen. He understood the grievance to consist in a fear that fishermen would flock from the English Channel during the close time to the coast of Ireland, where the close time was shorter. He therefore proposed to insert a clause after Clause 68 enabling the Queen in Council to give powers to the Irish Fishery Commissioners to make bye-laws over that portion of their waters beyond the three-mile limit, and providing that the close time in the English Channel should correspond with the close time beyond the three-mile limit on the Irish coast. He also proposed to extend the powers of the Commissioners, enabling them to make bye-laws operating over twenty miles between two points on the coast of Ireland. He believed this would satisfy the requirements of the Irish fishermen.

After a few words from Lord Stanley of Alderley,

The Duke of RICHMOND expressed his belief that the very worst thing that could happen to the oyster fishermen in Ireland would be that this Bill should not pass, because if it did not the close time would be the same as that under the old Convention. It was a mistake to imagine that the French Government were anxious for the change; because that Government believed that in entering into this Convention they were giving up everything and gaining nothing. They had, however, consented to shorten the close time by six weeks.

The Earl of KIMBERLEY said, that if Her Majesty's Government would endeavour to negotiate with the French Government a supplementary Convention to enable bye-laws to be made applicable to French subjects fishing in the seas between Ireland and England, then the Irish oyster banks would be placed in precisely the same position as the oyster banks dealt with by the Convention for the Channel.

The LORD CHANCELLOR said, the clause conceded to the Irish fishermen all that they required. The Irish fishermen were anxious that there should be some jurisdiction to protect the oyster beds on the high seas along the coast of Ireland. A jurisdiction had been supposed to rest in the Irish Fishery Commissioners which, in fact, they did not now possess. The Bill proposed that the Irish Fishery Commissioners might submit to the Queen in Council the form of bye-laws which they would recommend. Her Majesty in Council might approve those bye-laws, and, as they might affect both English and French subjects if future Conventions should be made, the bye-laws ought to be subject to the approval of the Queen in Council. There would also be a proviso that the close time for those oyster beds should not be shorter than that enacted by the Irish Fishery Commissioners for the oyster beds within the three-mile limit.

After a few words from The Marquess of Clanricarde, the proposed clause was *agreed to* with verbal amendments.

Amendments made.

The Report of the Amendments to be received on *Friday* next; and Bill to be *printed* as amended (No. 125).

COTTON STATISTICS BILL—(No. 102).

(*The Marquess of Salisbury*).

COMMITTEE.

House in Committee (according to Order).

Earl GRANVILLE said, that considerable opposition existed to the Bill, and asked what course the Government intended to take upon it?

The Duke of BUCKINGHAM said, that many objections had been taken to the Bill, which, he believed, was opposed by noble Lords opposite, and Her Majesty's Government was not prepared to sanction its further progress. The regulations proposed would entail considerable expense, nor could he see why statistics should be applied to cotton alone.

The Marquess of SALISBURY complained that in this as in other matters the Government did not seem to know its own mind. The second reading of the measure had been assented to in that House; it had passed the other House without opposition, and he was certainly astonished that the noble Duke should now object to its further progress. Of course, if noble Lords opposite co-operated with the Government in opposing the measure, it would be useless for him to divide the House. But he desired to remind their Lordships that the Bill was one of great importance, and was entirely approved of by those whom it concerned. At present there was a large amount of dangerous and prejudicial speculation in consequence of the uncertainty as to the amount of cotton in the country; and manufacturing labour was disarranged by the same cause. He understood that within the last few weeks the computation of the quantity of cotton in this country had varied to the extent of a million bales.

The Earl of MALMESBURY said, that on the second reading some Members of the Government voted for the Bill, some against it, and some did not vote at all; but he would recommend that there should be no further opposition to the Bill at this stage of it.

Lord STANLEY of ALDERLEY supported the measure, as being necessary to prevent false returns and frauds at Liverpool and other ports.

Earl GRANVILLE said, he was not satisfied that such a Bill ought to be sanctioned by the House. It would be dangerous to enter upon any attempt to check speculation.

Lord EGERTON of TATTON supported the Bill, and trusted the noble Marquess would persevere with it.

The Earl of MALMESBURY observed that he should be very sorry if his noble Friend had any reason to complain of having been taken by surprise. He therefore recommended that opposition should be withdrawn at the present stage, and if necessary it might be renewed on the Report or third reading.

Amendments made; The Report thereof to be received on *Thursday* next; and Bill to be *printed* as amended (No. 126).

POOR RATE (SCOTLAND).

MOTION FOR A PAPER.

The Earl of AIRLIE rose, in pursuance of Notice, to call Attention to a Return made to an Order of the House, dated March 27, showing the Deductions allowed to Occupiers before assessing for the Poor Rate in various Scotch Parishes, and the Amount of gross Rental required to give a rateable Value of £12 in those Parishes respectively, and to move for Copy of any Letter or Instructions addressed by the Crown Agent to the Inspectors of Poor in reference to that Return. It would not be necessary for him to enter upon any lengthened statement with regard to the Motion. The necessity for any lengthened statement had been obviated by what had taken place in the other House with regard to the question of the county franchise; but he was anxious, in calling attention to the Return, to show how inexpedient it would be to have the franchise in Scotland placed upon rating. There was reason to believe the Return was inaccurate and calculated to mislead, and it was alleged that the inaccuracy of the Return was owing to the nature of the Instructions given by the Crown Agent to the persons whose duty it was to supply the required information; and the Government had admitted that this Return did not show the real state of the case, and did not show the amount of deductions allowed to occupiers in various Scotch parishes before assessing for the poor rate. In several parishes no deductions were allowed, while it appeared that the parochial bodies and the inspectors of the poor had made deductions to the extent in some instances of 75 per cent. The Returns with respect to parishes showing the amount of gross rental required to give a rateable value of £12 disclosed similar anomalies — the gross rental in some cases being set down at £12, whilst the return of the value showed it to be £48. There ought to be a classification in these cases, not as regards the rental, but in respect to the rate; because, suppose a rate of 1*s.* in the pound was levied, instead of levying the whole rate at 1*s.* in the pound, it ought in certain cases of classification to be reduced to a rate of 6*d.* in the pound. What the parochial officers did instead of reducing the rate was to enter the rental at a reduced valuation—which seemed very much the case of a distinction without a difference. The fact was, the whole question of rating in Scotland was one of those things which nobody could understand; and it was well worthy the consideration of any Government that might be in power, whether they could not remodel the system of rating in Scotland, and place it in a way of working justly and equitably.

Moved, That there be laid before this House, Copy of any Letter or Instructions addressed by the Crown Agent to the Inspectors of Poor in reference to a Return made to an Order of this House, dated 27th March, showing the Deductions allowed to Occupiers before assessing for Poor Rate in various Scotch Parishes, and the Amount of gross Rental required to give a rateable Value of £12 in those Parishes respectively.—(*The Earl of Airlie.*)

The Earl of DEVON said, there was no objection to grant the Return.

Motion *agreed to.*

House adjourned at a quarter before Nine o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, May 26, 1868.

MINUTES.]—New Writ Issued—*For* Dublin City, *v.* Sir Benjamin Lee Guinness, baronet, *deceased.*

Public Bill—*Report of Select Committee*— Sale of Liquors on Sunday (Ireland). [No. 280.]

Report—Sale of Liquors on Sunday (Ireland) * [31-138].

FRAUDS UPON BURIAL SOCIETIES.

QUESTION.

Mr. P. A. TAYLOR said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to the following passage in a charge to the Grand Jury at Liverpool in March last by Mr. Justice Mellor:—

> "In conclusion the learned judge referred to frauds recently practised upon burial societies, and said that, in many cases he feared that the registration of death was a mere farce. In one of these cases, he said, the doctor had given a certificate of death without being aware that the person was dead; and if such was the usual practice, and he was told it was, the sooner it was changed the better."

Whether he has not observed similar complaints—namely, of certificates of death being given without any inquiry or knowledge, to have been made by the Coroners for London and, Manchester; and if he will state what steps have been taken to remedy so dangerous a practice?

Mr. GATHORNE HARDY: Sir, my attention had not been called to the passage in Mr. Justice Mellor's charge until the hon. Member put his Notice upon the Paper. I have made inquiry, and I understand the Judge's reference to the subject arose from two certificates having been given of the deaths of persons who were not actually dead. Men affected to have been present at the houses or at the deathbeds of those represented to have been dead, and they brought with them certificates from medical practitioners stating the cause of death in each case. They had gone to the medical practitioners, stating that the persons were dead, and the medical men, remembering that they had attended them for certain complaints, without further inquiry gave certificates stating that the deaths had resulted from those complaints, while in fact neither person was dead. Under the Registration Act the Registrar is to receive, either from a person present at the deathbed, or some one in the house, a statement of the death and of the cause of it, and the usual practice is to obtain from a medical man, if one has been in attendance, the statement of the cause of death. The Registrar is not bound to go and see that the person is dead, but under the statute he is to receive the statement from those who were present or who are cognizant of the facts; and if these persons make a misrepresentation, under a recent statute they are liable to penal servitude. With respect to the second part of the Question, I have had no complaint from the Coroner of London; indeed, he has written to me since the Notice was given to say that he has no complaint to make. There were some complaints from Manchester, and there has been some correspondence between the Coroner of Manchester and the Home Office, and, in consequence, between the Home Office and the Registrar General; and the Registrar General stated in effect that the Registrar on the spot was acting in conformity with the statute in receiving the statement and the medical certificate; and that he had no option but to enter in his book that which was stated to him by persons who appeared to have authority for making the statement. We have not contemplated any alteration of the Act of Parliament, for it would be impossible that the Registrar should inquire into every case; and as every person who makes a misrepresentation renders himself liable to a severe punishment, I think with due vigilance that this dangerous practice may be put a stop to.

REPRESENTATION OF THE PEOPLE (IRELAND) BILL.—QUESTION.

Sir COLMAN O'LOGHLEN said, he wished to ask the Chief Secretary for Ireland, To fix some day after the Whitsuntide Recess for the Committee on the Irish Reform Bill, when it could be taken as the first Order of the Day?

The Earl of MAYO, in reply, said, he had ascertained that it would suit the convenience of the Irish Representatives if the Committee on the Irish Reform Bill were taken on Thursday fortnight (June 25); he would, therefore, fix it for that day and arrange that it should be the first Order of the Day.

OUTRAGES IN JAPAN.

QUESTION.

Colonel SYKES said, he would beg to ask the Secretary of State for Foreign Affairs, What truth there is in the statement in the China Newspapers that our Ambassador in Japan, on a first visit of ceremony to the Mikado, or Emperor of Japan at Kioto, accompanied by a European escort, was attacked by Japanese and twelve of the escort wounded; and whether twelve of the crew of a boat belonging to the French ship of war *Dupleix* were assassinated on landing on the estate of Prince Losa, near Osaka, and what effect have these outrages had on the relations between the British and French Governments with that of the Emperor of Japan; and, whether the Mikado, or real Emperor of Japan, has ratified the Treaty we made with the Tycoon, or supposed Emperor?

Lord STANLEY: It is true that Sir Harry Parkes, on his way to pay a visit of ceremony to the Mikado, accompanied by a mounted escort, was attacked by a party of Japanese fanatics, supposed to be only three or four in number. They took the escort by surprise, and wounded eight or nine persons, but it is hoped none of them mortally. I am bound to say that the Japanese authorities did everything that could possibly be expected of them, both in the way of exerting themselves to detect the offenders and making the apology due to our Ambassador; and they have gone so far as to promise compensation to the men injured in the event of any of them becoming permanently disabled. Therefore, however unfortunate the accident may have been, I think there is nothing in it which will in the slightest degree affect our present good relations with the Japanese Government. I understand also that the difference between them and the French Government, arising out of the murder of a boat's crew, has been amicably arranged. Within a few days of the time when the last despatches were sent off, Sir Harry Parkes received an envoy from the Mikado, who was authorized to express the Mikado's desire to cultivate friendly relations with Foreign Powers, and to take upon himself all the obligations of the Treaty we had made with the Tycoon.

POST OFFICE—THE CAPE MAIL.
QUESTION.

Mr. CANDLISH said, he wished to ask the Secretary to the Treasury, If any Contract has been effected with the Union Steam Shipping Company for the conveyance of an intermediate Monthly Mail between England and the Cape of Good Hope; if he will have any objection to lay all Correspondence and Contracts with the said Company upon the Table of the House; and if, previously to concluding any such Contract or Contracts, tenders were invited from, or offers made by, any other Company for the performance of this Mail Service, or any part thereof?

Mr. SCLATER-BOOTH, in reply, said, a contract had been made with the Union Steam Shipping Company, for the conveyance of an intermediate Monthly Mail between England and the Cape of Good Hope. The proposals for it were made so long ago as the early part of last year; they were accepted by the Treasury in June of last year; but circumstances had occurred which had delayed the execution of the contract until the present time. He believed, however, it would be laid on the Table in the course of a few days. He should have no objection also to lay on the table, if the hon. Member desired it, the Correspondence between the Treasury and the Post Office, having reference to this extension of contract, which would show all the particulars and the reasons which had led to its acceptance. Previously to the conclusion of this contract no offer was made by, nor were tenders asked for, from any other company for the performance of this particular Mail Service, but subsequently to the acceptance of the offer by the Treasury, a tender was made by another company to carry the Mails upon terms which were less advantageous than those which had been virtually accepted. It was a voluntary proposal on the part of the Union Steam Shipping Company, to double the amount of their Service for a lower amount of subsidy than they were authorized to receive under their existing contract.

EGYPT—CLAIMS ON THE VICEROY.
QUESTION.

Mr. FREVILLE-SURTEES said, he would beg to ask the Secretary of State for Foreign Affairs, Whether any Correspondence has taken place between the Foreign Office and Her Majesty's Consul General in Egypt relative to the claims on the Viceroy of the shareholders of the Société Agricole et Industrielle d'Egypte; and, if so, whether he would have any objection to present the Correspondence?

Lord STANLEY replied, that a Correspondence had taken place on the subject referred to in his hon. Friend's Question. It had not yet been concluded, and though, as far as the Foreign Office was concerned, there was no objection to its production, he did not think it would be in the interest of the parties concerned to publish it in its present state.

PARLIAMENT—THE GENERAL ELECTION.—QUESTION.

Mr. SANDFORD said, he would beg to ask the First Lord of the Treasury, Whether Her Majesty's Government intend to bring forward any Measure, and, if any, what Measure, for the purpose of shortening the period which, under the existing Law, must intervene before a General Election can take place under the provisions of the Reform Act pssed in the late Session of Parliament?

MR. DISRAELI: The subject, Sir, to which the hon. Gentleman refers is now, and has been for some time, under the consideration of Her Majesty's Government. I am bound to say that the difficulties connected with it are greater than were at first contemplated; but I trust these difficulties may be overcome.

DESPATCHES FROM VICTORIA.

QUESTION.

SIR ROUNDELL PALMER said, he wished to ask the Under Secretary of State for the Colonies, Whether he will lay upon the Table of the House the Despatches from the Governor of Victoria brought by the last Mail?

MR. ADDERLEY said, in reply, that the Despatches which had been received would be presented to the House in the course of a week.

THE DERBY DAY.—ADJOURNMENT.

MR. DISRAELI: In rising, Sir, to move that the House at its rising do adjourn till Thursday, I wish to recall to the recollection of the House that I gave Notice a few days ago of the intention of the Government to propose on Friday a Vote of Thanks to Sir Robert Napier and the Army in Abyssinia. At that time we had received no despatches from Sir Robert Napier, and owing to various circumstances the Government were under the impression that the despatches had been lost. The Notice had already been delayed on this account, but within the last forty-eight hours information has arrived which leads us to believe that these despatches in a few days may reach the Government. It must be obvious to the House that it would be far more convenient and satisfactory that the thanks of the House should be founded on the Despatches of the Commander-in-Chief, and therefore I propose to postpone this Vote until after the holidays. I now move that the House at its rising do adjourn till Thursday.

MR. GLADSTONE: There can be no doubt, Sir, of the judicious nature of the course which the right hon. Gentleman proposes with regard to the Vote of Thanks. But I wish to say one word upon a subject to which a Question put just now referred. I am not surprised that the Government should take time to consider what measures they may have to propose for shortening the period which must intervene before the General Election is held; but I shall be glad to know whether the right hon. Gentleman can tell us when he thinks he will be able to make known the views of the Government on the subject. I wish also to say that an idea has suggested itself to several hon. Gentlemen that it might be well to appoint a Select Committee of the House to inquire into the question. I do not wish to press this suggestion further than to intimate that, if the Government should think it likely to conduce to the satisfactory settlement of the matter, there would be a disposition on the part of hon. Members on this side of the House to welcome such a proposal. The question has already been inquired into by several Members of the House, and a conversation was held on a former night, in which the Solicitor General and the hon. and learned Member (Sir Robert Collier) took part, and which contributed a good deal to elucidate the question. The question is one of a strictly practical character; on both sides of the House the object must be a common one; and the plan I have mentioned might be the best way of arriving at a satisfactory conclusion. Time is, of course, of value in the matter, and I should like to know from the right hon. Gentleman when he will be in a condition to communicate the views of the Government on the subject?

METROPOLITAN POLICE.—QUESTION.

MR. AYRTON said, he would beg to ask the Secretary of State for the Home Department, Whether he will be good enough to take care that the Accounts and Estimates connected with the Metropolitan Police are laid on the Table before he proceeds with the Second Reading of the Bill with reference to the Metropolitan Police Act, which has only been in the hands of Members a very few days?

MR. GATHORNE HARDY: Sir, the accounts have been laid before the House, and will be printed shortly. The inquiry to which the hon. Gentleman refers has no relation to anything contained in them, and, therefore, the Papers relating to it will not facilitate the discussion of the measure. I shall put the Bill down for second reading for a day after Whitsuntide.

WHITSUNTIDE RECESS.—QUESTION.

MR. BOUVERIE said, he would beg to ask the right hon. Gentleman the First

Lord of the Treasury to state, What he proposes to do about the Whitsuntide Recess, and until what day he proposes that the House should adjourn?

Mr. DISRAELI: We propose on Friday evening to adjourn to the following Thursday.

RIOTS AT ASHTON, STALEY BRIDGE, BIRMINGHAM, &c.

PERSONAL EXPLANATION.

Mr. NEWDEGATE said, he wished to correct a misapprehension arising out of what he was supposed to have said last evening. He did not say, referring to a friend of his, a late Member of this House, Sir John Tyrrell, that a Romish Priest attempted "to convert a female member of his family by placing in her hands a book referred to in the work known as *The Confessional Unmasked.*" What he had said was that the book was based upon the authorities whose doctrines the work called *The Confessional Unmasked* was intended to expose.

Motion *agreed to:* House at rising to adjourn till *Thursday* next.

DIPLOMATIC SERVICE.

RESOLUTION.

Mr. LABOUCHERE said, he rose to move—

> "That, in the opinion of this House, all sums required to defray the expenses of the Diplomatic Service ought to be annually voted by Parliament, and that Estimates of all such sums ought to be submitted in a form that will admit of their effectual supervision and control by this House."

This Resolution was precisely similar in its terms to one which had been proposed in 1853 by the hon. Member for East Sussex (Mr. Dodson), who then went to a division, but failed to obtain a majority in favour of his Resolution. As he understood that the noble Lord the Foreign Secretary intended to oppose the present Resolution, he should briefly reply to the reasons which he presumed would be advanced against it. The late Lord Palmerston seemed to have been under the impression that the less the House of Commons had to do with foreign affairs the better—particularly in regard to all matters of detail. It was said that the statement of the sums spent in the Diplomatic Service was, to a certain extent, brought before the House in the financial accounts. The object he had in view was to bring all the expenses of the Department before the House in the Estimates, to enable any hon. Member to ask for explanations. There appeared to him to be no reason why hon. Gentlemen should not be afforded the same facilities with respect to the Foreign Office which they enjoyed with respect to the other Departments. An objection urged to the Motion by the hon. Member for Southwark (Mr. Layard) was, that if it were carried it would produce a greater expenditure than now existed; but it was a strange doctrine that the control exercised by this House would produce an increased expenditure. If the hon. Member was right, then they ought to introduce a system of contracts, and say to the head of each Department that they would give him so much for the payment of salaries. The sum allowed was £180,000; and, if the Foreign Secretary contracted to pay all the diplomatic expenses with that sum, it might produce economy; but there was no such contract, for when any further sum was wanted the Foreign Secretary asked for and obtained it. The right hon. Member for South Lancashire said in 1853 "that all his prejudices and prepossessions were in favour of such a Motion;" but he did not vote for it, because he considered that the salaries of these gentlemen should, like those of the Judges, be placed beyond all uncertainty. Now, he contended that the present system produced the greatest uncertainty, and therefore he hoped the right hon. Gentleman would support his Resolution. The salaries of the Judges were charged on the Consolidated Fund; but there the analogy ceased, because the Home Secretary was not given a sum of money and told to pay such and such a Judge as he liked; but the Foreign Secretary was given a sum *en bloc*, and told to spend it on the Ministers abroad. So far from the salaries being certain, the noble Lord would bear him out when he said that applications were being constantly made to the Foreign Office for an increase. The Foreign Minister was entirely dependent upon an irresponsible body at the Foreign Office, and surely that House was a more independent and responsible body than the permanent officials at the Foreign Office, who practically settled the whole matter. Another objection urged by Lord Palmerston was, that that House might be actuated by some sudden impulse, and might withdraw a mission from a Foreign Court. But any Government which might be in power had, as a rule, a majority upon the Estimates, and the case must be a very strong one indeed when a private Member was enabled to defeat them upon such a question. He believed that, if the Motion were carried, it would promote a greater economy. He had taken extracts from a list of Ministers who received pensions, which had been published by the Foreign Office, and he found in many instances they were not old men, but gentlemen who had not the slightest objection to being employed. The Foreign Office, however, had got into the way of putting Ministers upon the retired list when they wished to put some one else forward or entertained any personal dislike. There were, for example, Sir James Hudson, with £1,300 a year; Sir Henry Bulwer, with £1,700; Mr. Christie, with £900, and several others in the position of retired Ministers who were very anxious to be employed. Out of the £180,000 taken out of the Consolidated Fund, £40,000 was charged to pensions. There were a great many Legations which, with great advantage, might be suppressed—for instance, that of Würtemberg, which had cost the country for several years £3,050; the Netherlands, which cost £4,700; and Switzerland, £3.800. He had been at a great many of those Missions; he knew what was done in them; and he could assure the House that it was absolutely nothing. It was supposed that a Minister did a great deal of good by asking important personages to dinner; but at those wretched German Courts where we kept Missions it was not important personages, but some chamberlains, that were asked to dinner. Let the noble Lord only look into the archives of the Foreign Office and say when he had received an important despatch from Würtemberg. He had asked a friend of his who was Minister at one of those Legations, one time, what he was doing? And the reply was, "Doing? what do you think is to be done in such a place as this?" Another reason why the present system should be done away with was because, as some portions of the expense were charged in the Estimates, and some taken out of the £180,000 granted to the Foreign Secretary, the House was never able to know what was really spent upon any particular Mission, and, not having the facts before them, no proposals for reduction could be effectually made. Among the items of expenditure last year were, for Embassy houses, £64,920 in China and Japan, £8,000 in Teheran, and £2,135 in Paris. Then there was an item of £26,500 for messengers and couriers, which might be very much reduced. Half of the foreign messengers were sent abroad simply because they had been sent in past years. There was another item of £6,000 for Telegrams, and an item of £56,000 for Extraordinary Expenses, and £15,000 for Special Missions, which might be put a stop to. Now, when it was thought well to give a foreign Sovereign the Garter he did not see why some nobleman politically unknown, but socially very important, should be sent out at considerable expense when the thing might be done as well by our Minister on the spot. He had made inquiries, and found that when the *Toison d' Or* or other foreign order was conferred it was not usual to send Special Missions for that purpose. There had recently been some newspaper attacks upon the Foreign Office, which were rather unfair and greatly exaggerated. That Office was well conducted in the main, and it contained honourable, hard-working, painstaking men. The noble Lord at the head of the Department should answer such attacks by giving the greatest publicity to everything done in the Office, because at present there was an impression that the Foreign Office was not subjected to the same control as the other Offices. One cause of those attacks was the abominable system of agencies. The gentlemen employed in the Diplomatic Service were paid by the head clerk of the Foreign Office, and all of them were virtually obliged to appoint a clerk in that office as their agent, and to give him a percentage of 1 or 2 per cent. Some of the clerks received as much as £2,000 a year from this source. He did not accuse those gentlemen—who were wise to profit by the system; but a certain number of permanent officials who were allowed to levy this species of blackmail ought not to be permitted to set up a claim to control the Estimates—and the mode in which the money was spent and the salaries received by our Ministers abroad. The head clerk had to decide whether any extra expenses were legitimate or not, yet he was allowed to receive a percentage in order to urge the claims of any gentleman against the Office. He could see no reason why the Foreign Office should be exempted from the control exercised over other Departments; and he hoped the noble Lord (Lord Stanley), who had done his best to keep down the expenses, would exercise his own judgment in this matter, and would not be influenced by the permanent officials. He hoped also that his Resolution would be supported by the Secretary to the Treasury, who, on a previous occasion, spoke in favour of the proposal. The House, as the guardian of the public purse, ought to have the control of this expenditure, and ought not to hand it over to gentlemen who, though highly honourable, were prejudiced in favour of every sort of abuse, and being a kind of administrative Brahmins believed that everything which existed was right.

Mr. BAYLEY POTTER seconded the Resolution.

Mr. W. LOWTHER said, he thought the hon. Gentleman the Member for Middlesex (Mr. Labouchere) had rather exaggerated the abuses of the Diplomatic Service. Having been long connected with the Foreign Office himself, he might state his conviction that no Department was better or more efficiently administered. The evidence given in 1861, before the Diplomatic Committee, by Mr. Cunningham, the then chief clerk, and Mr. Hammond, permanent Under Secretary, showed that this sum of £180,000, fixed in 1832, was admirably administered, there having frequently been a surplus, while the amount had never been exceeded. Were the control transferred to the House, he believed the expenditure would be considerably greater, for the House was excessively amiable in money matters. Would any gentleman's private garden of the same extent cost £7,138, as was the case with the garden at Hampton Court? If the Foreign Office had any fault it was in being too stingy. Ministers, for instance, were sometimes removed to a different post after two years, and were thereby put to great expense, in some cases losing a great deal of money which they had expended on their houses, in the expectation that they would be permanently located there. Their successors felt themselves under no obligation to compensate them, and if they applied to the Foreign Office, the noble Lord and the Under Secretary not having time to attend to such details, the matter was probably decided by some crusty, gouty gentlemen, who objected to paying anything which they could avoid. It was true Ambassadors had an allowance for outfit; but this did not meet the expenses of removal, since they could not travel about with a carpet-bag or portmanteau. He thought the longer a system which worked so economically was continued the better.

Lord STANLEY said, the hon. Gentleman (Mr. Labouchere) in his by no means unfair, but somewhat desultory observations, had travelled over a wide range of subjects, fully to discuss which would require considerable time. The first point he had touched upon was the subject of Diplomatic pensions; and he had said that those pensions amounted to £40,000. If the hon. Member would look at the list, however, he would find that instead of £40,000 they were only a little over £24,000.

Mr. LABOUCHERE explained that what he meant to say was, not that £40,000 was paid for pensions, but that that sum was set apart for the purpose, and it encouraged the giving of such pensions. Even £24,000 was too much to give to gentlemen who were capable of active service.

Lord STANLEY said, a large number of those upon the retired list were of a very advanced age. One of them was Lord Stratford de Redcliffe—another, a gentleman who retired thirty years ago. Similar allowances were given under various names in all branches of the public service; and he did not think the rate exorbitant. Only the last three names upon the pension list, however, had been placed there by him; and those, supersessions rendered necessary by the recent alterations and amalgamations in foreign countries. With regard to the question of agencies, that was a large and important subject; and he had not concealed his opinion that the system was not, in principle, a satisfactory one, nor one which ought to be continued in any public Department, though he did not believe it had led to much abuse. It was, however, not correct that any gentleman could make £2,000 a year by the percentages he received. The gentlemen concerned had accepted the agencies which they held with the full sanction and knowledge of their superiors in office, and in his opinion it would not be fair to take those fees away without granting compensation. Referring to another subject, the House would recollect that nearly all the German Missions—about which so much was said a few years ago—had been abolished, and that we had at present only the Embassy at Vienna, that at Berlin, and minor Missions at two other South German Courts. Those Courts were now in a state of transition, and the present would not be a favourable moment for withdrawing the Missions. There might be cases where

Missions became vacant, in which they might be reduced in rank or in pay, or possibly in which they might be suppressed altogether; but the time, he thought, for considering cases of that kind was when vacancies actually occurred. Nor did he believe that any considerable saving could be effected by those means. He was much struck by the fact that every one of those points in which the hon. Member complained of the expenditure of the Foreign Office came under the direct control of that House; while it was precisely in that portion of the Foreign Office expenditure which did not come under the direct and minute supervision of that House that the greatest degree of economy had been practised. He hoped, however, no one supposed that question ought to be regarded as a matter of controversy between the House on the one side and the Foreign Office on the other—the one desiring to obtain greater control over the expenditure, and the other desiring to evade it. That was not, in the slightest degree, the state of the case. He admitted —and he believed that every one who held his Office would be prepared to admit—the full and indisputable right of the House to check, control, and supervise the expenditure of the Foreign Office. There was no doubt upon that point. The House found the money, and the House had a right to know what was done with it. It was only a question of means; and it was for the House to decide, for its own convenience, in what form and to what extent that supervision should be exercised. There was no need to go back to the origin of the present system. The House was aware that the Diplomatic expenditure was formerly defrayed out of the Civil List; and it was in the year 1831 the present arrangement first came into operation. That arrangement was not made on the sole responsibility of the Government; it was made on the recommendation of a Committee of the House of Commons sitting at a time when zeal for economy and reform was stronger, perhaps, than at any subsequent period. That Committee recommended—he presumed upon grounds of economy—that there should be a lump sum of £180,000 provided for the Diplomatic Service, rather than a number of separate items placed in the Votes. That question had been again and again discussed in subsequent years, and the arrangement had invariably been supported by the highest authorities among the Liberal as well as the Conservative party; and he was not aware that an unfavourable opinion had ever been expressed upon it by any considerable section of the House. They all knew that the cost of the various branches of the public Administration had greatly increased within the last thirty or forty years. That increase was owing partly to an augmentation of business, and partly to the fact that the value of money had diminished during that period. The pound sterling did not go as far, in the way of purchasing power, as formerly; and he believed they would not find a single branch of the public service, except the Diplomatic Service, in which the expenditure had not of late years increased. He had gone over the items of that expenditure more than once, and he would venture to say that they would not find it easy, as a matter of general policy, to effect in it any reduction. He sometimes heard it said—although the hon. Member had the candour not to avail himself of such an argument—that under the arrangement of the year 1831, the mode of disposing of that money was wholly removed beyond the knowledge or control of that House. That was, he believed, a common impression out of doors; but it was one which was wholly unfounded. Any one who referred to the financial accounts which were published yearly, might see in the minuted detail how that money was expended; and it was competent for any hon. Member, who thought that the Diplomatic expenditure was too great, to point out the particular items to which he objected. The hon. Gentleman had drawn a distinction between that Diplomatic expenditure and that precisely parallel case of the expenditure on account of judicial functions. He (Lord Stanley) was bound to say that he did not think the distinction drawn by the hon. Member, however ingenious it might be, could be practically sustained. The basis on which the hon. Gentleman rested his argument was that all public expenditure should come into the Estimates, so that it might be criticized item by item in that House. But if they laid down that principle, he did not see upon what possible ground they could refuse a similar investigation into judicial salaries. He did not attempt to decide whether such an arrangement would be right or wrong. He had not himself that horror of investigation which seemed to exist in some minds. He did not believe that it would be attended in that case with the advantage which some persons anticipated from it; but, at all events, he saw no reason why a distinction should be drawn in reference to that subject between the salaries of Judges and the salaries of members of the Diplomatic Service. It was not true, as some persons appeared to suppose, that the salaries of individual diplomatists were, or according to usage could be, arbitrarily cut down by the Secretary of State. There was no such thing in the service as cutting down salaries without notice, and without assigning a reason. He was not aware of any such case. There was, undoubtedly, no legal security for the permanence of Diplomatic salaries any more than of the salaries of officers of the Civil Service; but who ever expressed fear lest these latter should be arbitrarily reduced? They were regarded and treated as permanent, though not made so by law. He objected to the Motion of the hon. Gentleman, because he did not believe that if it were adopted it would lead to greater economy. Every one knew that there was nothing more popular in that House than advocating economy in general term, while there was nothing more unpopular than carrying out the principle of economy in detail. He did not remember an instance in which any material reduction had been effected in the Estimates by discussions upon the separate items; and he believed that these discussions had often rather contributed to an increase of expenditure. He believed it was becoming pretty well known, as a matter of Parliamentary experience, that if any one thought the expenditure in a particular branch of Administration was too high, the only chance of getting it diminished was by insisting on some general reduction, and then leaving it to the Minister of the Department to decide in what manner that object was to be attained. He had stated briefly his reasons for opposing the Motion; but he did not pretend to speak of it as one in which the interests of the Foreign Office were deeply interested. He believed that the House of Commons, if called upon, would be ready to vote the money that might be wanted. The question was really one for the House itself to settle with a view to its own convenience. During the last forty years they had supported the present system under which a lump sum was placed in the hands of the Foreign Minister, and he was told that he must do the best he could with it, but that he must not exceed it. The practical working of the system, in his opinion, had been to keep down the expenditure. The House, in taking that course, had imposed upon the head of the Foreign Office a certain responsibility of which he had no right to divest himself, except upon a deliberate intimation of the judgment of Parliament. He should have no great fear of the result if that Motion were carried; but he saw nothing to induce him to believe that the House was dissatisfied with the present arrangement; and it was therefore his duty to support it. Before he sat down he would once more remind the House that nearly every one of those items of expenditure to which the hon. Gentleman had referred as subjects of criticism were items not included in the £180,000 a year which were placed at the disposal of the Foreign Office, but were items which passed the scrutiny of the House, and with respect to which, therefore, if any extravagance had been committed, the House must be considered not to have exercised the power placed in its hands.

Mr. CHILDERS said, he was rather disappointed at finding that the noble Lord did not feel himself in a position to accede to the Motion, and the more so as he had understood from the statement of the noble Lord last year that he was in favour of that change. The Foreign Office expended annually about £640,000, and out of that amount £180,000 was the sum for Diplomatic salaries and pensions, which formed the subject of his hon. Friend's Motion. What he wished the House to consider, and what the noble Lord had not justified, was this—why that £180,000 should be handed over as a lump to the Foreign Minister to be used in that particular way, whereas all the rest of the £640,000 was included in the regular Estimates laid every year on the table of the House. If the whole of the Foreign Office expenditure were placed in the hands of the Minister, and he were tied down as to its amount, there might be some sense in laying that charge on the Consolidated Fund. But that was not what happened. What practically occurred was this, that a certain part of the Foreign Office expenditure was taken out of the usual review of Parliament; whereas if the expenses connected with foreign affairs fluctuated up and down that fluctuation appeared in the Estimates. The services for China and Japan appeared on the Estimates; but our

Ministers for those countries were in much the same position as our Ministers elsewhere; and he could not see why the salaries of our Ministers for China and Japan should be put on the Votes of that House, while those of our Ministers in South America were not. So with regard to many of the appointments which were half Diplomatic, half Consular. It had always been matter of controversy whether a particular class of public servants abroad were to be called Diplomatic agents performing Consular functions, or Consular agents performing Diplomatic functions; the salaries of those that belonged to the one class coming upon the Votes of the House, and the salaries of the other class being charged upon the Diplomatic fund and not coming upon the Votes. Then there was the special case of the third Secretary, whose case nobody would contend was on a different footing from that of any other of the *attachés.* There was not a sufficient balance to charge the salary of the third Secretary on the Diplomatic fund, and therefore a Vote for it was annually taken in the House. Again, while a Minister's salary was charged on the Diplomatic fund, the expenses of his outfit and his establishment were placed upon the annual Votes. The truth was that £180,000 was put at the disposal of the Foreign Office within certain limits to use as they liked; if they wanted more they came down to the House for it; if they saved anything, which they rarely did, the House did not hear much of it. Therefore, the noble Lord's argument broke down. Then the noble Lord had said that the Judges were in one respect placed in a parallel position to that of our Diplomatists; but he (Mr. Childers) did not think there were any grounds for that statement.

LORD STANLEY said, that what he had stated was not that the individual Judges were in a parallel position, but that the sum appropriated to the payment of the Judges was in a parallel position.

MR. CHILDERS said, he did not think that the cases were at all parallel. The Judges of the Superior Courts held their offices during good behaviour, and it was perfectly right that their salaries should not be cut down by the vote of the House, but should stand in the same position as persons whose salaries were charged on the Civil List. But Her Majesty's Ministers abroad did not hold their offices during good behaviour, and there was no reason why they should not be dealt with in the same manner as the Secretary of State or a permanent Under Secretary in the Foreign Office. It was very unfortunate that when they were year by year getting rid of the idea that any of our public servants required to have their salaries kept out of the view of the House, the Government were not in a condition to accede to the adoption of the same rule as regarded the Diplomatic Service. Precisely the same objections as those urged by the noble Lord had been urged for many years past against every successive step that had been taken for transferring from the permanent fund to the Votes of the House the salaries of public officers. The expenses connected with the Courts of Justice, excepting the Judges' salaries, were now charged on the annual Estimates, and the other evening a question arose as to a particular appointment. A Vote was brought before the House, and after an explanation from the Attorney General as to that appointment, the House naturally criticized the rate of the salaries of that particular class of officers. But they could not have done that a few years ago, because those salaries did not appear in the Estimates. He entirely dissented from the opinion that no good was done by discussing the Estimates. Every discussion in Supply on a particular item of expenditure, though it might have no immediate effect, afterwards stirred up the Department that was concerned, and also the Treasury; and in the following year the result of the Motion made the year before was seen. On these grounds, he did not think sufficient reasons had been given for refusing that Motion; and he hoped that next year the whole of the Diplomatic expenditure would be borne on the Estimates, and not a part of it merely.

MR. DARBY GRIFFITH said, he was glad to hear the noble Lord (Lord Stanley) express himself in terms which did not imply an intention of offering any serious resistance to the views of the House on this subject. The existing system was a direct infringement of the constitutional maxim that the public purse was in the hands of the House of Commons. The noble Lord, he might remark, was not responsible for the system, which on former occasions had been most strenuously supported by the right hon. Gentleman the Member for South Lancashire, and also by the late Under Secretary for Foreign Affairs, with his usual warmth of temperament. Under the circumstances, he trusted the noble Lord would agree to the Motion of the hon. Gentleman.

Mr. KINNAIRD said, he could bear witness to the great care with which the noble Lord watched over the expenditure connected with his Department. A great principle was involved in this question, and nothing whatever had been said to prove that this particular item ought to be withdrawn from the immediate control of Parliament. He believed that the noble Lord had defended the system in such a manner as he would have done if he had entertained very strong convictions on the subject; and he hoped, therefore, he would accede to the Motion before the House.

Mr. Alderman LUSK said, that as the salaries of Ministers of the Crown came before the House in the Estimates, he did not see why those of the Diplomatic Service should not also be stated clearly in the Estimates.

Mr. LABOUCHERE, in reply, observed that both the present and former Secretary to the Treasury—who might be supposed to know what was the best for economy in conducting the finances—were in favour of his proposition. He hoped the noble Lord would not put the House to the trouble of a division.

Motion made, and Question put,

"That, in the opinion of this House, all sums required to defray the expenses of the Diplomatic Service ought to be annually voted by Parliament, and that Estimates of all such sums ought to be submitted in a form that will admit of their effectual supervision and control by this House."—(*Mr. Labouchere.*)

The House *divided*:—Ayes 76; Noes 72: Majority 4.

COLLIERY ACCIDENTS.

MOTION FOR A COMMISSION.

Mr. GREENE, in rising to move "That an humble Address be presented to Her Majesty, that She will be graciously pleased to issue a Royal Commission to inquire into Colliery Accidents," said, he might be asked why he, who had no connection with mines, should bring such a subject before the House. His answer was, that he, in common with others, deeply felt the calamity of accidents in coal mines, and considered it a subject well worthy of the Legislature. Even should the debate be unproductive of any practical good, the country would at least feel that Parliament was not neglectful of the lives of the people. He considered that the very fact of 2,468 lives having been destroyed during the year 1865-6 was a sufficient reason for endeavouring to arouse public attention upon the subject. He had carefully read the Report upon Accidents in Coal Mines, and had come to the conclusion that, although the Committee had paid the most careful attention to what they had investigated, there still remained a great deal to be done, and the progressive discoveries of science must always be suggesting improvements in the management of coal mines. He need not draw a harrowing picture of what occurred when 200 or 300 lives were lost in a colliery; but the man must be lacking in Christian feeling who could look into a blazing fire, remember that so many tons of coal cost a life, and refuse to do anything in his power to prevent accidents in future. During a long connection with working men he had experienced many accidents, but he never had a second accident from the same cause, and similar vigilance would prevent many colliery accidents. There were colliery inspectors appointed by the Government, but they went to collieries after accidents, when all was made ready for inspection, and it was therefore difficult for them to ascertain what might have been the particular causes of them. In the Report of the Committee there was a petition of miners, which set forth that the fearful sacrifice of life in mines abundantly proved that the legislative measures hitherto taken were totally inadequate to secure the personal safety of miners; that the Staffordshire practice of working thick coal in more than one place was highly dangerous; and that the loss of life in ironstone and coal mines proved the necessity for more extended legislative supervision. It had been said that if sub-inspectors were appointed the owners of pits would be too much relieved of responsibility. Legislative interference, however, was no new matter. In his opinion sub-inspectors ought to be appointed, and he was told that their appointment would be acceptable to the owners of collieries if it were made by the inspectors, under whom the sub-inspectors should act, and to whom they should report. It was said that men were fatalists; but why should they be exposed to such risks that at last they became hardened and were careless whether they lived or died? There were pitmen who had left mines which they believed had become dangerous, and he desired so to improve the working of coal mines that the men generally should cease to be fatalists. In the petition of the colliery workers the appointment of sub-inspectors was asked for; and on this point he was at issue with the Committee, who said that they did not think it right to recommend such appointments. What he complained of with regard to the Report of the Committee was that nothing practical had come of it. With regard to the proposed examination of overlookers, the Committee suggested that no examination would afford so good a test as the personal knowledge of their qualifications which the owner of a mine might be expected to have; but he believed that the Chairman of the Committee thought the overlookers should pass a proper examination for the office. Then the Committee said that it would not be well to diminish the responsibility of owners and managers of mines by any action on the part of inspectors; but it could not be said that this result would follow if the visits of the inspectors were more frequent than they now were. At present the inspectors rarely went down a mine at all, and they visited the mines at wide intervals, often allowing two years to intervene. [Mr. JACKSON: No.] He referred to the evidence of Mr. Dickenson, and the Report of the Committee, in support of his statement with regard to inspection. He knew it was held that mine-owners ought to continue free from liability for accidents to work-people which were the result of the negligence of fellow-workmen; but, in his opinion, a heavy deodand should be levied on every pit where an accident had occurred through negligence. Under the present system, inspectors did not think it their duty to visit mines unless they were summoned to an accident, or were informed of impending danger. During 1867 there were 500 more accidents than there were in the previous year; and that being so, Parliament could not say that all had been done which ought to be done. He hoped that colliery owners would not think him antagonistic to them; he had no interest either for or against them; but it certainly was for their interest that the mines should be safely worked. The great point was to secure adequate ventilation. He believed that there had been some important inventions for the discovery of gas, and he hoped that the Government would assent to the appointment of a Royal Commission, composed of scientific men, who should carefully, and without prejudice, examine into the merits of these tell-tale inventions. The Oaks Colliery had not been inspected for some years before the accident. He held, therefore, that the present inspection of mines was not sufficient. The number of Government Inspectors was only twelve; there were 3,000 pits; and who would allege that twelve inspectors, without any sub-inspectors to aid them, were sufficient for the purposes of inspection? Mr. Thomas Wynne, a Government Inspector, had testified to the number of accidents which occurred owing to bad management, and added that in every case where a good manager was got he found that the accidents immediately decreased. Well, then, if the owners of coal mines failed to get good managers, he held that it was high time that means should be taken to secure them. Mr. Wynne, in his description of a good manager, said that he was a man who thoroughly understood the working of mines, and who had served a proper time under a proper mining engineer. Mr. Wynne also said that he thought it would have a very good effect if, in certain cases, the inspector should say to the owner, "I think you must take the responsibility on yourself unless you get a better manager." He hoped the circumstance of his calling attention to this subject would produce a good result on the owners of coal pits, for unless they managed their business better, and accidents became much fewer, it would be the duty of every right-thinking man to press for further legislation. Parliament had legislated with regard to sanitary and other matters, and yet they were told that they must leave things alone in a case where accidents were so numerous and terrible. But though the accidents from explosions formed far the largest proportion of those which occurred, there were many also which took place from the falling of roofs. He thought he had shown, from the evidence of Government Inspectors, that many precautions which could be taken were neglected, and that a Royal Commission ought to be allowed to decide whether anything further was to be done. In the Oaks Colliery case the jury came to the conclusion that the deceased had met their deaths by an explosion of gas; they believed that the explosion had occurred in consequence of the great accumulation of gas, which they attributed to the negligence of the manager and his subordinate officers, and they recommended that mines should be inspected once in three months by competent persons, and that they should be provided with scientific instruments for registering the quality and quantity of the air that passed through them. The jury were, no doubt, men thoroughly acquainted with the working of the pit. It was to be feared that colliers were too regardless of their lives, and often continued working in pits long after they were known to be dangerous. Some outbursts of gas might arise from unavoidable circumstances; but he believed such cases were not so frequent as those where the accumulation of gas might have been prevented by better management. As to the safety lamp, many practical men held that it had been a curse rather than a blessing, it being apt to put men off their guard, while any little accident which opened it led to an explosion. Mines, moreover, were now worked which but for the safety lamp would have been abandoned. Now, he maintained that workings should not be continued where the use of naked lights was inadmissible. Not only the prevention of accidents, but the health of the colliers ought to be considered, for who could tell how many lives were shortened by inhaling foul gas? If a naked light could not be used, a pit could not be in a proper sanitary condition, the right use of the safety lamp being to detect the presence of foul gas. Whether the single shift or the double shift system was the best he would not discuss, since the question would be better considered by a Commission, as also would the question of a third shaft. Only a few years had elapsed since two shafts were rendered compulsory, and this regulation had already effected much good. A third shaft, according to a calculation with which he had been furnished, might involve a cost of an extra halfpenny a ton on coal; but the country, having willingly paid 2*d.* in the pound income tax for the liberation of thirty of our fellow-subjects in Abyssinia, would not think this a consideration when the saving of 2,000 lives a year was at stake. He had himself no interest in mines; but he hoped pitowners and other interested persons would co-operate with him in obtaining the appointment of a Commission. The Commissioners, it had been suggested to him, might, like the Boundary Commissioners, appoint barristers and civil engineers as their assistants, so that the mining districts might be visited, and all possible information elicited.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to issue a Royal Commission to inquire into Colliery Accidents."—(*Mr. Greene.*)

Mr. W. JACKSON said, he did not rise to oppose the Motion, for there was not a single well-considered suggestion for the safety of their mines that the coalowners of the district with which he was connected were not most willing to comply with. He agreed that the present inspection was not sufficient. Many new collieries had been opened in his district, but no new inspectors had been appointed. The present inspectors were overworked. He did not think the remedy was in increasing the number of sub-inspectors, but in dividing the present districts, which were too large, and appointing an additional number of inspectors. He regretted that the hon. Member who had brought forward this subject was not better acquainted with it; but on behalf of the colliery owners he would say that there were no measures of safety and precaution which the Government could devise which they were not most anxious to adopt. The pecuniary loss of an explosion was so great that if the coalowners had to pay for the inspectors themselves it would be a cheaper thing than the liability to accidents without inspection. He had not been a member of the Select Committee; but he had read the Report and the evidence, and he trusted that the Government would carry their Resolutions into effect.

Mr. POWELL said, that as a Member of the Committee of Inquiry into the nature of a colliery district, he wished to offer a few observations on the Motion. At present there was a unanimous feeling throughout all acquainted with the subject that the number of inspectors must be increased. Every one who had read the evidence would admit that many accidents might have been prevented if the inspection had been adequate. It was stated before the Committee that complaints were often made by workmen to the inspectors which brought them to the mines, and one of the inspectors stated that when the mines were visited the reports of the workpeople were usually more than borne out by the facts. The Committee came to a strong and unanimous recommendation that the number of inspectors should be increased, and he was much disappointed on taking up the Estimates for the present year to find that no provision had been made for an increase in the number of inspectors. Although, however, the condition of things might be improved by better inspection, that improvement would be limited in degree unless they secured a better class of managers. Colliery owners were agreed that one great cause of accidents was the want of skill in the managers, and it frequently happened that persons who invested their capital in collieries with no sufficient knowledge of the business occasioned disaster to themselves and others by an injudicious selection of unskilled and careless managers. But even this would not be sufficient without a like improvement in the whole class of subordinate officers and underground viewers. A great change of opinion had taken place lately amongst the owners of collieries on the subject of inspection, and it was felt that this was of the highest possible importance, and that the chances of accident and loss would be materially lessened if there were a number of efficient sub-inspectors under the control and direction of the inspectors who would be engaged in the function of viewing and making suggestions as to the better management and more complete provision for the safety of the workmen.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at half after Seven o'clock till Thursday.

HOUSE OF LORDS,

Thursday, May 28, 1868.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Sale of Poisons and Pharmacy Act Amendment* (103).
Report of Select Committee—Tenure (Ireland)* (129).
Committee—Poor Relief (111); Stockbrokers (Ireland)* (105).
Report—Tenure (Ireland)* (23-130); Stockbrokers (Ireland)* (105); Cotton Statistics* (126-133); Documentary Evidence* (88).
Third Reading—Consecration of Churchyards Act (1867) Amendment* (124), and *passed*.

ARTIZANS' AND LABOURERS' DWELLINGS BILL.

PERSONAL EXPLANATION.

LORD PORTMAN, having presented a Petition for Amendment of the Artizans' Dwellings Bill, of the Board of Works of the Holborn District, said: I take the liberty of asking your Lordships' attention to a matter somewhat personal, but still one as to which it is desirable that I should offer an explanation to your Lordships. In the observations made by the noble and learned Lord (Lord Chelmsford) in the discussion on the Artizans' and Labourers' Dwellings Bill the other night, I supplemented his statement by a paragraph which, as I thought, he had omitted. Now, the noble and learned Lord omitted to state to the House that he quoted from *The Observer;* and, as I was not aware that there were two paragraphs of a somewhat similar nature in two different papers, I naturally imagined that he was quoting from *The Daily Telegraph.* It would seem that *The Observer* had an article of much the same kind, but without the words which to me were so offensive. The passage in *The Daily Telegraph* of Monday, the 25th, was, as I stated—

> "Any fair and reasonable objection will be gladly entertained, and any proper safeguard admitted, by those who have charge of the measure; but the Peers, who own so much property in the metropolis, and who therefore owe a proportionate duty to its inhabitants, will oppose this most salutary and necessary piece of legislation at their peril."

These were the words I used; and for having used them I am accused this morning of practising "a *ruse.*" But those who have known anything of my conduct for the last forty years will not, I feel sure, suppose me capable of practising anything like a *ruse* upon your Lordships, or of making any statement which I was not prepared to support or did not believe to be true. I am not in the habit of playing that sort of game. I am too old to do so now. But it is due to *The Observer* that the acknowledgment should be made that its correspondent did not betray it into the use of the same language which found admittance into *The Daily Telegraph.*

POOR RELIEF BILL—(No. 111.)

(The Earl of Devon.)

COMMITTEE.

Order of the Day for the House to be put into a Committee on this Bill read.

LORD REDESDALE said, there were

two provisions of the Bill which seemed to him open to serious objection. In the first place, he did not think it right to deprive the small parishes of the right of appointing each its own representative to the Board of Guardians of the union—thus depriving them of any control over the expenditure of funds to which they had contributed a part; and, in the next place, he objected to give to every inmate of a workhouse a statutable right to go outside to attend religious worship. He thought this point would require consideration, because it was to be feared that persons would avail themselves of such a right for the purpose of getting off from workhouses and leaving their children behind them.

House in Committee.

Clauses 1 to 4 *agreed to.*

Clause 5 (Poor Law Board may unite small Parishes for the Election of Guardians).

THE EARL OF DEVON moved to insert after "Parish" the words "in a Union."

LORD KESTEVEN said, this clause would violate the principle that representation should go with taxation, because the smaller parishes of a union would be taxed without having representatives of their own on the Board, and thus the control over the expenditure would rest entirely with the larger parishes. He proposed that the clause be struck out.

THE EARL OF KIMBERLEY hoped their Lordships would not expunge the clause. Where each parish was taxed by itself it was fair that each parish should have a representative on the Board; but since union rating for various purposes had been introduced, it would be absurd to give a small parish, that might perhaps consist of only 300 persons, a representative of its own. If this were done the representation of the smaller parishes would be out of all proportion to their population and rated value. The change proposed would leave them as much power at the Board of Guardians as they were fairly entitled to.

On Question, Whether to insert? Their Lordships *divided* :—Contents 56; Not-Contents 28: Majority 28.

Clause, as amended, *agreed to.*

Several clauses *agreed to*; some postponed.

Clause 22 (How the Religion of Children to be entered in the Creed Register).

Lord Redesdale

EARL GREY said, he did not think the parents who deserted their children should be allowed to exert any control over their religious education. To do so would be to give a premium to child-desertion. He would therefore move the insertion of words dispensing with the requirement that deserted children should be educated in the faith of their parents.

After ("Child") *moved* to insert ("not being a deserted Child").—(*Earl Grey.*)

THE EARL OF KIMBERLEY hoped that their Lordships would not assent to the Amendment proposed by the noble Earl. The provision objected to was already in force with respect to orphan children.

THE EARL OF SHAFTESBURY supported the Amendment. Respect was very properly paid to the religious feelings and opinions of the deceased parents of orphans; but when parents deserted their children they forfeited all their rights over them to the State, which had a right to educate them in the manner it believed to be best for their temporal and eternal welfare.

THE EARL OF DEVON said, that the words objected to were requisite in order to do justice to the various religious bodies, and to prevent a large number of deserted children whose parents belonged to the Roman Catholic Church from being sent to Church of England schools.

LORD STANLEY OF ALDERLEY thought it wrong to tax the poor ratepayers of this country in order to support and educate the children of Irish parents who emigrated to America, leaving their children to be a burden upon the taxpayers of this country.

EARL GRANVILLE said, that one of the most important functions of the Poor Law Board was to undertake the education of destitute children in this country. If the religion of the parents of destitute children could not be ascertained, they should be regarded as belonging to the Established Church of the country.

THE MARQUESS OF SALISBURY said, he did not pretend to question the earnestness of the noble Earl's advocacy of the Established Church; but it should be remembered that the Established Church was, so to speak, in the crucible at present, and if the legislation now sought to be applied to Ireland prevailed, and if a deserted child had no other religion than that of the Established Church, it occurred to him to ask what its religion would be where there was no Established Church at all?

LORD OVERSTONE said, that deserted children necessarily became the children of the State, who stood towards them *in loco parentis;* and it was the clear duty of the State to educate them in what was the religion of the State.

On Question? Their Lordships *divided:* —Contents 42; Not-Contents 60: Majority 18.

Clause *agreed to.*

House *resumed;* and to be again in Committee on *Monday* the 15*th of June* next; Bill to be *printed* as amended (No. 132.)

House adjourned at a quarter before Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, May 28, 1868.

SELECT COMMITTEE—On Queen Anne's Bounty Board *nominated.*

SUPPLY—*considered in Committee* — CIVIL SERVICE ESTIMATES—£1,412,000, on account.

PUBLIC BILLS—*Ordered*—Bankruptcy Act Amendment*; Courts of Chancery and Exchequer (Ireland) Fee Funds*; Assignees of Marine Policies.*

First Reading—Regulation of Railways* [142]; Endowed Schools* [143]; Bankruptcy Act Amendment* [145]; Courts of Chancery and Exchequer (Ireland) Fee Funds* [146]; Assignees of Marine Policies* [147].

Second Reading—Petit Juries (Ireland)* [70]; Duchy of Cornwall Amendment* [136]; Fairs* [48].

Referred to Select Committee—Petit Juries* (Ireland)* [70].

Report of Select Committee—Metropolitan Foreign Cattle Market [No. 303]; Lee River Conservancy [No. 306].

Committee—Representation of the People (Scotland) [29]—R.P.; Entail Amendment (Scotland)* [86]; Petroleum Act Amendment* [93].

Report—Metropolitan Foreign Cattle Market* [25]; Entail Amendment (Scotland)* [86-140]; Petroleum Act Amendment* [93-141]; Lee River Conservancy* [38-144].

Considered as amended—Registration of Writs (Scotland)* [62]; Vagrant Act Amendment* [130].

Third Reading—West Indies* [124], and *passed.*

ARMY—SUBORDINATE OFFICERS IN THE WAR DEPARTMENT.—QUESTION.

LORD ELCHO said, he would beg to ask the Secretary of State for War, By whom the present House keepers and Office keepers at the War Office, Office of the Commander in Chief, and Quartermaster General, were respectively appointed; the salaries they respectively receive, and the positions they respectively held in the Public Service, or otherwise, previous to their appointment; and the number of Boys, Labourers, Servants, Doorkeepers, Messengers, Temporary Clerks, Clerks or other salaried persons in the Offices of the Secretary of State for War, the Commander in Chief, the Adjutant General, the Quartermaster General, the Topographical Department, Her Majesty's Stores, Pimlico, Her Majesty's Stores, Tower, and the number of persons in these Offices respectively who have served at any time in Her Majesty's Army?

SIR JOHN PAKINGTON said, the Question embraced such a great variety of names that he should have been disposed to ask his noble Friend to move for a Return if it had not been that as regards the second portion of the Question, by far the larger number of persons there referred to would be found in the Army Estimates; and if his noble Friend would look to page 84 of those Estimates he would find them there. He would therefore mention those who were not to be found in the Army Estimates. The housekeeper in the War Office had been appointed by Lord de Grey at a salary of £100 a year, being only one half of the salary of her predecessor, and she was the wife of one of the War Office messengers. The office-keeper had been appointed by the late Duke of Newcastle, at a salary of £250 a year. He was formerly a Queen's Messenger for Home Service attached to the Colonial Office. The office-keeper in the Commander-in-Chief's Office was appointed by His Royal Highness the Duke of Cambridge, at a salary of £130. He was formerly a messenger in the same Office, and had previously to that been quartermaster-sergeant in the Grenadier Guards. The housekeeper had also been appointed by His Royal Highness at a salary of £84. The office-keeper in the Quartermaster General's Office had been appointed by the Quartermaster General at a salary of £100 a year. He had been fourteen years a messenger in that office, and had previously been a non-commissioned officer in the Scots Fusilier Guards. The housekeeper had also been appointed by the Quartermaster General, at a salary of £50 a year. With regard to the latter part of the Question of the noble Lord, which related to the clerks, within the last five years military clerks had been substituted for civilians, and there were at present forty-five military clerks employed in the office. It was only fair to say that this measure was commenced by Lord de Grey, when he was Secretary of State for War.

Lord ELCHO said, he wished to know whether the right hon. Gentleman would have any objection to lay on the table a Return explanatory of the latter part of the Question?

Sir JOHN PAKINGTON replied that he had no objection to do so?

ARMY—RIFLED ORDNANCE—STUDDED SHOT.—QUESTION.

Mr. ESMONDE said, he would beg to ask the Secretary of State for War, Whether it is true that the studded shot system hitherto adopted with heavy rifled ordnance has been, or is about to be, abandoned; and, if so, whether he is prepared to state the causes which have rendered such course necessary, and to produce the Report or Reports of the Ordnance Select Committee on the subject, or of the experiments which have led to it; whether any trials have been made of a proposed new system submitted to the Government of rifling heavy ordnance with perfect semi-circular projections raised in the gun, and corresponding semi-circular grooves in the shot, thus strengthening the gun itself and making it and the shot both rifled; and whether he is prepared to produce any Report made on such proposed system, or of the trials thereof, if any such have been made; and, if no trial has been made of such proposed new system for rotating heavy projectiles intended for the penetration of armour-plating, whether he is prepared to state the reasons why such trial has not been made?

Sir JOHN PAKINGTON, in reply, said, it was not true that the studded shot system hitherto adopted with heavy rifled ordnance had been, or was about to be, abandoned. With regard to a proposal made by a gentleman named Murphy for a new plan of rifling heavy ordnance, no trial of it had yet been made by the Ordnance Select Committee. That Committee, however, had made a Report which he was willing to produce if the hon. Gentleman would move for it, and there would be found an answer to his Question as to the reasons why the trial had not been made.

LATYMER'S CHARITY, EDMONTON.

QUESTION.

Viscount ENFIELD said, he wished to ask the Vice President of the Committee of Council on Education, Whether any reply has been returned by the Charity Commissioners to the Memorials addressed to them by the inhabitants of Edmonton in the matter of "Latymer's Charity" at that place; and, whether he can state the course which the Commissioners intend taking with respect to the said charity?

Lord ROBERT MONTAGU, in reply, said, the Commissioners had thought it expedient to withhold their reply to the memorials addressed to them in the matter of "Latymer's Charity, at Edmonton," until the re-settlement most proper to be made of its endowments should, after full consideration of all its circumstances, be definitively determined upon. That determination had been made, and the scheme having been formally perfected, would be promulgated in the parish within the next few days.

EDUCATION—THE REVISED CODE.

QUESTIONS.

Mr. BRUCE said, he wished to ask the Vice President of the Committee of Council on Education, Whether, the Government having withdrawn their Education Bill, it is their intention to propose the repeal or alteration of Article Eight of the Revised Code, so as to admit Secular Schools to the benefit of the Parliamentary Grant?

Mr. BAINES said, he would beg to ask the noble Lord, Whether he is aware that the Congregational Board of Education have decided to alter its Trust Deed in reliance on the assurances received from the Committee of Council; and that that Board, with its Training College and affiliated Schools, would be subject to great inconvenience if those assurances should not be fulfilled?

Lord ROBERT MONTAGU replied that the Government had determined to give effect to the wishes of the congregational bodies or of other religious bodies by means of a general Bill on the subject of education, which had been introduced into the other House by the Lord President of the Council, and it was thought that the scheme contained in that Bill would have been satisfactory to all parties. The circumstances of the present Session had, however, obliged the Government to drop that Bill for this year; and they thought it would not be advisable, by means of a Minute, to deal with one part of that general scheme to the exclusion of the others. In answer to the Question of the hon. Member for Leeds, he had to state that he had been informed by him that the Congregational Board had altered its trust deeds, and he feared that in consequence they would be put to some inconvenience.

JUDICIAL BUSINESS IN THE HOUSE OF LORDS.—QUESTION.

MR. LABOUCHERE said, he would beg to ask the Secretary of State for the Home Department, Whether he has any objection to lay upon the table of the House a Return of the number of Causes standing for hearing before the House of Lords at the commencement of the present Session of Parliament, and of the number already heard during the present Session; with the number of days on which the Lords have sat for hearing Appeals, and the number of hours occupied on each day of sitting, and the names of the Lords who sat on each day?

MR. GATHORNE HARDY said, that if the hon. Member would move for a Return on that subject it would not be opposed.

METROPOLITAN POLICE.—QUESTIONS.

MR. HARVEY LEWIS said, he would beg to ask the Secretary of State for the Home Department, Whether, before moving the Second Reading of the "Metropolitan Police Funds Bill," whereby the local Taxation of the Metropolis for Police purposes is sought to be augmented, he will lay before the House Copy of the Evidence taken by, and the Report of the Home Office Committee on, the Metropolitan Police; and, whether he will also, before the Second Reading of the Bill, produce an Estimate of the increased expenditure to be incurred thereunder?

MR. LABOUCHERE said, he would also beg to ask the right hon. Gentleman, Whether he will state the mode in which the Police is to be distributed throughout the different parishes?

MR. GATHORNE HARDY said, in reply, that the increase in the metropolitan police was determined on long before the inquiry instituted at the Home Office took place, and therefore had no relation to it. With regard to the expenditure to be incurred under the Bill, an Estimate had been laid on the table, and would, he hoped, be satisfactory. If the hon. Member for Middlesex would give Notice of his Question, he would make inquiry whether there would be any difficulty on the subject mentioned by him.

MAIN DRAINAGE OF METROPOLIS—PETITION OF INHABITANTS OF BARKING.—QUESTION.

LORD EUSTACE CECIL said, he would beg to ask the Secretary of State for the Home Department, What steps he proposes to take with regard to the Memorial addressed to him by the Vicar, Churchwardens, Medical Practitioners, and other Inhabitants of Barking, complaining of the state of the River Thames as dangerous to navigation and to the health of the inhabitants of Barking, and of all the towns below London, and praying him to instruct the Attorney General to apply to the Court of Chancery for an injunction against the Metropolitan Board of Works to restrain them from discharging the sewage of London into the River Thames?

MR. GATHORNE HARDY said, in reply, that the Act of Parliament under which the sewage was discharged into the River Thames had received great consideration. The memorial to which his noble Friend had referred had only reached the Home Office within the last two or three days, and he had referred it immediately to the proper quarter. Up to the present he had got no answer, and therefore he was not prepared to say what steps would be taken.

REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL—DISFRANCHISED ENGLISH BOROUGHS.—QUESTION.

MR. YORKE said, he would beg to ask the First Lord of the Treasury, What course the Government propose to take about the three boroughs proposed to be disfranchised by a late Vote of the House, and not assigned to Scotland in the Government scheme of Re-distribution; and, whether the seven boroughs to be disfranchised are those which are lowest in the scale of population?

Mr. DISRAELI: Sir, I must remind the hon. Gentleman that the Instruction which was carried by the House only empowered the Committee to disfranchise ten boroughs. Now, I do not propose to avail myself of that Instruction, except to the extent of seven seats, to increase the representation of Scotland. We intend to adhere strictly to the programme which I introduced the other night to the attention of the Committee with regard to the representation of Scotland, and therefore I do not propose to deal at all with the other three boroughs. The boroughs which we propose to disfranchise will be taken according to population, that being the rule hitherto observed in those arrangements.

Mr. GLADSTONE: Am I correct in understanding the answer just given, that with the exception of the union of the two counties, Peebles and Selkirk, and the formation of what he calls the border boroughs, the right hon. Gentleman does not intend to go further into the question of re-distribution of counties or towns in Scotland? Is that so?

Mr. DISRAELI: Clearly, that is the intention of the Government.

RUSSIA AND BOKHARA.—QUESTION.

Sir HENRY RAWLINSON said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he has any information of a proposed renewal of Russian hostilities against Bokhara; and, if so, whether he can state the aim and object of such hostilities?

Lord STANLEY: Sir, in the *Journal de St. Pétersbourg* of the 22nd of April there is a statement that a small Russian force had been sent across the Bokharian frontier to put down some tribes who had given trouble and annoyance to the population within the Russian territory. It is said that the force has been effectual for its object, and I am not aware that there have been any subsequent military operations.

IRELAND—PROPOSED CATHOLIC UNIVERSITY.—QUESTION.

Mr. MURPHY said, he wished to ask the Chief Secretary for Ireland, Whether Her Majesty's Government intend to take any further steps with regard to the proposed Catholic University for Ireland?

The Earl of MAYO: Sir, the correspondence which has been laid upon the table of this House has shown that the conditions which Her Majesty's Government thought necessary to append to the granting of a Charter to a Roman Catholic University have been declined by the right rev. Prelates who were deputed to act in the matter on the part of the Roman Catholic hierarchy of Ireland. Under these circumstances, therefore, we have come to the conclusion that the matter must be considered entirely at an end.

TURNPIKE CONTINUANCE BILL.
QUESTION.

Mr. KNATCHBULL-HUGESSEN said, he would beg to ask the Secretary of State for the Home Department, What has prevented the promised early introduction of the Turnpike Continuance Bill, and when that Bill will be laid upon the table of the House?

Mr. GATHORNE HARDY, in reply, said, he was not prepared to admit that anything had prevented the early introduction of the Bill, because his hon. Friend had given Notice of his intention to bring it in to-morrow night, and that would be very early indeed. With respect to the course of proceeding, it would be this:—A very large number of cases would be included in the Schedule of the Bill for 1869, and he proposed to give Notice that a Select Committee be appointed early next Session, so that the parties concerned might have an opportunity of laying before it any representations they had to make.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL—[Bill 29.]

(*The Lord Advocate, Mr. Chancellor of the Exchequer, Sir James Fergusson*).

COMMITTEE. [*Progress, 25th May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 9 (Glasgow to return three Members).

Mr. GRAHAM said, that there had been great disappointment felt in Scotland at the result of their proceedings last Monday. The claims of the northern part of this island to a larger amount of increased representation than had been accorded to it were so irresistible, so much approved by the House and acknowledged by all parties, that, conscious as the people of Scotland were of the difficulties the Government had to encounter in giving all they were entitled to, and entirely appreciating their good faith and kindly feeling, they had been led to believe, upon the success of the Motion of the hon. Member for Montrose (Mr. Baxter), that a larger increase than was now proposed might have been given them. Glasgow, especially, felt aggrieved, containing, as it did, one-seventh of the population of Scotland, and, though not in historical associations, yet in importance really being the capital of the country. That city concentrated within itself the manufacturing industries like those of Lancashire and a shipping trade like Liverpool, and, in addition, was possessed of an University, which in past times had been an institution of great usefulness, and by the erection of magnificent buildings was preparing for a still greater career. It certainly seemed to the people of Glasgow that the deprivation of a fourth Member was a very hard measure, and that the House did not deal with them with the consideration and the justice to which they were entitled; but when to that was added that Glasgow was the only constituency in Scotland which was to be made a three-cornered one, he must say that the feeling of the community was one of great regret and great indignation. There had been public meetings held in opposition to the arrangements proposed by the Government, and he was in possession of the strongest remonstrances on the subject. One great objection to the proposal of the Government was the unwieldiness and expensiveness of the constituency that would thus be created. It must be within the knowledge of most Members of that House that it must be a most difficult thing to canvass a constituency like Glasgow, with its 16,000 electors; and when, as would be the case by the extension of the franchise, it came to 40,000 or 50,000, he appealed to hon. Members to say, from their own experience, whether a personal canvass by candidates of such a constituency was not wholly impossible. It might be said that personal acquaintance was not required, and that the candidate might rely on his public addresses and their effect on the public mind; but even if some candidates were content to trust to this, any energetic opponent with abundant funds might force another to the labour, anxiety, and expensiveness of a personal canvass. The result could only be to create an organization concentrating political power in the hands of caucuses or cliques, and so controlling in an injurious manner the independence both of the electors and the elected. Then there was another consideration in the expense rendered necessary by such a constituency. Even as it already existed, the election expenses of the constituency of Glasgow were very heavy. It had cost himself something like £4,000 to obtain his seat, and he could faithfully declare that not a penny of that money had been spent in an illegitimate, corrupt, or, as far as he was aware, in an extravagant manner. His hon. Colleague (Mr. Dalglish) was not protected by his long services and the great hold he had upon the people of Glasgow from having to contest the city, and the joint expenses of the three gentlemen who had sought the representation of the city at the late election had been something like £9,000. The increase of expense arising from the extension of the franchise would, he was informed, be something like one-half, and adding the increase that would be caused by the extension of the boundaries proposed by Government, he believed he should be within the mark in estimating the total expense of an election for Glasgow, if contested, at £20,000. The only possible reason, as far as he knew, for entailing upon the constituency and candidates that enormous labour, anxiety, and expense, was for the purpose of inflicting upon Glasgow that three-cornered representation which was put into the English Bill by the other House at the last moment. They strongly objected to that; and he thought it was with very great reason that they did so. He had no wish to discuss the principle of Lord Cairns' Amendment, although utterly disapproving of it; and he was aware that many hon. Gentlemen conscientiously held that that was a wise Amendment on the Bill; but its partial application to one solitary constituency here and there was thoroughly unsound. If the principle be good at all, it must be more widely extended; and if the triangular system could not be made general, if not universal, his belief was that they would have to give it up altogether. Besides, its introduction into England was no reason why they should force it upon a reluctant constituency in Scotland. So far as Glasgow was concerned the proposal of the Bill would reduce the active political influence of Glasgow, on the occasion of party divisions on great political questions in that House, to that of one of those small boroughs which have barely escaped disfranchisement. He held it to be unwise, unjust, and unsafe, to impose upon a great and intelligent community like that of Glasgow a system of that kind, which limited to so large an extent their choice of a representative, and diminished so unfairly their weight in Parliament. He believed it was not for the interest of this country to elect only men of great means; and yet what possibility was there for any man who had not large means to contest such a constituency? The proposal he now made to divide Glasgow into three constituencies would give three distinct constituencies each quite large enough in the experience of Members for any gentleman to canvass. Besides, it must be remembered that those constituencies were not decaying and diminishing ones. The constituency of Glasgow was, of all others, probably the largest and most increasing in this country. It was developing to an extent to which no other of which he was aware was doing. He opposed the proposal of the Government on the ground that it limited the choice of the constituency, involved great labour and expense, and endangered the independence alike of the Members and the electors, and deprived Glasgow of its just weight in the councils of the country. The hon. Gentleman was about to move an Amendment, when—

The CHAIRMAN pointed out that an Amendment of which notice had been given by the Lord Advocate was entitled to precedence.

The LORD ADVOCATE moved the omission of the words from the commencement down to the words "to serve in Parliament, and" inclusive, explaining that as the number of Members for Glasgow had been already fixed at three, the words in the clause which he moved to omit were mere surplusage.

Amendment *agreed to.*

Mr. GRAHAM then moved the insertion of words providing that Glasgow be divided into three districts, each returning one Member.

Amendment proposed, in page 3, line 27, after the word "Glasgow," to insert the words "shall be divided into three districts, each of which shall return one Member to Parliament."—(*Mr. Graham.*)

Mr. DISRAELI said, the Committee would observe that, if they acceded to those words, they would run counter to the Resolution at which they arrived last year on the English Reform Bill. He wished the House clearly to understand the issue before them, and to consider whether they would rescind their last year's Resolution that minorities should be represented.

Mr. BAXTER remarked, that when introducing the Irish Bill the noble Lord (the Earl of Mayo) stated that if the House decided to divide Dublin, instead of giving it three Members on the minority principle, he should offer no objection, adding that the Government were no great advocates of that principle, and that he should be sorry to see it applied to any great extent in Ireland. Now, the Scotch Members hoped the Government would consent to do for Scotland what they were willing to do for Ireland.

Mr. SMOLLETT, as a Member caring little for party arrangements, and representing a constituency connected with Glasgow, intended to vote for the Amendment. He had always objected to triangular representation, and voted last Session against the addition of a third Member to Manchester and three other large towns in the North of England. He did so because he thought the system was an improper one, and because it was never palatable even to the constituencies to which it was applied by the Act of 1832, and he looked upon it as perfectly odious now that the extraordinary principle of the representation of minorities had been grafted upon it. The principle of the representation of minorities had been thrust upon that House by the House of Lords, after it had been repudiated in the House of Commons by a majority of 140 votes. It would, he thought, be better to confine the representation of Glasgow to two Members if the three seats were to be coupled with this ridiculous proposal. Glasgow had about 50,000 or 60,000 electors; it would be very difficult to find three gentlemen of position who would come before such a constituency; and he feared that after the first General Election there would be a great deterioration in the Members for that city. He believed that the third Member for Glasgow, under the proposal for the representation of minorities, instead of being a Conservative, would be much more likely to be the worst of the whole lot, and to be either a trades unionist or at all events a delegate representing the views of those mischievous associations. The hon. Member for Birmingham (Mr. Bright), if he (Mr. Smollett) recollected rightly, contested this principle of the representation of minorities with great force when it came from the House of Lords. He (Mr. Smollett) did not believe that that principle would have been acquiesced in in the House of Commons, after it came from the Lords if a proper opportuinty for discussing the question had been given. The debate was continued on the night of the 8th of August, when hon. Members on both sides of the House were sick of the name of Reform, and when they were anxious to go off as quickly as possible to their grouse-shooting and salmon-fishing in Scotland and Norway. The hon. Member for Birmingham, knowing the principles of the people of Manchester and Birmingham, repudiated a third Member if coupled with the principle of the representation of minorities. He (Mr. Smollett) believed the people of Glasgow would do the same, if they were applied to, to-morrow. In his opinion, it would have been better if, instead of adopting the proposition of the hon. Member for Montrose (Mr. Baxter), the House had taken the resolution of striking off all the triangular Members from towns and counties in England ; and then they would have had twelve seats to dispose of for the representation of Scotland. But, no matter what might be done, the best chance Glasgow had of a diversity of representation in future was to divide it into three distinct wards, and let each have a Member. On that principle, he should support the Motion of the hon. Member for Glasgow (Mr. Graham).

MR. GLADSTONE confessed that he much preferred the proposal made by the Government last year with regard to Glasgow to the one which was now before them—he meant the proposal to divide Glasgow into two divisions—one on the north and the other on the south side of the river. The hon. Gentleman the Member for Glasgow (Mr. Graham) now made a proposal to divide Glasgow into three divisions, and to give one Member to each ; and the right hon. Gentleman (Mr. Disraeli), if he (Mr. Gladstone) understood him aright, objected to the Motion of the hon. Member for Glasgow, on the ground that it would in some manner contravene the decision of the House last year. For his own part he should feel that, if it would at all contravene or overturn the decision of last year, that fact would only recommend it the more. He spoke so far individually and for himself; but he was aware that there were many Gentlemen, even on that (the Opposition) side of the House, who did not think with him on that point—and he wanted to know how it was best that, for the interests of them all, they should dispose of this particular matter. He thought it was obvious that they were all anxious to make rapid progress with the Bill—and it would be advantageous if they could avoid reviving the discussion of last year with respect to the representation of minorities. In his opinion both the friends of the principle and its opponents ought to concur in that. The friends of the minority clause, as far as he was acquainted with their opinions, thought that, in order to give full effect to the virtues of that system, it ought to be tried upon a very extended scale; and the plan of last year they looked upon as a mere morsel, and an experiment which was to give them an idea of the manner in which it would work ; but they were of opinion that if according to that experiment it succeeded, it ought to be extended. If that were so, then, without any disparagement to their opinions, he should think the provisions of the English Bill were amply sufficient for that experiment. Why should they re-import into the discussion the whole of this controversy, only with the object of adding one more city to the number of those to which the principle was applied ? They who were opposed to the principle were bound to give it a fair trial, which it must have under the provisions of the English Bill. The plan recommended by his hon. Friend (Mr. Graham) had this peculiar recommendation, that it did in some degree, and perhaps in a very considerable degree, meet the views of the advocates of the minority clause, without raising the objections of its opponents. It was a new kind of experiment, and let in a considerable new representation without departing from that old principle of the electoral system of this country, that the majority should rule, and that the opinions of the majority should have weight. The plan certainly involved a novel experiment, and he hoped the Government would not feel it to be necessary to object to the Motion of his hon. Friend. He should desire to see the adoption of any plan in order to avoid this needless and irritating controversy.

MR. J. LOWTHER said, he hoped the

Committee would not allow itself to be led away from the real issue before it. The hon. Member for Glasgow (Mr. Graham) asked the Committee to adopt a principle entirely without precedent in any other part of the kingdom. The right hon. Member for South Lancashire said that the Committee might adopt a novel experiment. He trusted that they would do no such thing. The proposal of the hon. Member for Glasgow was in reality to convert the representation for that borough into a simple representation by wards, a proposition which had been on a former occasion discussed and rejected by the House. He asked the Committee to divide Glasgow into three wards with a Member for each, and thus to overturn the decision of Parliament with regard to the representation of minorities. That was the most important principle laid down during the discussion of the Bill of last year, and the Committee would not now allow it to be abrogated by a side-wind. He trusted that in the present advanced stage of their proceedings they would hear no more of novel experiments.

Mr. NEWDEGATE said, if the Committee agreed to divide Glasgow into three wards, in no one ward would the minority have the slightest chance of representation or of ever obtaining a Member. The proposal of a representation of minorities was spoken of as the plan of the right hon. Member for Calne, but it had been previously adopted by Earl Russell, who proposed to try it in thirty or forty divisions of counties.

Mr. DALGLISH said, he was not quite sure that so large a principle as the representation of minorities ought to be discussed upon this clause. The Government proposed to give three Members to Glasgow: but they also proposed to increase the population returning these Members from 440,000 to 470,000. In the immediate neighbourhood of Glasgow there was a population of 30,000 who were equally connected with the borough, and it would simplify the question if the Government would consent to add 60,000 to the population of 440,000 returning the present Members, making a population of 500,000. They should then divide Glasgow into two divisions, and give two Members to each half. That would be an act of justice, and would save all discussion on this point. He left the matter with confidence to the Government.

Mr. SCHREIBER said, the Scotch Members seemed already to have forgotten the plea they originally put forward when it was their object to secure additional Members. Then Scotland was to be regarded as an integral part of the Empire. He was reminded that when the remains of Napoleon were brought home from St. Helena to France, observant Frenchmen said they were not only bringing back the bones of that great man, but also his principles. Well, when the English seats were to be taken across the Scotch border, it was not the English seats only, but also the English principle that was to be taken there; and that English principle was the representation of the minority. He protested against the narrow spirit of provincialism which cropped up among Scotch Members immediately the question of an English principle arose. The representation of minorities was a true and a good principle, and as one of the few Conservative principles, if not the only one, contained in the Reform Bill of last Session, he would not consent to yield it without a struggle.

Mr. OSBORNE said, he hoped the Committee would not be led away by the bones of Napoleon nor by the assertion that that Motion was a novel experiment. The principles now invoked on the 28th of May were not discussed as principles at all on the 8th of August last. They were last year all too happy to get away from that question, upon which they then voted under the pressure of extreme heat and equal disgust. He should now vote with the hon. Member for Glasgow, not in any spirit of provincialism, about which the hon. Member for Cheltenham (Mr. Schreiber) had lectured them; but because he hoped his vote would be the means of hereafter upsetting the most abominable of all experiments, the representation of minorities in England. He believed that a more mischievous experiment had never been introduced into our legislation. He trusted that all hon. Gentlemen who were shaky on that particular question would keep this in their eye—that by voting for this Motion they would eventually get rid of the representation of minorities.

Mr. BERESFORD HOPE was much obliged to his hon. Friend the Member for Nottingham (Mr. Osborne) for having so ingenuously let the cat out of the bag. The hon. Member had confessed that his object in opposing the proposal for bestowing the third Member upon Glasgow upon the minority principle, was the desire to get rid of that principle for England also—

using the Scotch Reform Bill as other Members had done, as the instrument for tinkering the English Reform Act. For his own part, he was not afraid to say that among many absurd and mischievous propositions embodied in that Act as it had received the Royal Assent, he regarded this one as possessing some substantive merit. It was in the grammatical, and not in the partizan sense, a Conservative provision, inasmuch as it conserved for large masses of the population who would otherwise have been virtually disfranchised, a share in the national representation. There was, however, one point on which his hon. Friend had been prudently ambiguous. He had been almost pathetic on the discomforts of the August fight upon the minority principle during the Session of 1867, when the English Reform Bill had come back from the Lords, but he had forgotten to explain whether he intended his present opposition to the representation of minorities to bear practical fruit in the present Parliament, or to be a protest intended to influence the mind of the coming one. If he intended to follow up the advantage during this Session, the House might again be debating the point in August; and, for his own part, he (Mr. Beresford Hope) hoped it would be doing so. If it were but a protest thrown out to futurity, he could only declare against the idle attempt to bias the untried Parliament of an unknown constituency. The minority constituencies in towns like Birmingham counted respectively by tens of thousands, and he therefore declined to argue the superiority of their claim to be represented over that of the hundreds or at most thousands, who would form the entire constituency of many of the smaller seats existing under the Act of last year. In spite of his hon. Friend he was prepared to support the minority suffrage both in England and in Scotland.

MR. J. STUART MILL said, the hon. Member for Nottingham (Mr. Osborne) had called on Gentlemen on that side to support the Motion of the hon. Member for Glasgow (Mr. Graham), holding out to them the inducement of getting rid of the principle of the representation of minorities. That was the strongest possible reason why those who were in favour of the representation of minorities—not as being a Conservative measure, but as a measure of justice—should vote against the present Motion. Nothing could be more unfair than to speak of the representation of those persons who happen to be in a minority, whatever might be their political opinions, in any constituency, as being in any exclusive sense a Conservative principle. On the contrary, it was not only the most democratic of all principles, but it was the only true democratic principle of representation, and they could not have a complete system of representation without it. Man for man, those who happened to be in a minority had just as much claim to be represented as the majority.

MR. BRIGHT: I have only this moment entered the House, and have not heard the discussion; but I wish to take an opportunity of reminding the Committee that last year a majority of more than 140 Members of this House objected to this proposition, and that the circumstances under which it afterwards became law were very peculiar. The right hon. Gentleman now at the head of the Government on that occasion made, what I then described, and I now repeat the observation, as the most earnest and resolute speech which he made during the whole of the Reform Bill discussions, in opposition to the proposition supported by my hon. Friend the Member for Westminster (Mr. Stuart Mill). The House, following his advice and the advice of a great many others, by a large majority—more than 140—rejected the proposition. Well, what then happened? The Bill went up to the House of Lords; and what occurred there soon afterwards? The House of Lords proposed some five or six Amendments of various kinds and various degrees of importance in the Bill. It came down to this House for those Amendments to be considered here. I need not state what all those Amendments were; but the two principal ones had reference, the one to the question of the representation of minorities, and the other to voting papers. The minority clause was the last of the Lords' Amendments that came to be considered in this House. All their other Amendments, as they were brought before the House, were rejected. The voting papers, which had been agreed to in the other House, were rejected in this. We came then to this question, whether this minority clause—being the only one of the Amendments of the other House which we had not rejected—should be rejected like the rest, or should be consented to? Then what happened was this. I speak it from no mean authority. I know exactly the truth of what I am saying. It was felt by Her Majesty's Government that if this

House rejected every one of the Amendments of the other House of Parliament, it might be regarded as a little severe upon them; that, possibly, that House might have an excuse for suspending the Bill, refusing to go on with it, and postponing it till next year. And, more than that, perhaps Lord Derby felt—which was not unreasonable—that it would be hard for him, the Leader of the Conservative party, and so long its Leader in that House, to do anything that appeared to be like offering a rebuff or a humiliation to the House of Lords. The result was that the measure which the right hon. Gentleman at the head of the Government had denounced in the most forcible terms, which Lord Derby himself—and I ask hon. Gentlemen opposite to bear this in mind — had described as utterly unconstitutional—a measure the mischief of which he pointed out with singular force, and which he declared could only be limited by the extent to which the proposition itself was limited — that very measure, in order that they might not appear to be a party to doing something like offering a rebuff to the House of Peers, the Government turned round and supported in this House, not having altered their opinion in the least — the right hon. Gentleman's opinion at this moment is exactly what it was then—hon. Gentlemen opposite, I say, some 200 of them, turned round, and the proposition which the House had rejected by a majority of 140 was carried by a majority of 30 or 40 on a subsequent occasion. Now, the noble Lord the Chief Secretary for Ireland the other night, in discussing the Irish Reform Bill, intimated what we all know to be true, that the Government are not very anxious to adhere to this minority principle, and would not care much if it were rejected. Let me tell the Committee in what condition this question stands in the country. I represent a borough to which this new system applies, and I am also intimately acquainted with what is going on in the city of Manchester, to which it also applies. Now, in these two boroughs—and I am told it is the same in the City of London—there is the utmost dissatisfaction—nay, indignation—expressed at the new system. Every person, I do not care what his politics may be, sees that there is a new element introduced into the election proceedings of the borough — a new element which can scarcely be comprehended, but which, at least, must lead necessarily to a state of chaos. For example, you have an election committee to manage the contest in Manchester, or Liverpool, or Birmingham, or the City of London. In three of these boroughs you have three candidates to be elected, and in the City of London four. Now, I will take the case of Birmingham or Liverpool. It is obvious that you cannot have a joint committee for the three candidates, because you cannot canvass for three. The canvassers can only ask for votes for two candidates. No matter how pure or impure the constituency, the organization of election is utterly disarranged, and, in fact, made almost impossible. The one of the three candidates who may fancy he is not being treated fairly by the committee or the canvassers will have great reason to complain; and, in all probability, you will have some one candidate at the head of the poll who happens to be the popular man, and where the others will be I do not know, though I suppose they will be like some of the unfortunate horses which we read about yesterday. As a matter of course, the minority in all these places will bring forward two candidates only, and will poll all their voters for both of them. They will have, therefore, a great advantage in that respect; but the majority will do nothing of the kind, and consequently their whole arrangements will be thrown into the greatest confusion. With respect to two of these great constituencies — Liverpool and Manchester—they consider the House, in agreeing to the principle of the representation of minorities, treated them in a manner not honourable to the House nor fair to them. They did not ask you to give them an additional Member in order to have this odious system introduced. They would not have come here and asked for another Member if they had known that you would have introduced a system which did not allow their representation to be increased, but which really diminished their effective power in the House. If I were a member of the minority at one of those places—for instance, if I lived at Liverpool, and were a Liberal, while the majority was Tory—I would never give my vote at any of these elections. And if these constituencies to whom this House has dealt out this measure of injustice, and, I may say, of gross folly, would take my advice, they would resist all representation to the House under these conditions. I agree with Lord Derby as to the utterly unconstitutional nature of the proposition, and I am ready to endorse every syllable which the right hon. Gentleman now at the head of the Government spoke last year when he denounced this system. Then look at the utter humiliation to which we in this House were subjected because we adopted that which we had previously rejected by a majority of 140; and this merely in order to prevent a small temporary difficulty which the Government was likely to experience in dealing with the House of Lords in regard to the Reform Bill. As to this particular vote, it is of no great consequence whether another town is added to the four which have been injured in this manner. It is no use saying this is a matter of great importance as far as the mere extension of the principle to one more town is concerned; but I venture to say that after an election under this system you will find that the greatest hostility will exist in all these constituencies to the course which you have pursued; and if you give a minority vote to Glasgow, that town will simply be added to the other four large towns which will ask in some future and early Parliament that this disability should be removed. I do not know whether any hon. Gentleman thinks I am overstating the case; I myself am sure I am not. In the two English constituencies to which I have referred there exists the greatest possible objection to the system; and I believe the experience of the elections will show that they have not objected more than they ought to object. In point of fact, one of two things must happen—either the representation must be utterly confused in these boroughs or else destroyed, one party putting up one man and the other two men, so that Manchester, Liverpool, Birmingham, and London will be reduced to that monotonous, lifeless condition which has existed in some small boroughs ever since the Reform Bill of 1832, and which will probably exist in them as long as they have any representation at all. May I, therefore, ask the Committee not to proceed further in a course for which they have no sort of argument except that which has just been urged by my hon. Friend the Member for Westminster (Mr. Stuart Mill), who, however, admitted last year that this was not the kind of representation of minorities which he advocated, and that, in point of fact, he did not advocate the representation of minorities at all, but a system under which everybody should be represented. There has been no argument whatever to overthrow the views enunciated by Lord Derby last year in the House of Peers, and by the right hon. Gentleman in this House. Furthermore, I maintain that there is not a single constituency in the United Kingdom which is in favour of this proposition. Hitherto you have had no trial of it by practical experience; but it has been received as a great, a grievous, and an unparalleled injury by some of the greatest constituencies in the kingdom. I appeal, therefore, to the House, and if you take my advice—and you will afterwards be glad to have taken it—you will not establish north of the Tweed a principle which, if I be not greatly mistaken as to the temper of my countrymen, will only be more hated on the south of the Tweed the more we have experience of it.

COLONEL LOYD LINDSAY said, he wished, as a representative of a minority county, to say a few words on the plea of justice. If the principle of representation of minorities was not to be maintained in large towns it ought not to be maintained in counties. When last year he voted for that measure, being a Member for a minority county, he did so under the distinct belief that the principle would be extended to large towns also, being of opinion that by such an arrangement the spirit of Conservatism might be kept alive in the great centres of industry. But if the principle were now to be broken through, and towns were to be exempted from this system, he maintained that counties ought also to be exempted. In such an event the whole matter ought to be re-considered, for we ought not to legislate for Scotland in a different spirit from that in which we legislated for England. He felt that this was the first step towards dividing the country into equal electoral districts, and he trusted the House would not make an experiment in that direction.

MR. CARDWELL said, he was one of those who gave a silent but unhesitating vote in favour of the experiment that was tried last year, and he thought it perfectly fair that they should also try the experiment proposed by the hon. Member for Glasgow (Mr. Graham). It was quite evident that the experiment of last year was altogether novel; it was the first time in the history of the representation of this country that such a principle had been applied; and if the present also were a novel experiment he should not shrink from trying it at a moment when they were making these great changes in the electoral system. But it was not in the same sense an experiment that the former was. When they were creating very large constituencies, amounting in Glasgow to not less than 60,000 persons, they were anxious in a spirit of fairness, whether Conservative or Liberal, that a small majority in those constituencies should not have a monopoly of the representation. But if they were to divide Glasgow into three parts it did not follow that the majority in each of the divisions would be the same as the majority of the whole, and he thought this a very fair mode of giving effect to the principle which guided the vote of last year. Last year a great objection was urged against the adoption of the principle of triangular voting and it was this. It was contended that if any Gentleman were forced to seek re-election during the existence of Parliament he would be placed in a very great difficulty in seeking again the suffrages of a triangular constituency. No such objection could, however, be urged against the present plan, and he trusted it would be accepted by the House.

Mr. JOHN HARDY said, that what was called the minority principle was last year supported on the grounds that it put an end to the monopoly of large towns; and there was no reason why a man living in one borough should have three times as many votes as a man living in another borough. The system of representation of minorities would, in his opinion, act as a check upon large constituencies, which might otherwise demand more than their fair share of Members. Manchester, for instance, had, he believed, asked no less than seven, and he did not know to what extent the claims of Birmingham had been urged; but now that this principle of the representation of minorities had been adopted there was less danger of such demands being made in future. If Glasgow wanted to try an experiment he would not divide it, but would let each man give a single vote, and then each representative would be really elected by his supporters.

Mr. LIDDELL said, they all knew that the hon. Member for Birmingham (Mr. Bright) was a devoted adherent to American principles. ["Oh, oh!"] Gentlemen might demur to the remark; but the hon. Member had openly and manfully avowed it over and over again in that House.

Mr. BRIGHT: I beg leave to say, Sir, that there is not a syllable of truth in what the hon. Member has said. ["Order!"]

The CHAIRMAN: I beg to call the attention of the hon. Member for Birmingham to the expression which has just fallen from him, and which I am sure he will upon consideration see is somewhat in excess of the liberty of speech that is allowed in this House.

Mr. BRIGHT: The hon. Gentleman said that I was a devoted adherent of American principles, and that I had openly avowed them. In return I say that such a charge is entirely without foundation. I have no doubt the hon. Member has made the observation under a mistake. I myself beg to assure him that he is entirely mistaken, and that there is not the least foundation for the statement he has made.

Mr. LIDDELL felt bound to accept the explanation. But whether the hon. Member for Birmingham was an admirer of American principles or not he had proved himself at least an admirer of American manners. The hon. Gentleman disliked the application of the principle under consideration to Birmingham, because he knew that the minority in that place, which had so long been kept under subjection by the iron will of the majority, was about to be emancipated. That was the true reason why he viewed the scheme with disfavour which the House solemnly established last year. It was getting too much the fashion to forget what was done last year. But the principle of the representation of minorities was adopted after one of the fullest and ablest discussions that took place last Session. He had merely risen for the purpose of putting a single question to the House. He desired to know whether there was anything specially sacred or peculiar about Glasgow, or whether it was so wholly different from other places that it should have special principles of legislation applied to it? That was the second time in the course of the week that a totally new principle of legislation was sought to be introduced with respect to Glasgow. First of all they were asked to give Glasgow four Members, and now they were asked to divide it into wards. He deprecated such a course of action. The minority plan was applied to all other towns which had three Members; and what was good for the great towns of England must be beneficial for the great towns of Scotland, and he therefore trusted that the House would abide by the system established last Session.

Mr. DISRAELI: I do not exactly understand the speech of the right hon. Gentleman the Member for the city of Oxford (Mr. Cardwell). He voted last year, he said, for the minority principle because it was an experiment, and now he says he is going to vote against the minority principle, also because it is an experiment; but the right hon. Gentleman gave some colour to the explanation of this inconsistent course on his part by his declaration that the course he takes to-night differs from that he pursued last year in consequence of the great size of the constituency of Glasgow. But the constituency of Glasgow is not greater than will be the constituencies of Birmingham, Manchester, Liverpool, and other places; and therefore I do not understand that this is any mitigation of the course which the right hon. Gentleman is taking. Before we divide I wish to draw the attention of the Committee to the assumption running through the speech of the hon. Member for Birmingham (Mr. Bright), which was that this was a controversy between voting according to what is called the minority principle, and the usual plan of voting that has prevailed in this country; but that is not the case. The controversy now is between the minority principle, which the House thought fit to adopt last year, and a new scheme utterly unknown to the Constitution. If, indeed, the hon. Member for Glasgow (Mr. Graham) had proposed that the whole constituency should vote for three Members, that would be a fair and legitimate subject for the Committee to discuss; but the hon. Member for Glasgow has proposed to us a new scheme utterly unknown to the Constitution, and which, I think, it would be most imprudent for the House to adopt precipitately without discussion. Therefore, on the whole, I think the wisest course for us to pursue is to adhere to the Resolution at which the House arrived last year; and I, for one, shall vote that the city of Glasgow be dealt with as proposed in the clause before us.

MR. HORSMAN denied that the principle sought to be established by the hon. Member for Glasgow was unknown to the Constitution. At the time of the Reform Bill of 1832 the metropolis was divided upon the same principle as that now proposed, the only difference being that each ward in the City of London was to have two Members instead of one.

SIR GEORGE GREY said, there was a still more recent precedent in the division of the borough of the Tower Hamlets last year. It was only just that the representation of a large place should be influenced by the fact that the minority was nearly equal to the majority; and therefore he voted last year for the minority clause; but all he had heard since satisfied him that the principle was extremely obnoxious to all those places to which it had been applied. The question now was, not the rescinding of the vote of last year, but the trial of an experiment in Glasgow. Liverpool objected to division, but Glasgow asked to be divided; and he was willing to try an experiment which was in accordance with the wishes of the people to be affected by it, without at all giving up the principle that, in certain cases, it was desirable the minority should have an opportunity of being represented. In many cases the division of a large borough would destroy the monotony of its representation. For these reasons he was prepared to vote with the hon. Member for Glasgow (Mr. Graham).

MR. BAYLEY POTTER said, that the division of large boroughs into wards was a proposal which had been stamped with the approval of so high an authority as Mr. Cobden, who expressed favourable views of it in a letter which he wrote in 1865. He (Mr. Potter) would support the Motion of the hon. Member for Glasgow (Mr. Graham).

MR. SERJEANT GASELEE said, he believed the decision come to last year was injurious, absurd, and derogatory to the dignity of the House. He would support the Amendment, although he would have preferred to have given three votes to the electors constituting the majority in Glasgow.

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 185; Noes 244: Majority 59.

AYES.

Acland, T. D.
Adam, W. P.
Agnew, Sir A.
Allen, W. S.
Amberley, Viscount
Andover, Viscount
Anstruther, Sir R.
Antrobus, E.
Ayrton, A. S.
Baines, E.
Barnes, T.
Barron, Sir H. W.
Baxter, W. E.
Beaumont, W. B.
Biddulph, Colonel R. M.
Blake, J. A.
Bouverie, rt. hon. E. P.
Bright, J. (Birmingham)
Bright, J. (Manchester)
Bruce, rt. hon. H. A.
Buller, Sir A. W.
Buller, Sir E. M.
Candlish, J.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Carter, S.
Cave, T.
Childers, H. C. E.
Cholmeley, Sir M. J.
Clive, G.
Colebrooke, Sir T. E.
Collier, Sir R. P.
Colthurst, Sir G. C.
Corbally, M. E.

Craufurd, E. H. J.
Crawford, R. W.
Cremorne, Lord
Crossley, Sir F.
Davey, R.
Davie, Sir H. R. F.
Denman, hon. G.
Dent, J. D.
Dering, Sir E. C.
Dilke, Sir W.
Dillwyn, L. L.
Dixon, G.
Duff, M. E. G.
Dundas, F.
Edwards, H.
Eliot, Lord
Erskine, Vice-Ad. J. E.
Esmonde, J.
Ewart, W.
Eykyn, R.
Fildes, J.
FitzGerald, rt. hn. Lord O. A.
Fordyce, W. D.
Forster, C.
Forster, W. E.
Fortescue, rt. hn. C. S.
French, rt. hn. Colonel
Gaselee, Serjeant S.
Gilpin, C.
Gladstone, rt. hn. W. E.
Glyn, G. G.
Goldsmid, Sir F. H.
Goschen, rt. hon. G. J.
Gower, hon. F. L.
Gray, Sir J.
Gregory, W. H.
Grenfell, H. R.
Greville-Nugent, A. W. F.
Greville-Nugent, Col.
Grey, rt. hon. Sir G.
Grove, T. F.
Hankey, T.
Hanmer, Sir J.
Harris, J. D.
Hartington, Marq. of
Hay, Lord J.
Hay, Lord W. M.
Hayter, A. D.
Headlam, rt. hn. T. E.
Henderson, J.
Hervey, Lord A. H. C.
Hibbert, J. T.
Holden, I.
Holland, E.
Horsman, rt. hon. E.
Howard, hon. C. W. G.
Hughes, W. B.
Hurst, R. H.
Hutt, rt. hon. Sir W.
Jackson, W.
Johnstone, Sir J.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kinnaird, hon. A. F.
Laing, S.
Lawrence, W.
Layard, A. H.
Leatham, E. A.
Leatham, W. H.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Lorne, Marquess of
Lusk, A.
M'Laren, D.
Martin, C. W.
Martin, P. W.
Matheson, A.
Matheson, Sir J.
Melly, G.
Merry, J.
Milbank, F. A.
Miller, W.
Milton, Viscount
Mitchell, T. A.
Moffatt, G.
Moncreiff, rt. hon. J.
Monk, C. J.
Nicholson, W.
Nicol, J. D.
Norwood, C. M.
O'Brien, Sir P.
O'Donoghue, The
Ogilvy, Sir J.
O'Loghlen, Sir C. M.
Osborne, R. B.
Otway, A. J.
Owen, Sir H. O.
Paget, T. T.
Palmer, Sir R.
Parry, T.
Pease, J. W.
Peel, A. W.
Pelham, Lord
Philips, R. N.
Potter, E.
Potter, T. B.
Price, W. P.
Pryse, E. L.
Pritchard, J.
Ramsay, J.
Rebow, J. G.
Robartes, T. J. A.
Robertson, D.
Rothschild, Baron L. de
Rothschild, N. M. de
Russell, A.
St. Aubyn, J.
Salomons, Mr. Ald.
Samuda, J. D'A.
Saunderson, E.
Scott, Sir W.
Seely, C.
Seymour, A.
Sherriff, A. C.
Smith, J. B.
Smollett, P. B.
Speirs, A. A.
Stansfeld, J.
Stone, W. H.
Stuart, Col. Crichton-
Sykes, Colonel W. H.
Taylor, P. A.
Thompson, M. W.
Tomline, G.
Trevelyan, G. O.
Vanderbyl, P.
Villiers, rt. hon. C. P.
Waldegrave-Leslie, hon. G.
Watkin, E. W.
Weguelin, T. M.
Western, Sir T. B.
Whalley, G. H.
Whatman, J.
Whitbread, S.
White, J.
Williamson, Sir H.
Winterbotham, H. S P.
Woods, H.
Young, G.

TELLERS.

Graham, W.
Dalglish, R.

NOES.

Adderley, rt. hon. C. B.
Akroyd, E.
Annesley, hon. Col. H.
Archdall, Captain M.
Arkwright, R.
Aytoun, R. S.
Bagnall, C.
Bailey, Sir J. R.
Baillie, rt. hon. H. J.
Baring, T.
Barnett, H.
Barrington, Viscount
Barry, A. H. S.
Bass, A.
Bateson, Sir T.
Beach, Sir M. H.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Beresford, Capt. D. W. Pack-
Bernard, hon. Col. H. B.
Blennerhassett, Sir R.
Bonham-Carter, J.
Booth, Sir R. G.
Bowyer, Sir G.
Brett, Sir W. B.
Brown, J.
Browne, Lord J. T.
Bruce, Lord C.
Bruce, Major C.
Bruce, Sir H. H.
Bruen, H.
Burrell, Sir P.
Butler-Johnstone, H. A.
Buxton, C.
Buxton, Sir T. F.
Capper, C.
Cartwright, Colonel
Cave, rt. hon. S.
Cavendish, Lord E.
Cecil, Lord E. H. B. G.
Clinton, Lord E. P.
Cochrane, A. D. R. W. B
Cole, hon. H.
Cole, hon. J. L.
Corrance, F. S.
Cooper, E. H.
Corry, rt. hon. H. L.
Courtenay, Viscount
Cox, W. T.
Cubitt, G.
Dalkeith, Earl of
Davenport, W. B.
Dawson, R. P.
Dick, F.
Dimsdale, R.
Disraeli, rt. hon. B.
Doulton, F.
Du Cane, C.
Duff, R. W.
Duncombe, hon. Adml.
Duncombe, hon. Colonel
Dunne, rt. hon. General
Dyke, W. H.
Dyott, Colonel R.
Eaton, H. W.
Eckersley, N.
Edwards, Sir H.
Egerton, E. C.
Egerton, Sir P. G.
Egerton, hon. W.
Elcho, Lord
Ellice, E.
Evans, T. W.
Fane, Lieut.-Col. H. H.
Fane, Colonel J. W.
Fawcett, H.
Feilden, J.
Fergusson, Sir J.
Fitzwilliam, hn. C. W. W.
Floyer, J.
Forde, Colonel
Galway, Viscount
Garth, R.
Gaskell, J. M.
Goddard, A. L.
Goldney, G.
Goldsmid, J.
Goodson, J.
Gordon, rt. hon. E. S.
Gore, J. R. O.
Gore, W. R. O.
Gorst, J. E.
Gray, Lieut.-Colonel
Greene, E.
Griffith, C. D.
Grosvenor, Earl
Grosvenor, Lord R.
Gurney, rt. hon. R.
Gwyn, H.
Hamilton, Lord C.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Viscount
Hardy, rt. hon. G.
Hardy, J.
Hartley, J.
Hartopp, E. B.
Harvey, R. B.
Hay, Sir J. C. D.
Henley, Lord
Henniker-Major, hon. J. M.
Herbert, rt. hn. Gen. P.
Hildyard, T. B. T.
Hogg, Lieut.-Col. J. M.
Holford, R. S.
Holmesdale, Viscount
Hope, A. J. B. B.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Huddleston, J. W.
Hughes, T.
Hunt, rt. hon. G. W.
Jones, D.

Karslake, E. K.
Karslake, Sir J. B.
Kavanagh, A.
Kekewich, S. T.
Kelk, J.
Kendall, N.
Kennard, R. W.
Keown, W.
King, J. K.
Kingscote, Colonel
Knatchbull-Hugessen, E
Knight, F. W.
Knightley, Sir R.
Knox, hon Colonel S.
Lacon, Sir E.
Lamont, J.
Langton, W. G.
Lascelles, hn. E. W.
Leader, N. P.
Lechmere, Sir E. A. H.
Lennox, Lord H. G.
Leslie, C. P.
Liddell, hon. H. G.
Lindsay, hon. Colonel C.
Lindsay, Colonel R. L.
Long, R. P.
Lopes, H. C.
Lopes, Sir M.
Lowe, rt. hon. R.
Lowther, J.
Lowther, W.
M'Kenna, Sir J. N.
Mackinnon, W. A.
Mahon, Viscount
Mainwaring, T.
Malcolm, J. W.
Manners, Lord G. J.
Manners, rt. hn. Lord J.
Marsh, M. H.
Mayo, Earl of
Miles, J. W.
Mill, J. S.
Mitford, W. T.
Montagu, rt. hn. Lord R.
Montgomery, Sir G.
Morrison, W.
Mowbray, rt. hon. J. R.
Neate, C.
Neeld, Sir J.
Neville-Grenville, R.
Newdegate, C. N.
Newport, Viscount
North, Colonel
Northcote, rt. hn. Sir S.
O'Neill, hon. E.
Paget, R. H.
Pakington, rt. hn. Sir J.
Parker, Major W.
Patten, rt. hon. Col. W.
Paull, H.
Pim, J.
Portman, hon. W. H. B.
Powell, F. S.
Pugh, D.
Read, C. S.
Repton, G. W. J.
Robertson, P. F.
Royston, Viscount
Russell, Sir C.
Sandford, G. M. W.
Schreiber, C.
Sclater-Booth, G.
Scott, Lord H.
Scourfield, J. H.
Selwin-Ibbetson, H. J.
Seymour, G. H.
Simonds, W. B.
Smith, A.
Smith, S. G.
Somerset, Colonel
Somerset, E. A.
Stanhope, J. B.
Stanley, Lord
Stirling-Maxwell, Sir W.
Stronge, Sir J. M.
Stuart, Lt.-Col. W.
Stucley, Sir G. S.
Sturt, Lt.-Colonel N.
Sturt, H. G.
Surtees, C. F.
Surtees, H. E.
Sykes, C.
Talbot, C. R. M.
Thompson, A. G.
Thynne, Lord H. F.
Tollemache, J.
Torrens, R.
Treeby, J. W.
Trevor, Lord A. E. Hill-
Turner, C.
Turnor, E.
Vandeleur, Colonel
Verner, E. W.
Walker, Major G. G.
Walrond, J. W.
Walsh, hon. A.
Warner, E.
Warren, rt. hon. R. R.
Waterhouse, S.
Welby, W. E.
Wise, H. C.
Woodd, B. T.
Wyndham, hon. H.
Wyndham, hon. P.
Wynn, C. W. W.
Wynn, Sir W. W.
Wyvill, M.
Yorke, J. R.

TELLERS.
Taylor, Colonel
Noel, hon. G. J.

Sir EDWARD COLEBROOKE moved to strike out all the words after "Glasgow" in the second part of the clause, which would have the effect of preventing the extension of the boundaries of Glasgow. The proposal of the Government was without any precedent in the English Bill. He protested against it, because it was opposed to the wishes of the inhabitants of those burghs (Partick and Govan) and also to the wishes of the people of Glasgow, as evidenced by the fact that public meetings had been held, where resolutions were passed protesting against any such extension. It was quite clear that the inevitable result would be a large extension of the municipal boundaries. The county of Lanarkshire should at least have four Members. He protested in the name of these towns and of Glasgow against this measure being forced upon them.

Mr. ELLICE said, he altogether objected to the extension of the borough of Glasgow. He did not want to be compelled to vote against the proposition that each elector should only have two votes. If, however, he had to vote on the whole clause he would have to vote against it.

After some further discussion,

Sir EDWARD COLEBROOKE withdrew his Amendment.

Mr. BOUVERIE then moved as an Amendment to leave out all the words after "comprise the" to the end of the clause, for the purpose of inserting "existing Parliamentary boundaries," the object being to limit the constituency to those boundaries.

Mr. DALGLISH said, that by adopting the Amendment they would withdraw the franchise from 7,300 electors—a principle which was opposed to the whole spirit of the Bill.

Mr. M'LAREN said, he begged to remind the Lord Advocate that these two boroughs (Govan and Partick) were as completely constituted boroughs as was the city of Glasgow. During the Recess, a deputation of gentlemen from them came to Edinburgh to ask the Lord Advocate not to include them within the boundaries of Glasgow. These gentlemen, being in Edinburgh, asked him if he would receive them in his house, which he did. They came from the Lord Advocate's house to his, and they said there was hardly any difference of opinion in these two boroughs against being attached to Glasgow. It was not enough for this House to inquire what Glasgow wished. They ought to inquire what these two boroughs would like. When this plan might be altogether disapproved of the moment the Select Committee had reported against the extension of English large boroughs, why should they hurry on the people of Glasgow into a union with towns which repudiated it? As for giving them household suffrage, they did not want household suffrage on these conditions. The Lord Advocate said he was going to include some additional territory; in short, he was going to add 50,000 inhabitants to Glasgow, the population of which was already nearly 440,000. Would it not be better to make such a new district a borough, and give it a Member of its own?

SIR JAMES FERGUSSON said, that if the districts which it was proposed to unite to Glasgow were not so united, the inhabitants of those districts would not have the franchise. He therefore hoped the Committee would consent to the extension of the boundary, though he was sorry they had not been able to get another Member for Glasgow.

MR. MONCREIFF said, the proposal was one most arbitrary and most unjust, and was very repugnant to the people whom it affected; and for this plain reason, that the inclusion within the Parliamentary boundary would be the first step towards inclusion within the municipal boundary.

THE LORD ADVOCATE admitted there was some difference of opinion on this subject among the people in the districts proposed to be united to Glasgow. Some part of the municipal boundary of Glasgow was at present outside the Parliamentary boundary. This was a matter which might be settled by a Boundary Commission. As the town had increased very much since 1832, was it not reasonable that there should be a re-arrangement of boundary now, so as to include districts that ought properly to be deemed to be within the Parliamentary borough?

MR. J. STUART MILL said, Glasgow having grown to so great an extent, it was not unreasonable that its boundaries should be revised and extended, provided its representation were extended also. He apprehended that its fair proportion of Members, in reference to its population and wealth, would be not less than six. The arguments of the Government would be extremely good then; but as the vast population of Glasgow was represented by an inadequate number of Members, he could not admit that in order to admit an additional number of persons to share in that inadequate representation, a large proportion of them should be deprived of their county vote, which was really valuable to them.

SIR EDWARD COLEBROOKE said, he was perfectly aware that there were portions of Glasgow where the boundaries have extended, and he did not wish for a moment to stand in the way of any proposition of the Government to give a fair boundary to the burgh. That was, however, a question of principle, not of detail, to be referred to a Commission. He had no objection to refer it to a Commission, if the Commission were instructed to inquire, having reference to the municipal boundaries and the burghs.

MR. GATHORNE HARDY said, the hon. Member for Lanarkshire (Sir Edward Colebrooke) admitted that there were certain portions of the municipal boundaries of Glasgow that ought to be brought within the Parliamentary boundaries. With respect to those parts, the inhabitants were all unanimous in wishing to bring them within the Parliamentary limits. Now, this must be settled by the schedule, and Members by allowing the clause to pass in its present shape would not be precluded from discussing what the precise boundaries should be when the schedule was considered, while further time would thus be given for weighing the point which had been raised.

MR. BOUVERIE remarked that if his Amendment were carried, it would still be competent for the Government to move a rider extending the boundaries.

MR. BRIGHT said, he had understood from the statement of the Lord Advocate, as well as that of the right hon. Gentleman, the Home Secretary, that the Government were disposed to receive favourably the proposition made from that side of the House. With respect to the large English boroughs, they had had a Commission which reported that the same thing should be done as was now proposed to be done at Glasgow. But that Report, with regard to most of the great boroughs of England, had been entirely unsatisfactory, because the Commission paid no regard to the wishes of the people. When the Report came before that House, the House was compelled to appoint a Committee of the House to re-consider the decisions of the Commission. Of course, they knew not either when the Committee would report, or what they would report. But it was quite clear that, according to the principle the House adopted with regard to the large boroughs of England, it would be very unsatisfactory to accept at once a proposition like that which was shown to be equally unsatisfactory to all those persons within the burgh of Glasgow, and to those who were proposed to be brought within it. Let the right hon. Gentleman propose to extend the boundaries of the burgh as far as the municipal boundaries. It clearly could not be right to disregard the opinions of thousands of persons who objected to have their own municipal institutions merged in the municipal institutions of a larger and neighbouring city.

MR. GATHORNE HARDY said, that what the hon. Member proposed was exactly what he had said. He should propose that the schedule should be filled up as far as the municipal boundaries, leaving the other question open for consideration.

MR. CRAUFURD thought as they had possession of the question they had better settle it at once.

MR. MONCREIFF suggested that the Amendment should include both the municipal and Parliamentary boundaries.

MR. BOUVERIE said, he adopted this suggestion.

Amendment proposed, in line 28, to leave out from the words "comprise the" to the end of the Clause, in order to add the words "space included within the existing Parliamentary or municipal boundaries."—(*Mr. Bouverie.*)

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 112; Noes 112.

And the numbers being equal, the Chairman stated that it was evident that the Committee hesitated to make the alteration proposed in the Clause contained in the Bill as it had been read a second time in the House; considering, also, that if the Clause were maintained in its present form the Committee would have a further opportunity of discussing the question when it reached the Schedule, he felt he should best fulfil his duty by giving his vote with the Ayes.

THE LORD ADVOCATE proposed a proviso—

"That at a contested Election for Glasgow no person shall vote for more than two candidates."

MR. BAXTER rose to protest against this proceeding on the part of the Government. Clause 6 was postponed with a general understanding that this question should be discussed with the postponed clause, and brought up in due course on Monday night.

MR. GATHORNE HARDY said, that the question had been raised by hon. Gentlemen opposite, the whole discussion having turned on the question whether the proposal of the hon. Member (Mr. Graham) should be adopted, or whether the principle of representing minorities should, as the Government proposed, be carried out. It clearly could not be said that the matter had been raised without notice, since the other side of the House had distinctly raised it. He could see no reason for reserving a question which had been decided by so large a majority.

SIR GEORGE GREY thought more time should be given for the consideration of the question.

MR. BOUVERIE said, that although the division of the city into three wards had been negatived, it might be proposed to give two Members to that part of Glasgow on the north side of the Clyde, and one Member to that on the south. It was only fair that time should be given for fully considering the matter.

MR. GATHORNE HARDY, rather than delay the progress of the Bill, would consent to defer the question, though he believed the feeling of the Committee would be as strong upon it on a future stage as it was now.

Proviso, by leave, *withdrawn.*

Clause, as amended, *ordered* to stand part of the Bill.

Clause 10 (New District of Burghs to return One Member).

MR. YORKE moved, that the clause be postponed.

MR. GATHORNE HARDY stated that the Government were willing to postpone this and the following clauses until it had been decided what course should be taken with the counties.

MR. CRAUFURD said, he was going to propose an Amendment on that clause, of which he had given Notice. He wished to raise the question as to whether the two counties should not be united.

MR. GATHORNE HARDY suggested that the best course to adopt would be to allow his right hon. Friend (The Lord Advocate) to move that the county of Selkirk cease to return one Member, and that the county of Peebles cease also to return one Member, and that the two be united and jointly return one Member, and then any discussion could be taken on the matter.

Mr. CRAUFURD said, he was quite willing to accede to the suggestion which had just been made by the Home Secretary.

"Motion, "That the Clause be postponed," by leave, *withdrawn.*

The LORD ADVOCATE then moved, in page 3, line 30, after "burghs," to insert—

> "And Towns of Hawick, Galashiels, and Selkirk, specified in Schedule (B.) hereto annexed, shall be constituted into a District of Burghs, and such District shall return one Member to serve in Parliament."

Mr. MONCREIFF said, as far as his own feeling went in the matter, he was entirely against the proposed course of action, and he thought that was the general impression of the Scotch Members. If counties were to be doubled up in that way—he did not say that Selkirk and Peebles did not form a very strong case for the application of the principle; but, on the other hand, he said that it was a course which he did not think ought to be followed. If they once adopted that system, there was no knowing where it was to stop. However, he admitted that in the discussion of that Bill it was not desirable to have too many contests; and he should not carry his opposition further than the remarks which he had made, though he could not refrain from expressing the strong opinion which he held against the advisibility of adopting the proposed system.

Sir JAMES FERGUSSON said, he was very glad the right hon. and learned Gentleman (Mr. Moncreiff) did not propose to carry his opposition further than the remarks which he had just made, and he (Sir James Fergusson) must say that he thought the proposition deserved a more generous reception at his hands. He ventured to think that there was a great principle involved, and that principle was one which ought to commend itself to hon. Members. The towns in their schedule were rising towns — not very large, perhaps, from an English point of view, but still large for Scotland; and in proposing that Selkirk should cease to return one Member, they only proposed its disfranchisement for a special purpose—namely, to unite it with Peebles. He did not think that, under the circumstances, the Committee ought to consider the proposition of the Government anything but a liberal one, and he was surprised that it had been

received in the manner it had by the right hon. and learned Member for Edinburgh.

Mr. LAING said, he must also express his surprise at the observations that had fallen from the right hon. and learned Gentleman (Mr. Moncreiff), and that he should be opposed to this proposition. He (Mr. Laing) thought the Scotch Members ought to look to the opinions of their constituencies. The right hon. and learned Gentleman said that this proposition was against the opinion of the Scotch representatives. Now, he must say that assertion was entirely contrary to the fact; because the opinion of the Scotch Members was strongly in favour of the scheme originally proposed by the hon. Member for Montrose (Mr. Baxter), in which several large constituencies would have obtained additional representation. Not being able to carry out that—because they have only succeeded in getting seven, instead of ten Members—the question now comes, whether, by uniting those very small counties in Scotland, which were obviously below the standard of county representation in England and Wales, they could get additional Members to supplement the inadequate representation at present existing in some parts of Scotland. A Conservative Government—he must do them the justice of saying—had made a step in that direction, and they had volunteered and offered what was really a Liberal measure, and then opposition was made by the Law Adviser of the late Liberal Government to any more progress being made in that direction. Of the two counties in question one had a population of 10,444 and the other of 11,408. They would in future be represented by one Member, and that would enable the Committee to give one Member to Perthshire, with a population of 100,000, or to the city of Aberdeen, with a population of 90,000, and which would have 7,000 voters under the new Bill.

Major CUMMING BRUCE, referring to a statement that no such thing as a union of counties existed in Scotland, reminded the Committee that he represented the counties of Nairn and Elgin. When the right hon. and learned Gentleman (Mr. Moncreiff) talked about the Scotch Members having objected to this proposition, he forgot to say that some of the Scotch Members had never heard of some of the meetings which had been held until after they were over.

MR. M'LAREN said, the assertion of his right hon. and learned Colleague (Mr. Moncreiff), that the Scotch Members were not favourable to this proposal required to be explained a little, because it was apt to convey an erroneous impression. The Motion for uniting those two counties was put upon the Paper by himself a month ago, and at the meetings of the Scotch Members which had been held, he was not aware that any Member objected to it. One hon. Gentleman certainly did ask him if he was going to persist in it, and he said he was. This was all that occurred. On the merits of the question, therefore, he thought that the hon. Baronet (Sir James Fergusson) had a right to appeal to this side of the House. There were towns in that district which had increased in an extraordinary degree; the three burghs would have 25,000 inhabitants, and he did not think there were 25,000 more industrious, active, or energetic people anywhere. Only to-day he had a letter from a gentleman, expressing the pleasure universally felt at the fact that the Government had agreed to the proposition.

MR. PERCY WYNDHAM said, that the hon. Member for Birmingham (Mr. Bright) had said that this was not a question of nationality, and that Scotland was only the name of that portion of Her Majesty's dominions north of the river Tweed; and further, that if a place was worthy of representation it ought to have it. In both of those opinions he coincided, and wished them to be applied to England; for it was well known that some of the enfranchised counties of Scotland were not so numerous and wealthy as some in England which had no representation at all.

MR. AYTOUN begged simply to say that he was exceedingly surprised to hear the right hon. and learned Member for Edinburgh (Mr. Moncreiff) declare that the Scotch Members as a body agreed with him in feeling a dislike to the system of uniting counties, as proposed. He was in favour of that principle when it could be done without straining, because he desired to adopt any means which would diminish the undue influence of very large landowners, and he was delighted to see any measure proposed or carried which would effect that object. When the right hon. and learned Gentleman makes the remark which he has done, he was bound to tell him that he did not think he had taken the trouble to ascertain the opinion of the Scotch Members to whom he alluded.

MR. G. YOUNG reminded the Committee that the only question before it was that the counties of Peebles and Selkirk should be united, and as that proposal was not opposed it was only a waste of time to continue the present discussion.

LORD HENRY SCOTT said, as representative of one of the counties (Selkirk) that was to be amalgamated, he could state that if his constituents were to make the sacrifice required of them, it could be only upon the understanding that the seat should be disposed of within the district. He could speak as to the energy, industry, and intelligence of the inhabitants of these towns. He had represented in Selkirkshire a manufacturing rather than an agricultural constituency, and he could speak to the importance of the great woollen manufactures in which they were engaged. He thought the Government deserved credit for this proposition, and he hoped the inhabitants of the towns when they got their Member would remember it was due to the Government, and not to hon. Gentlemen opposite.

Clause *agreed to.*

MR. CRAUFURD wished to move the insertion, after the words which had just been adopted, of the words—

> "And the City of Aberdeen shall return two Members to serve in Parliament."

His object was to give the additional Member obtained by uniting the counties of Peebles and Selkirk to the city of Aberdeen, instead of to the group of small boroughs—namely, Galashiels, Selkirk, and Hawick — which the Lord Advocate proposed to constitute. The proposal of the learned Lord would destroy the whole effect of the Amendment to which the Committee had just agreed, because, having amalgamated the counties of Peebles and Selkirk on account of the smallness of their population, it was now proposed to cut them down again by taking out the towns in order to form them into a group. He therefore proposed, instead of creating such a group, returning one Member, to give the Member thus gained to the city of Aberdeen.

COLONEL SYKES seconded the proposition.

SIR GRAHAM MONTGOMERY said, he was surprised that the hon. Member for Ayr (Mr. Craufurd) should have made this proposal to the Committee. The intention of the Government in uniting the counties of Peebles and Selkirk was to provide a Member for a set of populous and rising places in the South of Scotland. The county of Peebles, which he represented, had no objection to sacrificing a Member in order to provide representation for these populous places; but it was absurd to think that they would be willing to make that sacrifice for the purpose of giving another Member to the city of Aberdeen.

Colonel SYKES congratulated the right hon. Gentleman at the head of the Government on his recognition of the principle that representation, population, and contribution to the public Revenue ought to bear some relation to one another. The admission of the principle in the present instance established the claims of Aberdeen to an additional Member, remarkable as that city was for its progress, industry, accumulation of wealth, and the intellectual character of the majority of its inhabitants. The question the Committee had to determine was, whether or not they would give the liberated Member to Aberdeen. That city had at present 4,236 electors, and when the Scotch Reform Bill was passed the number would be closely approximate to 9,000. According to the official Returns of the Town Council, it had a population of about 90,000. The trade of the city had received a great impulse. Manufacturing industry was flourishing, and the character of its shipbuilding was known all over the world. The valuation of the city had risen from £193,000 in 1860, to £257,000 in 1867-8, an increase of 23 per cent. Its harbour, which was one of the largest in the Kingdom, of thirty acres in extent, having cost £250,000 would be rendered more convenient to the mercantile world—a Bill having passed through the House enabling the energetic people of Aberdeen to alter the course of the river Dee, and to improve the harbour, at a cost of £238,000, and when completed it would form a harbour of refuge for the east coast of Scotland. These were not small claims upon the consideration of the House and the country. Then the paper manufactories and granite works of Aberdeen should be remembered; and in referring to the latter he felt no remark was necessary on his part to justify their high character, since most great ornamental works in Great Britain testified to the tribute paid to the Aberdeen granite manufactors. Since 1861 the city had built 620 houses, accommodating 2,000 families. Its commercial and intellectual activity was evidenced by the fact that last year the number of letters delivered amounted to 4,090,000. There were numerous other instances which he could cite to establish the claim of Aberdeen to a second Member, but he did not think it was necessary to enter into minute details beyond what he had already stated. He would appeal to the right hon. Gentleman at the head of the Government, and ask him whether, after having had these claims brought under his consideration, he was to place Aberdeen, with its flourishing industries, its great intellectual status, in the same category as the three burghs he had abstracted from Scotland, and which were left to what?—to flourish in Scotland? no, but to rot in England? Was Aberdeen to be left in the same category with these? He could not think it possible; and he felt assured that after the sense of right shown by the right hon. Gentleman he would by hook or crook give another Member to Aberdeen.

Mr. MILLER considered that Leith had stronger claims to another Member than Aberdeen; for although the population was not so large, the electors in proportion to the population were more than at Aberdeen; and further, Leith contributed more to the Revenue than any place on the East coast excepting Hull. He had placed an Amendment on the Paper, to the effect that Musselburgh and Portobello be joined to Dalkeith and Lasswade, in forming a group of boroughs to send a Member to the House.

Sir EDWARD COLEBROOKE expressed his surprise that the Government had not recognized the importance of places near the Clyde and erected them into a borough. They were places of the highest importance; and if they were not formed into an independent borough they would prefer remaining in the county.

Mr. BAXTER said, that this country should be treated as a united Empire, as far as England, Scotland, and Ireland were concerned; and where constituencies were found too small for representation, the House should not necessarily look to the immediate neighbourhood. Therefore, in his opinion there was no force in the argument that because Selkirk and Peebles were too small to return one Member each room should be found for the second Member in a burgh. He represented a larger bistrict than Leith, and his constituents had used pressure upon him to get a second Member; but he had steadily refused, and for this reason—that he believed they were not entitled to a second Member. He thought if they were to act on the principle of taking one Member here, and putting another there, they would find themselves by-and-by in a position of considerable difficulty. To his hon. and gallant Friend (Colonel Sykes) he would say, "Have patience." Glasgow, with a population of nearly 500,000 of inhabitants, and with an extension of its Parliamentary and municipal boundary, had three Members; and he was perfectly satisfied that before two or three years had passed over it would have fair representation in the House. He was told that this matter was "squared" and arranged already. He appealed to the present House of Commons and to the right hon. Gentleman (Mr. Disraeli), and he was confident that, as they had left the burgh untouched, and left Glasgow, with its population of upwards of 400,000, untouched, their successors would take up the question in a different spirit, and that in future years Scotland would have a fair representation in the Commons House of Parliament.

MR. LAING said, the representation of seats in Scotland should not be settled upon mere questions of local jealousies and prejudices, nor yet be the subject of arrangement out of doors between hon. and learned Members on either side of the House. He thought they ought to look at the matter broadly, and do what the public opinion of Scotland expected them to do. They might do themselves infinitely more harm by securing this matter than by acting on intelligible principles; and the principle they contended for was, that the same system of representation which existed south of the Tweed should be extended northward. The claims of Aberdeen were, in his opinion, peculiarly strong. It was not a mere ordinary burgh town. It had been for many centuries the provincial capital of a large and important district of Scotland. It was the centre of intellectual life and education, and as a commercial place, its position was one of great importance. The population was between 80,000 and 90,000. It would have a constituency under the new Reform Bill of between 8,000 and 9,000 electors, belonging to a class than which, in his opinion, none more intelligent or independent could be found anywhere. He ventured to say that the people of Scotland would look upon this settlement as a job. Great misfortune would attend it, because it would undoubtedly lead to the re-opening of this question under the new Parliament. He confussed he was a very moderate Liberal, and in the exertions he made last year for a better re-distribution in England, he did so very much on the ground that he wished for a settlement which would stand for a long term of years. He was therefore disappointed that in the case of Scotland it was proposed to act on principles that would necessitate the opening of this question at an early date. He should vote on the earliest opportunity for giving a second Member to Aberdeen.

MR. GRANT DUFF supported the claim of Aberdeen to increased representation. If that claim were not now allowed the question would speedily have to be reopened.

MR. PIM thought Aberdeen was fully entitled to another Member, and if she had been placed south of the Tweed she would have got it long ago. Edinburgh, as the capital of Scotland, deserved a third Member, and Glasgow also ought to have a Member more than she had yet obtained.

MR. KARSLAKE expressed a hope that the hon. Member for Dublin (Mr. Pim) would point out some places in Ireland from which Members might be transferred to Aberdeen and Edinburgh.

COLONEL FRENCH recommended the union of Scotch counties where the constituency numbered only 180 in order to provide additional Members for Edinburgh and Aberdeen.

MR. SERJEANT GASELEE thought Scotland should be treated in the same way as England. Aberdeen had a right to another Member. The three seats obtained from England and still left undisposed of should be kept in reserve to meet other wants that might arise. He was inclined to deprive some small Irish boroughs of their representation.

MR. M'LAREN questioned the correctness of the figures which had been put before the Committee by the hon. and gallant Member for Aberdeen (Colonel Sykes), and stated that according to the Census recently taken by the local authorities, Hawick had 11,000 inhabitants, Galashiels about 10,000, and Selkirk 4,000.

MR. LAMONT said, he felt that upon this subject he ought not to return a silent vote. Should the hon. Gentleman (Mr. Craufurd) press his Motion to a division, he should certainly follow him to the Lobby, and whatever might be the result, he hoped that the Government would not ignore the claims of the large and important city of Aberdeen. He wished also to say, as a Liberal Member, that he thanked the Goveanment for having sacrificed some Members by the union of those two counties.

Mr. CRAUFURD said, he was very much satisfied with the discussion raised upon the Amendment which he proposed, and he could not hesitate to say that he felt the force of the arguments put by his hon. Friend the Member for Aberdeen (Colonel Sykes). He perhaps had not raised his Amendment in the manner most advantageous to Aberdeen, and he thought it would not be desirable in a matter of this kind to detain the Committee by a division. But he thought he gathered the feeling of the Committee as being that the claims of Aberdeen to an additional Member were fully sustained and endorsed. His feeling was that it would not be fair to remove the Member who was liberated in the south-east of Scotland as far away as Aberdeen. As there was another Motion about to be made presently, either by his hon. Friend or himself, for liberating another Member, he thought he should consult the interests of Aberdeen better by withdrawing the present Motion.

The LORD ADVOCATE then proposed to insert after the words "burghs and towns" the words "Hawick, Galashiels, and Selkirk."

Mr. CRAUFURD said, the decision of the Committee had been taken as to joining the counties of Peebles and Selkirk, and a further proposal was now made to take out of those counties a very large population. He wanted to know if he was to understand that the Committee were agreed to go back from their previous decision, and content that the remnant of the county of Selkirk should be added to the county of Peebles, for that was what it really amounted to? They had decided that the whole of the county of Peebles and the whole of the county of Selkirk should be added together. Now, it was proposed to take out of the county of Selkirk a population of between 6,000 and 7,000; so that when they were joined together they would only have a joint population of barely 15,000. He did not think that the proposal now before them was one which could be entertained. If it were true that some arrangement had been come to out of the House, that this thing had to be assented to in order to save a similar grouping taking place in another part of Scotland, he should be most unwilling to give credit to it. He should, however, be able to ascertain the truth presently, when the Motion was made for grouping two other counties of Scotland. It was a matter which ought to be resisted altogether, and he thought that the subject was one which ought not to be settled without some discussion.

Amendment *agreed to.*

Mr. BOUVERIE asked how the boundaries were to be settled?

The LORD ADVOCATE said, that Selkirk was a Royal borough, and that Galashiels and Hawick had boundaries constituted under the General Police Act of Scotland, and they would not be disturbed unless there should be a Boundary Commission.

Clause *ordered* to stand part of the Bill.

Clause 11 (Towns added to certain Districts of Burghs).

Mr. LAING thought that the decision which the Committee had come to with regard to Selkirkshire and Peeblesshire virtually decided the question in respect to Sutherlandshire, for the Committee had decided that the two former counties were not large enough to return a representative each. The county of Sutherland had only 180 electors, and the new constituency would only increase that number by 118, so that Sutherlandshire would only have 300 voters under the new Reform Bill. If two counties which had each constituencies of 700 were not worthy of a single representative each, then a county having only 180 electors, and which under the Reform Bill would not have 300 voters, ought not to continue to send a single Member to Parliament. He always wished to avoid touching upon personal questions; but it seemed to him that there were circumstances which were of much public notoriety, and it would be quite impossible to shut their eyes to them. The county of Sutherland happened, with the exception of one small estate, to belong entirely to one single proprietor. Of course, it was impossible for the people of Scotland or of England, in weighing a question of this sort, to shut their eyes to such a fact. The principle extensively acted upon in England in disfranchising "pocket" boroughs was that, when a borough was clearly under the influence of one individual, it ought not to have one share in the representation possessed by an ordinary constituency. He did not say the same principle should not be applied to "rotten" counties as well as to "rotten" boroughs. The Committee, in considering the re-distribution of seats, could not come to the conclusion that it was fair that a great centre of intelligence and commerce like Aberdeen should not receive a second Member, while a miserable county like Sutherlandshire should be left to return a representative to Parliament. The only question which could arise was as to the county with which it should be united—whether with Ross and Cromarty to the south, or with Caithness to the north; and, in deciding that question, it would be proper to consider the amount of population and constituency, the similarity of circumstances, and the convenience of intercommunication. The circumstances of Sutherland and Caithness were totally dissimilar, while those of Sutherland and Ross were entirely identical. The new constituency of Caithness would be 1,277, that of Ross and Cromarty 1,162. Ross-shire was a Highland county, inhabited, like Sutherland, by a Gaelic population; Caithness, with the exception of one parish, had a purely Lowland population, consisting of small owners and occupiers, who, either as fish curers or owners of a herring boat, or a share in one, formed as intelligent and independent a constituency as they could wish for. The county of Caithness represented a branch of industry which was most important to a maritime country like this. It was said that the city of Amsterdam was built upon herring bones, and the same might be said of the county of Caithness. It contained a hardy population bred to the sea, which, in case of exigency, would be of great service to this country. He thought, therefore, they had a claim to separate representation. With regard to the question of proximity, they ought to look, not to mere geographical distance, but to facility of communication. Now, it so happened that the bulk of the population of Sutherland lay on the east coast; that the county town was within sight of Tain, in Ross-shire; both were connected by railway, and could communicate with one another in the course of a single day. On the other hand, Sutherland was cut off from Caithness by a great range of mountains, and it might be long before a railway was carried so far north. In the meantime, there was practically next to no communication between the two. That Sutherland with its 180 electors should return a Member was a rank job which stunk in the nostrils of the people of Scotland. On the other hand, the claims of Aberdeen or Perthshire were exceedingly strong. He begged to move that the county of Sutherland be added to the adjoining county of Ross and Cromarty, for the purpose of returning jointly one Member to serve in all future Parliaments.

Amendment proposed, at the end of the Clause, to add the words—

"The county of Sutherland shall be added to the adjoining county of Ross and Cromarty for the purpose of returning jointly one Member to serve in all future Parliaments."—(*Mr. Laing.*)

Question proposed, "That those words be there added."

LORD RONALD LEVESON-GOWER said, that he did not mean to take up the time of the Committee with his own personal affairs, but the attack which had been made on his county required refutation. It was not correct to say that there was any difficulty about the communications, which were good throughout the county, and therefore he saw no reason why it should be treated so badly as was proposed by the hon. Member for Wick (Mr. Laing). His own county (Sutherland) had got a population of 25,793, which was larger than the population of two English counties—Rutlandshire and Radnorshire — the former of which had a population of 21,861, and the latter 18,305. He believed the way in which the counties had been attacked lately was owing entirely to the borough interest. He did not think the boroughs had got so much to say for themselves. He had got a list of half a dozen of them, all of which had a smaller population than that of Sutherland. The Dumfries burghs had a population only of 22,996; the Inverness burghs of 20,380; Kirkcaldy, 23,476; St. Andrews, 16,777; Wigton, 10,385; and Wick only 16,995. Then there were three boroughs in England which were to retain their representatives, and which had populations under 5,000—namely, Evesham, with 4,680 inhabitants; Marlborough, with 4,893; and Northallerton, with 4,755. He thought it quite unfair to swamp the landed interest in Scotland, as was evidently the design of those Gentlemen who had brought forward this Motion. It should never be said of him, however, that he was willing—

> "To throw away the dearest thing he owned
> As 't were a careless trifle."

Mr. CRAUFURD said, he hoped that the Committee, having amalgamated the two counties of Peebles and Selkirk, the joint constituency of which would be over 1,100, would apply the same principle to Sutherland. Whether it should be united with Ross or Caithness was for the decision of the Committee.

Mr. H. BAILLIE said, that if the Committee had the slightest regard to its own consistency it could not refuse to vote for the Motion of the hon. Member for the Wick Burghs (Mr. Laing). The noble Lord the Member for Sutherland (Lord Ronald Leveson-Gower) had been voting with all his might for the disfranchisement of a number of English boroughs, not one of which had not a much larger number of electors than the county which he represented. To unite Sutherlandshire with the constituency of Ross and Cromarty would be a great mistake. These questions must be decided, as those of the English boroughs had been, according to population; and the population of the counties of Ross and Cromarty was larger than that of Caithness and Sutherlandshire together; while the two latter counties were, he believed, under one sheriff, one set of Customs' officers, and one police organization, and were, in fact, virtually united. All they wanted was to have a representation in common, and that he wished would be the decision of the Committee.

Mr. BOUVERIE said, he thought the case against Sutherlandshire was not quite so clear as the hon. Members for Wick and Ayr (Mr. Laing and Mr. Craufurd) seemed to think. There was a large tract of country, consisting chiefly of sheep farms, and thinly populated, but with a considerable population of small householders on the coast. It was all very well to talk of the number of electors, but population had guided the House hitherto; and this enormous tract of country had a population of 25,000, larger than that of the county of Bute or than that of the county of Rutland, which returned two Members, or the proposed united counties of Peebles and Selkirk. He knew it was said the whole tract belonged to one proprietor, who held, as it were, the seat in his pocket, and could return what Member he pleased; and that he argued was not a desirable state of things. But this was an accident which did not exist twenty-five or thirty years ago, and which might not exist that time hence; and Scotch tenant-farmers were capable of taking political questions into their own hands, and rebelling against their landlords, as they did at the last election for Aberdernshire, while there were some who wished to protect the independence of tenants by means of the ballot. Was this body of tenantry to be deprived of the privilege of returning a Member because the land happened to be in the hands of one proprietor? There were English boroughs in the same position; he knew one in the West of England where the great landowners had returned a Member ever since the passing of the Reform Act, and yet no question had been raised about it. He was not satisfied they would be doing right to act upon the notion that because a county belonged to one proprietor it ought to be disfranchised. In this case he believed the population to be entitled to independent representation.

Major CUMMING-BRUCE said, he objected to the proposed amalgamation of Sutherlandshire with Ross and Cromarty instead of Caithness, seeing that Caithness and Sutherlandshire were contiguous and connected by railway as well as in local administration; and he objected to the virtual disfranchisement of Sutherlandshire, whose people distinguished themselves in the last war, and who were entitled to all the more consideration because of their distance and separation from the seat of Government. When the right hon. Member for South Lancashire was referred to as having defended small constituencies, he said he did not defend them, but nomination boroughs. This was the case of a nomination county, and therefore the right hon. Gentleman must consistently oppose its absorption in a larger constituency, which it was proposed should embrace not two but three counties—Ross, Cromarty, and Sutherlandshire. Ross and Cromarty had a population of 81,000, which was larger than the united populations of Sutherlandshire and Caithness, and the property Returns also gave Ross and Cromarty a pre-eminence.

Mr. HORSMAN said, he wished to remind the Committee that there were on the Paper twenty pages of Amendments. They were on the eve of the Whitsuntide holydays, and if the Committee did not get through the Bill to-night a new crop of Amendments would turn up, and nobody knew when they would get through the Bill. The only way they could do that would be by the Government propounding, or by there being propounded from some other quarter, a basis on which they might the Prime Minister to a Question in the all agree. He thought that the Answer of early part of the evening gave them a fair prospect that the Bill would be advanced rapidly through the Committee. All the Scotch Members must have felt that the right hon. Gentleman tried to meet them in a fair and conciliatory spirit, which was reciprocated on that (the Opposition) side of the House. The right hon. Gentleman, in answer to a question put to him, said, he was prepared to adhere to the scheme propounded by him at a late hour on the last evening they had this question before them, a few minutes before a division, when there was really no time to consider the question at all. When the right hon. Genleman said he intended to adhere to that plan, they all thought it was a well-considered scheme of the Government; and on that understanding the Opposition assented to the plan of the Government. Now, of these Amendments, there was hardly one in favour of which a good deal might not be said, and if one were carried there was no telling how far the Committee might not have to go. The hon. Member (Mr. Laing) rested his case entirely on the number of electors; but what you wanted to know was the amount of population and the interests to be represented; you must take the population as a basis of representation, not the mere number on the electoral roll. Sutherland had a greater population than that of some English counties; it was greater than Rutland, which had two Members, while Sutherland only had one. By raising such questions you opened a wide door to further discussion, and no one could tell when the labours of the Committee would close. The Government had agreed that seven Members should be given to Scotland. He thought that Scotland was entitled to ten; but, in return for the concessions which had been made by the Opposition, the Government ought to stand by their scheme.

Mr. DISRAELI: The scheme of the Government was one framed with a due regard to the interests and the wishes of both sides of the House; and, on the whole, I am of opinion that, under the circumstances, it was calculated fairly and reasonably to satisfy those interests and wishes. I think it of great importance that we should close the Committee, if possible, on this stage of the Bill to-night. We know well, from our experience of last year, that on such a subject as the re-distribution of representation and the re-adjustment of our electoral system there is no end to the Amendments which may be proposed, all of which you can prove by statistics to be the most just which can possibly be brought forward. The proposition submitted by the Government was made with as much regard to the interests and wishes of those sitting opposite as of Members on this side of the House, and it was made with the hope of bringing the question to a settlement. I am not therefore prepared to support any further alteration in this clause. I understood that there was, not a secret compact, but an understanding in favour of a scheme which would bring the discussion of the present Bill to a close to-night, and I must therefore resist any proposition made from either side of the House in favour of further changes. At the same time, without reference to any such understanding as I have mentioned, but upon the abstract merits of the question, I should certainly oppose this proposal to disfranchise Sutherland. It is an extensive tract of country; the population is very considerable—as considerable as that of some counties in England represented by a larger number of Members—and I should be opposing that interest which I have always for the sake of our constitutional liberty endeavoured to uphold in this House—namely, the real representation of the landed interest—if upon a Motion of this kind I agreed to disfranchise Sutherland. The Bill has been fairly considered, and after some difference of opinion it has been generally, if not unanimously, adopted by the House; and for my part I am not prepared to countenance any further alterations in it.

Mr. GLADSTONE: I need hardly say that there is no understanding between me and the right hon. Gentleman at the head of Her Majesty's Government other than that which may have been arrived at across this table; but I am bound to say that I think the language of the right hon. Gentleman on the present occasion is the language of good sense. The question of opening up the representation of the county of Sutherland is nothing but the first of a long list of questions, and if you concede to the plausible motives which have been urged and adopt this Motion you will bitterly repent it before you come to the end of your labours. My hon. Friend the Member for the county of Inverness (Mr. H. Baillie) said that if the Committee has any regard to consistency it must adopt this Motion. Now, I dispute the proposition altogether, in spite of the high and almost overwhelming authority of my hon. and learned Friend the Member for Portsmouth (Mr. Serjeant Gaselee). It requires great audacity to offer the smallest doubt, or qualification, or exception to anything which falls from the hon. and learned Gentleman, either by way of speech or cheers; but on this particular occasion I must take the liberty of differing from him. Now, let us see how we stand with regard to this question. We on this side of the House were firmly persuaded that Scotland had a good claim to ten additional seats, and also that these ten additional seats might most conveniently and properly be obtained by drawing a line, which happened to coincide with the population, at the figure of 5,000. The House, however, was pleased to give a vote the other night which implied, though it did not directly affirm, that only seven additional seats were to be given to Scotland. Now, if we are to enter upon a consideration of conflicting claims in Scotland, as they are likely to be advanced by Gentlemen who are strongly impressed with the merits of their own individual schemes, one effect will be that we shall be compelled to re-open what I, for one, have no anxiety to re-open—namely, the question of English seats, with a view to the fuller satisfaction of the claims of Scotland, and thereby to begin again at the beginning after we have so nearly got to the end. I must protest entirely against the doctrine of my hon. Friend as regards the consistency of the House. How is it consistent after giving a Member to two counties with a population of some 22,000 we should take away one from a county containing a population of 25,000? He says there are more voters, but how is the electoral roll made up in the counties of Selkirk and Peebles? What number of the electors in Selkirk and Peebles does he think have a *bonâ fide* interest and tenure in the soil and real property in those two counties? But I think my hon. Friend is wrong in his fundamental proposition. And first as to the question of property. I think my hon. Friend the Member for Wick (Mr. Laing) was not accurate in what he said as to the whole county of Sutherland belonging to one individual, with the exception of the small estate. I am aware that the Duke of Sutherland has an overwhelming share in the property of the county; but I believe that about one-fifth of the county is in other hands. ["No!"] Well, one estate which did not belong to the Duke of Sutherland was sold the other day for £130,000. Now, the question to be considered is, whether it is expedient and convenient for the House, in determining the distribution of representation, to inquire what proprietors are possessed of large properties in the different counties and boroughs; for if that is to begin in Scotland it cannot stop there. There may be some hon. Members who are conscious that there exist divisions of counties which are not altogether different in this respect from the county of Sutherland, and there are certainly boroughs which must be disfranchised if the county of Sutherland is, on the ground of the great bulk of the tenantry belonging to one individual, to be disfranchised. [An hon. MEMBER: Not disfranchised.] Yes, as much as Thetford is disfranchised. Every man in Sutherland having a county qualification will be represented in another county, and consequently Sutherland will be disfranchised as a county. ["No, no!"] If Sutherland is to undergo that operation, call it by what name you like, on the ground of its belonging to one particular person, an inquiry will have to be instituted in other cases, and while I do not assert that there may not be plausible reason for instituting such inquiry, I maintain that, on the whole, the inconveniences attendant thereupon would be much greater than the benefits to be derived from it. But my hon. Friend (Mr. Laing) takes the number of electors in Sutherland; but if we were to propose to increase that number by lowering the county franchise, my hon. Friend would meet the proposal with stern opposition. I confess for my own part I think it has pleased the House to establish such a discrepancy between the borough and county occupation franchise in this island as is not likely to be very endurable; but, independently of that, I must say that the principle of our representation is founded on the basis of population. This doctrine of disfranchising on account of there being only a certain number of electors is a totally novel doctrine. It overlooks the fact that our movements in regard to the franchise are movements forward. Do not suppose that there is not in the county of Sutherland a most intelligent population, for I will venture to say that in the whole of this island there exists not a more intelligent population connected with the labouring and industrial interests than the population of the county of Sutherland, particularly on its eastern coast. If, then, you are prepared to found your representation on any other ground than that of population, you must re-consider all you have done. We disfranchised certain boroughs the other day because they had less than 5,000 population; but if we had taken the number of electors the results would have been totally different, and some boroughs which now retain their Members would have been included in the list if we had proceeded on the principle that the number of electors ought to be the test according to which representation is to be distributed. Then, it is only fair to remark that this population of the county of Sutherland is almost entirely without borough representation, for there is only one small borough, which is, in point of fact, a village with a purely agricultural population. Now, if you are prepared to say that a seat should be withdrawn from a community of 25,000 persons in order to satisfy your notions of equality, you will be laying down a principle of which you ought to measure well the consequences and results before you adopt it by implication by agreeing to a Motion of this character. Whether you are satisfied or not with the proposal of the Government, I believe the wise course to take if you mean to go forward with the Bill will be to adopt their proposals as far as re-casting the distribution is concerned and to reject the Motion of the hon. Gentleman (Mr. Laing).

Sir WILLIAM STIRLING-MAXWELL said, it appeared to him that a Reform Bill, whether for England or Scotland, must necessarily be a thing of surprises. At the commencement of the evening he was very much surprised to hear his right hon. and learned Friend the Member for Edinburgh (Mr. Moncreiff) protesting against the creation of a popular constituency in the South of Scotland. The right hon. Member made that protest in a few faltering sentences, and his speech then came to an end with a suddenness very unusual with his right hon. and eloquent Friend. Later in the debate he found the two counties of Selkirk and Peebles, with an electorate of over 1,000 and a population of 22,000, joined together without the Committee going to a division on the subject. Soon afterwards, he was surprised to find his right hon. Friend at the head of Her Majesty's Government, which proposed this extinction of one county constituency, defending from a similar fate another county constituency, with an electorate of only 180. He was yet more astonished, however, to hear the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) describe the language of the right hon. Gentleman the First Minister as the language of good sence. This was certainly the most surprising of all these occurrences. Then the speech of the noble Lord the Member for Sutherlandshire (Lord Ronald Leveson-Gower), who had made so spirited and agreeable a defence of his county, was also to some extent a surprise. Those who had the honour of sitting in that House at the time when the noble Duke who had been so frequently alluded to was a Member of it, must have perceived that the invariable tendency of the noble Duke's votes and action was towards the achievement of what had now been actually achieved—namely, a Reform Bill with considerable disfranchisement. Seven seats had been taken from England in order to supply the wants of Scotland. In spite of the ingenious arguments of the right hon. Gentleman the Member for South Lancashire, and his—he would not say menaces, but his solemn warnings to both sides of the House to mind what they were doing, it appeared to him a perfectly monstrous thing that this anomalous county constituency should be allowed to continue its existence. He (Sir William Stirling-Maxwell) should have thought that, so far from the representative of the county of Sutherland objecting to the Motion before the House, he would have been the first person to propose it; having himself always been disposed to sympathize with the noble Duke in what he conceived must have been his feeling of disappointment that he had never been able to obtain in any Liberal Reform Bill the disfranchisement of the county of Sutherland. In making the suggestion that the county of Sutherland should be united to the county of Ross and Cromarty, he had been deferring to the local knowledge of the hon. Member for Wick (Mr. Laing). However, after what he had heard on the subject in the course of this discussion, he confessed that his own judgment in the matter had been premature; and he should vote for the Amendment of which his hon. and gallant Friend the Member for Elgin (Major Cumming-Bruce) had given Notice — to unite Sutherland, not with Ross, but with Caithness.

Mr. Serjeant GASELEE, in reference to the remarks of the right hon. Gentleman the Member for South Lancashire, begged to say he had yet to learn that an independent Member below the Gangway was not entitled to express his opinion, as well as hon. Gentlemen who sat on the Treasury Benches. He certainly, upon most points, had an opinion of his own, and that generally a decided one, and if that required any apology, he found it in his having been so long an humble follower of the right hon. Gentleman. Though one Scotch Member, without any acknowledgment had stolen half his plan, and another the other half, he was the first Member to propose in that House the disfranchisement of the small English boroughs—

> "Hos ego versiculos feci, tulit alter honores."

But he did not want applause. He got, by the kindness of the House, too much of it. He felt that he should not be acting consistently with his own principles if he did not vote for uniting Sutherlandshire with some other county. A pocket-borough was bad enough, but a pocket-county was very much worse. He hoped the right hon. Member for South Lancashire would allow him to remind him without another lecture, that to unite Sutherlandshire with another county would not be to disfranchise it. Not a single freeholder would be disfranchised by that operation; but each of the 182 voters in the county of Sutherland would only have that power of voting to which he was entitled.

Lord ELCHO observed, that some hon. Gentlemen seemed to suppose that with reference to the proposition now before the Committee, there had been an understanding between the two front Benches. Whether that were so or not, the duty of independent Members was to take what appeared to them to be the right course in the matter. As a rule, he did not think it was a judicious proceeding to disregard time-honoured divisions of the country; for by so doing they would drive men who did not wish to see the whole country governed by the towns to adopt the principle of electoral districts. It appeared, however, that the system of joining counties had been established in 1832, and it had been again acted on in an early period of this evening. If the principle of grouping was sound in the case of Peebleshire and Selkirkshire, it was equally sound with regard to Sutherlandshire and Rossshire and Cromartyshire. He was opposed to any such junction; but if this were determined on, he would rather see Sutherland joined to Caithnessshire. In former times very intimate relations had existed between these two counties. There was still an old leafless tree pointed out in the former county, whereon the Earls of Sutherland were accustomed periodically to hang the Earls of Caithness.

Lord HENRY SCOTT was understood to protest against the counties of Selkirk and Peebles being spoken of in a depreciating manner.

Mr. M'LAREN said, that at the time of the Union six counties were joined in pairs; and in 1832 six were dealt with in the same way, only that under the junction arrangement made at the time of the Union each of the two counties joined together returned a Member to Parliament alternately; while by the Reform Act of 1832 the counties then united in pairs always returned one Member jointly for each pair. It was ridiculous to talk of the great importance of Sutherland when the number of sheep and deer there as compared with the number of men was mainly what was taken into consideration.

Amendment made to the proposed Amendment, by leaving out the words "Ross and Cromarty," and inserting the word "Caithness."—(*Major Cumming Bruce.*)

Question put, "That the words of the proposed Amendment, as amended, be there added."

The Committee *divided*:—Ayes 103; Noes 195: Majority 92.

Mr. H. BAILLIE rose to propose an Amendment, the object of which, he said, like that which had just been negatived, was to show that to a certain extent Scotland was able to help herself. The district of burghs which he proposed to disfranchise contained a number of electors very little larger than that of some of the English pocket-boroughs which were about to be disfranchised for the benefit of Scotland. The right hon. Gentleman opposite (Mr. Gladstone) had argued that population was the proper test; but he maintained that the number of electors was the proper criterion, since it involved property as well as numbers. The Wigton district consisted of four towns, if they could be dignified by that name, or rather of one town, Stranraer, with 6,500 inhabitants, and three villages—namely, New Galloway, with 450 inhabitants; Whithorn, with 1,623; and Wigton, with 2,100. The number of electors was less than 500, while in Northallerton, which was to be disfranchised, it was upwards of 450. Now, what was sauce for the goose was sauce for the gander, and if English boroughs were to be disfranchised for the sake of Scotland, these small districts ought to undergo the same fate if the large towns were to have additional representation. The hon. Gentleman concluded by moving—

> "That from and after the present Parliament the Wigton district of Burghs shall no longer return a Member to serve in Parliament; the Burghs of Stranraer and Wigton shall be added and form part of the Dumfries district of Burghs; and the City of Edinburgh shall return a third Member."

The CHAIRMAN expressed an opinion that the Amendment should have been proposed on Clause 10, which created or extinguished constituencies, whereas the present clause only added certain towns to existing districts of burghs.

Mr. H. BAILLIE remarked that part of his Amendment added towns to an existing district.

Mr. M'LAREN supported the Amendment.

Sir JOHN HAY said: Sir, I rise to entreat the Committee not to be led away by the arguments of my right hon. Friend the Member for Invernessshire (Mr. Baillie) and I trust that my right hon. Friend the First Minister will give this proposal his most strenuous opposition. It may, no doubt, be argued that the Wigton burghs are the smallest burgh constituency in Scotland, but the Committee has just refused to sanction the partial disfranchisement of Sutherland—a county whose constituency is not half that of the Wigton burghs. Stranraer, the principal town of the group, is a most rising seaport, and has increased and is increasing most rapidly both in wealth and population. The burgh of Wigton is also rapidly improving. I live near Stranraer, and am able to speak on this subject with the greatest impartiality. I do not agree in political views with my hon. and learned Friend the Member for the Wigton burghs (Mr. Young), but I feel bound to do all in my power to resist this disfranchisement. These towns sent representatives to the Scotch Parliament, and since the Union have had a separate Imperial political existence. Though the present feeling in this district is to support the party opposite, it is unfair to say that this will always continue, or that it is brought about by undue influence. Indeed, not many years since, a Conservative candidate polled within one of the Whig who was returned. These burghs have a separate interest, and, owing to their geographical position, could not well be added to any other existing group. It is impossible for the Committee to sanction their union with the Dumfries district, as Stranraer is more than ninety miles from some towns in the Dumfries group, and which have no community of interest to recommend this grouping. I trust the Committee will resist the proposal.

Amendment *negatived.*

Clause *ordered* to stand part of the Bill.

Clause 12 (Certain Counties to be divided, and each Division to return a Member).

Sir EDWARD COLEBROOKE proposed to omit the clause, on the ground that it would divide Lanarkshire, with its 200,000 inhabitants, in an unequal and objectionable manner, leaving one division with a population of only 20,000, another with one of 60,000, and a third with a population of 120,000.

Mr. BAILLIE COCHRANE said, he was surprised to hear such an objection coming from the hon. Member for Lanarkshire. The object of the clause was to divide the county so as to have the mercantile and manufacturing interest represented in that House as well as the agricultural interest. It was somewhat extraordinary to find an hon. Member opposing the representation of a district in which his property was situate. He trusted that the hon. Baronet, on consideration, would not persevere with his Amendment.

Mr. MONCREIFF thought that the hon. Member for Honiton (Mr. B. Cochrane) was open to the charge of inconsistency in the course he had just advocated in respect to Lanarkshire and that which he had supported when the question of the representation of Glasgow was under consideration. It appeared to him that the proposition of his hon. Friend the Member for Lanarkshire (Sir Edward Colebrooke) was a reasonable one. The uniform practice was that two Members should sit for each county without having any division.

The LORD ADVOCATE said, that this was the first opportunity which had arisen of discussing the question how two Members should be allotted to one county. In England divisions of counties were represented by two Members; but in the present case the county was seventy miles in length and fifteen miles broad, and it would be a great convenience to have a division. The proposal to divide Aberdeenshire met with approval, and the proposal to divide Ayrshire was not objected to. The only objection was in the case of Lanarkshire. The division of the county inserted in the Bill of last year was, however, the same as that now proposed, and he then understood that the hon. Baronet did not object to it, if the county were to be divided at all. On the whole the plan of the Government was thought the best for large and extensive counties.

MR. LOCKE observed that there appeared to be a great difficulty amongst the Scotch Members as to the mode in which they should divide the spoil. Seven Members, to be taken from England, were to be appropriated to Scotland, but there did not seem to be any inhabitants to receive them. He understood the proposition was to divide the county, and give a Member to a certain number of agricultural individuals. He should support the proposition of the hon. Member for Lanarkshire (Sir Edward Colebrooke), as he objected to leave one Member to be returned for a division in which there appeared to be no constituency at all.

SIR EDWARD COLEBROOKE said, as the learned Lord Advocate had referred to a private communication which he had had with him in his office when the right hon. and learned Gentleman invited him to inspect the plan of the boundaries to be proposed, he (Sir Edward Colebrooke) thought it only fair to refer to what had really passed on that occasion. No doubt on that occasion he had expressed a strong suspicion that an unfair division would take place; but the right hon. and learned Gentleman did not when he went to him propose any distinct plan, but named several propositions which he had under his attention. The impression left was that the right hon. and learned Gentleman had not made up his mind, and he (Sir Edward Colebrooke) said that if a fair and equal division were proposed the right hon. and learned Gentleman would stand upon strong ground. In his opinion, however, this had not been done, and no division of the county could be made which would separate the commercial from the agricultural population.

MR. FORDYCE thought that so far as Aberdeenshire was concerned, the division proposed by the Government was most fair and equitable, and he hoped the proposal would be persevered in. He had presented two petitions from Aberdeen in favour of it, one largely and influentially signed, and another from the Committee of Supply of the county. The county contained, he believed, 1,250,000 inhabitants, widely scattered so that none but the most wealthy could hope to canvass the entire county. He trusted the hon. Baronet (Sir Edward Colebrooke) would not include Aberdeenshire in his opposition.

SIR WILLIAM STIRLING - MAXWELL said, he had never heard a word of weight against the Government's proposed division.

MR. CRAUFURD said, he believed strong local feeling existed in favour of having the two Members for the undivided county.

SIR JAMES FERGUSON said, his experience as a Member for the county differed from that of the hon. Member (Mr. Craufurd). He knew from personal experience the difficulty attending a canvass of the county, and remarked incidentally that it was of not the slightest importance to any party how the matter was decided.

Question put, "That the Clause stand part of the Bill."

The Committee *divided*:—Ayes 206; Noes 141: Majority 65.

Clause *ordered* to stand part of the Bill.

Clauses 13 and 14 *ordered* to stand part of the Bill.

Clause 15 (Liferenters, Joint Owners, and Joint Occupants).

MR. CRAUFURD proposed the omission of certain words, with a view to prevent joint occupiers below £50 in counties, with certain exceptions, from exercising the franchise.

THE LORD ADVOCATE said, he was surprised that any objection should be taken to this clause, which was precisely similar in its terms to the 27th Section of the English Act. He did not see why a distinction should be drawn between the two countries.

MR. ELLICE proposed the insertion, in line 9, page 5, after "joint tenants," of the words "or joint owners," so as to provide that only two joint tenants or two joint owners should have a vote for the same property.

THE LORD ADVOCATE intimated his willingness to accept this Amendment.

Previous Amendment *withdrawn;* Clause, as amended, *agreed* to.

Clauses 16 to 19 *ordered* to stand part of the Bill.

Clause 20 (Registration of Voters).

Mr. YORKE moved that the Chairman report Progress. ["No, no!"]

Mr. DISRAELI said, he hoped the hon. Member would withdraw his Motion. They were now getting on very well, and he trusted some further progress would be made with regard to the Bill.

Clause *agreed to.*

Clauses 21 and 22 *agreed to.*

Clause 23 *postponed.*

Clause 24 *agreed to.*

Clause 25 (Rooms to be hired for polling wherever they can be obtained).

Mr. M'LAREN said, that he had an important clause to propose, and he thought it would be better to report Progress. ["No, no!"] The hon. Member then moved after "burgh" to insert—

> "And all the expenses for or connected with such polling booths or rooms, including therein the fees for clerks and poll sheriffs employed by the Returning Officer within the same, shall, in burghs, be defrayed in the same manner as the registration expenses incurred under the Acts of nineteenth and twentieth years of the reign of Her present Majesty, chapter fifty-eight; and in counties shall be defrayed in the same manner as the registration expenses incurred under the Act of the twenty-fourth and twenty-fifth years of Her present Majesty, chapter eighty-three, are now defrayed."

The LORD ADVOCATE opposed the Amendment, on the ground that a similar proposal had been made in the English Bill, and had been rejected.

Amendment *negatived.*

Clause *agreed to.*

Clauses 26 to 36, inclusive, *postponed.*

Clauses 37 to 50, inclusive, *agreed to.*

Clause 51 (In event of Dissolution of Parliament before 1 Nov. 1868, Elections to take place as heretofore).

Sir EDWARD COLEBROOKE urged that the clause should be postponed for the purpose of being amended.

The LORD ADVOCATE said, it could be amended on the bringing up of the Report.

Mr. MONCREIFF suggested the postponement of the clause, as there was a great desire on the part of both sides of the House that the dissolution should take place, if possible, before the 1st of November. ["No, no!"]

Clause *negatived.*

Clause 52 *agreed to.*

Postponed Clause 6 (Restriction on Number of Votes in Glasgow).

Mr. BOUVERIE asked if they were to discuss this clause at one o'clock in the morning?

Mr. DISRAELI said, there were some other postponed clauses to be considered; for instance, the clause relating to the seven seats to be given to Scotland; and he supposed they would like to get those seven seats.

Mr. GRAHAM moved that the clause be postponed, with a view to consider the alternatives that might be submitted for adoption—namely, that there should be a division of the city into two parts—one division to return two Members, and the other one Member—or to consider whether it was advisable that Glasgow should take a third Member under the circumstances.

Mr. CRAUFURD moved that the Chairman report Progress.

Mr. DISRAELI said, he thought it would be discourteous, after the assistance they had received, to oppose the Motion.

House *resumed.*

Committee report Progress, to sit again upon *Monday* 8th June.

SUPPLY—VOTE ON ACCOUNT OF CIVIL SERVICE ESTIMATES.

Mr. SCLATER-BOOTH asked the House to go into Committee of Supply to pass a Vote on Account. He made the proposal on the supposition that it would be impossible to take all the Votes before the 1st of July, when several half-yearly payments were to be made.

Mr. BOUVERIE: How long will the money last?

The CHANCELLOR of the EXCHEQUER: We only took a Vote on Account for six weeks on the last occasion, and it is necessary to take one now. The money we now ask for will last until the middle of July.

Supply—*considered* in Committee.

(In the Committee.)

Resolved, That a further sum, not exceeding £1,412,000, be granted to Her Majesty, on account, for or towards defraying the Charge for the following Civil Services, to the 31st day of March 1869.

[Then the several Services are set forth.]

BOUNDARIES OF BOROUGHS.

INSTRUCTION TO SELECT COMMITTEE.

Sir STAFFORD NORTHCOTE moved—

> "That it be an Instruction to the Select Committee on Boundaries of Boroughs that they have power to consider the Petitions presented to this House on the subject of the places of nomination for County Elections; that the Petitions from South Molton, Barnstaple, Torrington, and Ilfracombe, relative to the place of nomination for the Northern Division of the county of Devon, be referred to the Committee."

Sir WILLIAM STIRLING MAXWELL said, the Committee had nearly concluded its labours, and was almost ready to report, and he did not think it reasonable that this new duty should be imposed upon the Members. The subject was one which was not submitted to the Boundary Commissioners; the Committee did not think it should be submitted to them, and he therefore hoped that the right hon. Gentleman would not press the Instruction.

Mr. CRAUFURD also hoped the Motion would not be pressed.

Sir STAFFORD NORTHCOTE said, as he understood from his right hon. Friend the Chairman of the Committee (Mr. Walpole) that this was a business that they would not be willing to undertake, he would not press the Motion; but he thought it right to move the Instruction, because a desire had been expressed that the question should be referred to the Committee.

Motion, by leave, *withdrawn.*

BANKRUPTCY ACT AMENDMENT BILL.

On Motion of Mr. Moffatt, Bill to amend "The Bankruptcy Act, 1861," *ordered* to be brought in by Mr. Moffatt, Mr. Crawford, Mr. Ayrton, and Mr. Charles Forster.

Bill *presented,* and read the first time. [Bill 145.]

COURTS OF CHANCERY AND EXCHEQUER (IRELAND) FEE FUNDS BILL.

On Motion of Mr. Sclater-Booth, Bill for transferring the Fee and other Funds of the Courts of Chancery and Exchequer in Ireland to the Consolidated Fund, *ordered* to be brought in by Mr. Sclater-Booth and Mr. Chancellor of the Exchequer.

Bill *presented,* and read the first time. [Bill 146.]

ASSIGNEES OF MARINE POLICIES BILL.

On Motion of Mr. Candlish, Bill to enable Assignees of Marine Policies to sue thereon in their own names, *ordered* to be brought in by Mr. Candlish, Sir Colman O'Loghlen, and Mr. Norwood.

Bill *presented,* and read the first time. [Bill 147.]

House adjourned at half after One o'clock.

HOUSE OF LORDS.

Friday, May 29, 1868.

MINUTES.]—Select Committee——On Artizans' and Labourers' Dwellings *nominated.*

Public Bills—*First Reading*—West Indies* (135).

Committee—Metropolis Subways* (73).

Report—Sea Fisheries* (125); Metropolis Subways* (73).

Third Reading—Stockbrokers (Ireland)* (105); Documentary Evidence* (88), and *passed.*

Royal Assent—Customs and Income Tax [31 *Vict.* c. 28]; Exchequer Bonds (£1,600,000) [31 *Vict.* c. 27]; Consolidated Fund (£17,000,000) [31 *Vict.* c. 16]; London Coal and Wine Duties Continuance [31 *Vict.* c. 17]; Railways (Extension of Time) [31 *Vict.* c. 18]; Ecclesiastical Commissioners Orders in Council [31 *Vict.* c. 19]; Legitimacy Declaration (Ireland) [31 *Vict.* c. 20]; Prisons (Compensation to Officers) [31 *Vict.* c. 21]; Oyster and Mussel Fisheries [31 *Vict.* c. 9]; Petty Sessions and Lock-up Houses [31 *Vict.* c. 22]; Marriages (Frampton Mansel) [31 *Vict.* c. 23]; Capital Punishment within Prisons [31 *Vict.* c. 24]; Industrial Schools (Ireland) [31 *Vict.* c. 25]; Indian Railway Companies [31 *Vict.* c. 26]; United Parishes (Scotland) [31 *Vict.* c. 30]; Medical Practitioners (Colonies) [31 *Vict.* c. 29]; Inclosure [31 *Vict.* c. 31]; Local Government Supplemental (1868) [31 *Vict.* c. 10].

UNIVERSITY TESTS.—PETITIONS.

The Earl of KIMBERLEY said, he had given Notice that to-day he would present Petitions from resident and non-resident Members of the University of Oxford, praying for the Removal of Religious Tests in the University. He had given this Notice because the Petitions were of so much weight and importance that he desired to call the special attention of their Lordships to them. One of these Petitions, signed by 102 persons who now were or formerly had been Fellows of the University of Oxford, set forth that theological tests at the Universities of Oxford and Cambridge, while failing to secure unity of religious opinion, had proved injurious to learning and education, and had the effect of excluding large numbers of Her Majesty's subjects from the benefits of University education. For these reasons the Petitioners prayed that all theological tests in the Universities might be removed. If he were to read to their Lordships, which he certainly should not trouble them by doing, the names appended to the Petition, it would be seen that they were the names of gentlemen of great weight and reputation, and such as undoubtedly would have influence with their Lordships. The other Petition, to which he attached even greater importance, was signed by eighty resident Members of the University of Oxford, and it was especially to be remarked that it included the names of sixty out of the 105 Tutors and Lecturers of the University of Oxford, representing, therefore, a clear, distinct and considerable majority of the whole teaching power of the University. To pursue the analysis a little further—in Merton, Corpus, Trinity, and New Colleges the whole of the educational staff had signed the Petition; in Baliol, Oriel, Lincoln, and Worcester at least two-thirds of the staff had signed; and out of the whole eighteen Colleges in which teaching was carried on there were only six where a majority of the tutors and lecturers had not signed the Petition. The Petitioners stated that they were—

> "Engaged as Heads of Colleges, Lecturers, Teachers, or resident Fellows, in the work of education in the University; that a portion of the nation were excluded from the benefit of the University by the religious tests imposed in it and in the Colleges; and that, in the opinion of the Petitioners, these tests might be removed without injury to the Church, without prejudice to the religious character of academical education, and without interference with the religious working of the Colleges."

The importance of this Petition consisted not only in the number of the signatures, but in the plainness and distinctness of the prayer—there was no doubt or hesitation as to the ground that should be taken up — the Petitioners declared that tests were an hindrance to an extension of education to the whole nation, and they prayed Parliament to remove them. The present state of affairs was this—in the University of Oxford persons not belonging to the Established Church might proceed as far as the Bachelor degree, and at Cambridge as far as the degree of M.A.; but in both Universities such persons were excluded from any share in the government and from the Fellowships. They had in this matter made some progress of late years; but it seemed to him that the very progress they had made in the right direction was a proof that now it was impossible to stand still. But a very few years ago no one could be admitted to either University unless he conformed to the Church of England. Now Nonconformists were admitted to the benefits of the education given, but were still excluded from any share of the privileges and emoluments open to a successful academical career. That he ventured to think was a state of things which was utterly untenable. He could understand the Universities being dealt with as institutions exclusively Church of England in their character; but he could not understand why, having admitted Nonconformists and Jews to enter the Universities and attain certain degrees, an arbitrary barrier should then be created to prevent their further progress. He did not say that an Act of Parliament ought to be passed compelling the Colleges to open their Fellowships to persons of all religious beliefs, but he did say that Parliament should remove those barriers which it had itself raised to the free action of the Colleges in the matter. The measure of last year had been complained of as an incomplete one, because it extended only to offices in the Universities, and did not touch offices in the Colleges; and, to meet that complaint, he would suggest that upon the occasion of any measure on the subject again coming before their Lordships, they should consent to deal not only with offices in the Universities, but also to abolish those Acts of Parliament which prevented the Colleges from opening their Fellowships if they should think fit to do so, to persons not belonging to the Church of England. It must be admitted to be a matter of extreme importance that all the upper and middle classes of the country should have the opportunity of receiving the best education that the Universities could afford. Was it, therefore, a desirable thing that so large a portion of the middle classes as belonged to Nonconformist bodies should be excluded from the main benefits and attractions which the Universities held out? The Nonconformists themselves felt acutely the distinction that was drawn to their disadvantage, and had expressed, in a very remarkable statement, their sense of the great good they would reap if the whole privileges and emoluments of the Universities were thrown open to them. What were the objections that were capable of being urged? He thought they must either be objections derived from some argument connected with education, or else from some consideration exclusively connected with the Church. Could it be contended that the education of members of the

Church of England would suffer by others, not members, being admitted to share in the privileges and emoluments of Universities? He knew that such an argument had been put forward; but he believed that since he had the honour of being a resident member of the University matters had not very much changed, and he could say for himself that the amount of direct religious instruction which he had received at Oxford was so infinitesimally small that whether he had received it at the hands of one who was or was not a member of the Church of England made, he thought, exceedingly little difference. He remembered that a great portion of the instruction which was given at that time consisted of a short lecture on the Greek Testament given to freshmen during their first and second term, being left after that pretty much to their own devices, and of the Thirty-nine Articles, which men were compelled to get up with great labour, and, he feared, with little profit, in order that they might be called upon to repeat them in the schools. If a similar system were pursued in the present day, he did not think, as far as religious teaching was concerned, anybody need much care whether the Universities were or were not opened to persons not being members of the Church of England. Undoubtedly, as far as those undergraduates were concerned who were going to take Orders, their religious instruction was a matter of great importance, and especial care should be taken to preserve to them such advantages as they now enjoyed. It was not proposed that any alteration should be made in the lectures given upon special subjects of theology, and those wishing to receive special instruction in the doctrines of the Church of England would continue to receive it; but could it be advisable that an exclusive policy should be persisted in with regard to the Universities as a whole, merely for the purpose of securing the education of one portion of the people? The Church of England, he maintained, was not supported or strengthened by such a policy. The true policy of the Church, like that of every other institution, was to make as many friends and as few enemies as possible; and, believing that an exclusive policy and the maintenance of restrictions tended to make enemies, he believed that it was calculated to weaken the Church. It seemed to him that the Church would fare better if its adherents would allow it to stand upon its own merits. He ventured to suggest that the Universities were national institutions, that they should be maintained for the exclusive use of no particular portion of the community, and that when Petitions such as those he now presented to their Lordships came before them signed by those who were best acquainted with the character of their University, and undoubtedly had its interests at heart, Parliament should certainly pay great attention to the prayer of such Petitions, and, if possible, proceed to legislate in their spirit. The noble Earl then *presented* Petitions of Heads of Colleges, Professors, &c., resident in Oxford; and of non-resident, present, or former Fellows of Colleges at Oxford, for the Abolition of Tests in the Universities of Oxford and Cambridge.

Lord HOUGHTON thought that a Petition coming from a body of men of such varying opinions, but all of whom occupied a position of considerable weight and influence, was deserving of their Lordships' highest consideration. He sincerely hoped that the press of Public Business would not be such as to prevent their Lordships from taking into their consideration and coming to a decision upon the Bill now before the other House, which dealt with the subject of this Petition—he meant the University Tests Bill. He proposed, when the Bill should be before their Lordships, to express his opinion on this subject at length. At present he would simply say that this Petition was of extreme value, as showing the opinion of the members of the principal Colleges of Oxford in regard to the management of their own affairs. He had always insisted that there was a great distinction between the University and the Colleges, and he regretted that the extremely moderate measure proposed last year was not adopted. While they recognized the right of the Universities to the title of Imperial institutions, there was some difference in respect to the Colleges; and when such a proposal came from the heads of those Colleges, he thought it high time to set about their reform. He could certainly endorse the remarks of his noble Friend with respect to the high importance of a religious education: but at the same time it was not the main business, either of the Universities or our public schools to enter into theological teaching. The foundations of a religious education ought to be laid before young men went to the University, and a College should, properly speaking, confine itself to preventing its students from receiving evil impressions while it confirmed whatever was good in them. Certainly religion ought not to be ignored at such institutions, although there might be very little direct religious teaching. It had been said that the effect of the removal of existing disabilities would be to introduce a great deal of theological controversy into the Universities. He did not think that that argument was well-grounded. The Church of England itself contained in its various sections the elements of continual controversy, and theological disputes were much more due to points raised within the Church herself, than to any raised by Nonconformists; and if the polemical discussions now rife did no harm, he did not see that they could do much if their sphere were somewhat extended. He did not believe that the maintenance of any restrictions in the University would secure the Church of England from attack, nor did he believe that the young men who would go to the University after such restrictions had been removed would be exposed to any more theological controversy than exists at the present moment. On the contrary, he believed that it was for the interest of the Universities that they should attract all the intelligence of the country, whatever might be the religious opinions of those who sought admission; and as he believed that the prayer of the Petitioners pointed to a consummation of this result, he trusted their Lordships would give it the fullest consideration.

THE EARL OF CARNARVON said, that the Petition presented by his noble Friend went so thoroughly to the root of the whole University system and its influence on the country that he felt bound to say a few words on it. Since he had had the honour of a seat in their Lordships' House the question of religious tests in the Universities had passed through three distinct phases, which might well illustrate the growth, he would not say of opinion, but at all events of feeling on the part of one section of the community—namely, the so-called University Reformers. The question was before the House when he first had the honour of taking his seat among their Lordships, and they were distinctly told in the other House of Parliament that the Bill which was then under consideration —the University Reform Bill—was not to affect in any degree religious teaching in the University. He had learnt since then how little trust could be placed on Parliamentary professions or securities. The second stage, which had lasted almost up to the present time, was an attempt on the part of the Reformers to lower successively the standard with regard to the government of the Universities —first at Oxford, afterwards at Cambridge —taking care never to lower the standard of both Universities to exactly the same level, but making the lower standard in one University the pretence for advocating a further reduction in the other; and care being taken that the standard at the two should never be equalized. Since then a bolder front had been assumed, and the House was now asked, not to relax University tests, but to abolish them utterly. The more open Reformers declared the Universities were not places for religious education at all. He did not understand that to be the desire of the noble Earl, or of the Petitioners whose prayer he endorsed; but he doubted whether, when the real views of those who were pressing forward this question became known, they would obtain the sanction of the country. The proposal in fact was to hand over young men of from seventeen to twenty years of age—the age at which they were most susceptible of religious impressions — to a University system, in order not that they might make their selection of that form of religious education which they might approve, but that they might be placed under a system from which public religious teaching was deliberately excluded. He doubted whether the country was prepared to accept such a proposition. The arguments of a less advanced school, to which his noble Friend seemed to belong, asked for relief from religious tests, on the ground that the more a Church was deprived of artificial barriers in the shape of religious tests and securities, the more the cause of religious truth was likely to be promoted in a University. But could that rule be applied to any other description of teaching? The fallacy of the argument was apparent the moment it was applied to matters of secular education. Could it be argued that just as students in secular subjects were relieved from tests and examinations, knowledge would be developed? Was it just then to the different Universities that a different standard and different view should be applied to that which was applied to all other institutions? He admitted that religion might still exist in the Universities after the removal of the tests; but after their removal there would exist that hazy undefinable atmosphere of religious sentiment which as it was little connected with positive religion so was injurious even in an intellectual point of view to that habit of clear definition which was the great object of education. His noble Friend opposite said that the religious teaching at the University in his day was very small — and he dared say it was. But some persons went further, and said that the religious teaching of the present day was worse, and that most of the Masters of Arts of the present generation were of a sceptical turn—a fact which, if it were true, might pretty well account for so many being in favour of the removal of all religious tests. His reply was —that, first of all, he doubted the fact. But, in the next place, even if it were so, was that a reason for changing the system of a University? He doubted not that if such an amount of scepticism existed as was said, it was, after all, only one of the phases of thought which might be here today and gone to-morrow, and which would produce no more effect than the wave which swept over the sands of the sea shore, but which in its retiring left the old landmarks clearly definable. Would the noble Earl argue that because there was a sceptical phase of thought now prevailing, they were to abolish tests and safeguards which were created for other purposes and for other circumstances? Such a proceeding would be as sensible as if in a time of pestilence, they were to proceed to destroy the whole science of medicine which was found efficacious in all ordinary times for the cure of disease. His noble Friend spoke of this as a Dissenters' question; he wished it was, for he should not despair of being able to come to terms with them; but what was wished, so far as he could understand, was not the removal of tests and disabilities which pressed upon Dissenters, but to remove tests and securities which weighed upon every honest Churchman. It was therefore a serious question which Dissenters had to ask themselves — whether or not they were prepared at all hazards to support a party which desired to eliminate from the Universities all religious tests, or whether they would stand by those who desired to retain them. In his opinion those who sided with those who now proposed the abolition of those tests would find themselves carried much further than they intended. But anyhow the time of the decision of the question had not yet arrived. There was no Bill before their Lordships' House, and it was not necessary for the House to attempt any definite settlement of the question. Still no one could deny the fact that the time was approaching when some decision must be come to. Things could not go on very long as they were; it was evident that both parties were collecting all their strength, and it would be for the religious Dissenters to say what side they would take —whether true to the principles which they had often recognized they would side with the cause of the Church of England —or whether they would take part with the enemies of the Church of England, and espouse the cause of those who desire absolutely to banish all religion from the educational system of our two great Universities.

THE DUKE OF DEVONSHIRE said, that in his position, he thought he ought to say a few words with reference to the state of feeling in the University of Cambridge on this question. The opinions of the members of that University had been materially influenced by what had already taken place on the question, and his knowledge of the University justified him in saying that the preponderance of feeling on the part of the resident members was decidedly against the relaxation of the disabilities which it was proposed to remove; while, on the other hand, there was a very considerable and a decidedly increasing minority in favour of the removal of these restrictions. The University, in its corporate capacity, had protested against the relaxation, the matter being decided in the Senate house by a majority of about 2 to 1 against the Bill before the other House of Parliament, and he believed that those numbers very faithfully represented the relative strength of the two sides of the University. There was also the Memorial presented to the Archbishop of Canterbury, signed by 1,000 graduates of the University, combining, no doubt, a large number of eminent men. On the other side a Petition had been presented by 226 gentlemen, including many Professors of the University and Fellows of Colleges who had attained the highest University distinctions, and also by a number of laymen, which petition was decidedly in favour of the relaxation of the existing restrictions. The distinguishing feature of the Petition was that the motive was not so much to obtain a large number of signatures as to secure the assent of men of mark and distinction; and it was worthy of remark that the names included those of many whose opinions on general questions were decidedly of a Conservative tendency. Besides the Petitions emanating from the University, Petitions had been presented from Trinity College, Christ's College, and St. Peter's College. The Petition from Trinity was signed by a majority of the Fellows—by 32 out of 60—and he was informed that among the minority were several who declined to affix their names to a Petition on the opposite side of the question. The Petition from Christ's College was signed by the Master and all the Fellows but one. What conferred a value on these Petitions was that the maintenance of these disabilities was a practical grievance to the Colleges; and at the latter College he understood it was contended that the interests of the College had suffered material injury from the continuance of these tests. At Trinity for many years past a large number of Nonconformist students had constantly been admitted, many of them being Presbyterian students who had received a portion of their education in Scotch Colleges; and the Fellows of Trinity spoke favourably of the result. He could not help thinking, looking at the fact that the uniform tendency of the legislation of late years had been to remove such disabilities, that it was hard that these tests should still be continued. As far as concerned a considerable proportion of the members of the University of Cambridge, a measure affecting their removal would not have to be forced on those who were reluctant or unwilling to receive it. There was every reason to believe that if the Act of Uniformity were repealed, as far as it related to the admission to College Fellowships, some of the Colleges would avail themselves of the liberty afforded them and admit Dissenters to Fellowships in such cases as they might deem expedient; while the remaining Colleges would have an opportunity of judging from experience the results of the relaxation which had been made in the case of the other Colleges.

THE BISHOP OF ELY said, the noble Lord was correct in his statement, that some very important Petitions against the Bill had been presented by members of Colleges. Indeed, he held in his hand one important Petition, which the rules of the House prevented him from presenting on that occasion. It was a Petition signed by nearly 1,000 undergraduates and Bachelors of Arts of Cambridge, who, though they held no political status in their University, were most of them probably of full age, and so fairly entitled to petition Parliament, representing as they did a large body of the most highly educated young men in England. The Petition strongly urged their Lordships not to entertain either of the Bills now before the other House of Parliament. He might further state that a short time since he had been present when a deputation from the University of Cambridge waited upon the Primate with a Petition or Memorial, signed, not as the noble Duke had said by 1,000, but by 2,800 graduates of Cambridge, a very large number indeed, considering how widely scattered such persons are, over England, Scotland, Ireland, the Continent, and the Colonies. The Petition, which had the names of many of the most eminent members of the University attached to it, urged the Archbishop of Canterbury to plead the cause of the University against the proposed changes. It was true that these changes were advocated by a certain number of able men; but there never was a time when there were not able men who took liberal views both in politics and theology, and he should be sorry that their Lordships should be carried away by the statement that, on this occasion, the liberal view was the view of the leading men in Oxford and Cambridge. It was stated the other day at Lambeth by a distinguished lay member of the University of Cambridge, who accompanied the deputation to the Archbishop, that not only the clerical members of the University but a large number of the most distinguished laymen, especially many of the lay professors at Cambridge, men of world-wide reputation, who did not so much represent Churchmen as men of science, literature, and intellect, protested against them. He had not been aware that there was any intention to discuss the subject that evening; but, as it had been brought forward, he trusted that their Lordships would allow him, as Bishop of the diocese in which one of the Universities lay, to make a few observations in answer to remarks which had fallen from noble Lords opposite. As regarded the question of the religious education of the Universities, he must respectfully say, that he could not agree with what had been said by the noble Earl opposite concerning theological lectures. Personally he felt that he owed a debt of gratitude for the lectures which he had attended when he was an undergraduate; and he knew by testimony which he had received from many quarters that thousands had been indebted through life to the religious instruction they had received in Colleges. Without question, much of the religious and theological teaching of the Colleges, as well as of the University, was not compulsory teaching, and therefore one person may have profited by it, whilst others were wholly regardless of it. He was speaking only for Cambridge; but as his Oxford friends were rather fond of twitting Cambridge with the inferiority of its system of religious teaching, he presumed that what he had said of such teaching at Cambridge, applied at least as much to the teaching of Oxford. It was said that the Colleges would profit by the proposed changes. In the first place, he would remind their Lordships that these Colleges were all Church foundations. They were all founded by members of the national Church—very many of them clergymen—for education on Christian principles connected with that Church. All the benefits of their education were, indeed, open to everyone, whatever his creed—all the honours, even the degrees; everything but the positions which would admit them to power and authority. But they were founded and endowed by Churchmen, and, though he did not for a moment admit the distinction between pre-Reformation and post-Reformation foundations—for the Reformation did not change, though it purified the Church—yet it was to be observed that some whole Colleges, and many foundations within the Colleges, came into existence since the Reformation, for the special purpose of educating Churchmen, often for the special purpose of educating clergymen. One of his own predecessors, Hugo de Balsham, Bishop of Ely, founded, out of his own episcopal revenues, the first College ever founded in Cambridge. Another of his predecessors, in the same manner, Bishop Alcock, founded Jesus College. The College to which he himself belonged had been founded since the Reformation by an English Churchman for the education of English clergymen. It would be a strong measure indeed if the Houses of Parliament, by a single vote, were to sweep away these institutions, founded by the piety of our forefathers, and revolutionize them by placing at their head persons who might not be members of the Church of England, not only Dissenters or Roman Catholics, but even persons of no religion whatever. The noble Duke had spoken of the improvement which would be introduced into that most distinguished College of which he (the noble Duke) was a member. But was it not possible, nay, even probable, that the proposed changes would entirely revolutionize that College? What was the constitution of that College? It consisted of a Master and sixty Fellows; but the governing power was entirely vested in the Master and the eight seniors. It would be possible enough that a certain number of Dissenters might be elected into that body without materially affecting its principles or the working of the College. But suppose, at any time, some six or seven of the sixty Fellows were Roman Catholic priests, especially Jesuits, what would be the inevitable result? These six or seven men could never marry, could never take College livings: so they would never vacate their Fellowships. They would therefore in the course of time become members of the seniority, would become a large majority of that seniority. Now, the seniority elects Fellows, appoints tutors, governs the whole College. Hence if six Jesuits or Roman Catholic priests were once elected among the sixty Fellows of Trinity, they would have it in their power, by holding on till they were seniors, to revolutionize the whole body, and to convert it from what it now is into a simple Roman Catholic College. They would have it in their power, and on their own principles they would naturally exercise that power. Neither then on principles of justice, nor on principles of expediency, can it be well to deprive our Colleges of their religious character.

The Earl of CAMPERDOWN begged their Lordships to consider, whether the Universities were really national institutions, of the nation and for the nation, or merely to be devoted to the education and advantage of those who belonged to the Church of England? He, with many of those who belonged to the University of Oxford, turned to their noble Chancellor (the Earl of Derby), who so gracefully and ably presided over the destinies of that University, with a feeling of confidence that his powerful voice would be heard in favour of the Bill to which allusion had been made when it came up to their Lordships' House. They had instituted inquiries into national schools and middle-class schools, showing that the intentions of founders need not always be carried out to the very letter; and he asked them to consider whether, when in politics, in law, and in the lower kinds of education, the thoughts of men were widening, they would not consent to the proposed changes with reference to the highest education of all—whether they were not prepared to accept a measure which must confer the highest advantages on future generations?

The Bishop of LONDON said, he would not detain their Lordships from a more interesting, if not a more important, discussion; but he wished to say a very few words for the purpose of obviating the great confusion which evidently arose from mixing up the case of the Colleges with that of the Universities. He was glad to hear from the noble Baron (Lord Houghton) that these two things should be kept distinct. They were in reality very different. One point he thought of importance, and that was, that Colleges should not be allowed to regulate themselves by persons who might accidentally be members at the time; if there was any right in the matter, it should be regulated by Parliament itself. In his time a great deal of religious instruction was given in the Colleges. During the seven years he was tutor of a College, at least one-third of his time was occupied in giving religious instruction. How far it was profitably received by those to whom it was given it was impossible for him to say. It was lamentable to think that time so given had been wasted, as many would have them believe.

Petitions *ordered* to lie on the Table.

WHITSUNTIDE RECESS—VOTE OF THANKS TO THE ARMY IN ABYSSINIA—STATE OF PUBLIC AFFAIRS.

The Earl of MALMESBURY: My Lords, before moving the adjournment of the House to Monday, the 8th of June, I wish to inform your Lordships that I shall move a Vote of Thanks to the Forces who have been so victorious in Abyssinia on Tuesday, the 9th; and on Monday, the 8th, I shall be able to lay on your Lordships' table the terms in which I propose to put that Vote to the House. My Lords, I move that this House do adjourn till Monday, the 8th of June.

Moved, "That this House do adjourn to *Monday,* the 8th of June next."—(*The Lord Privy Seal.*)

Earl RUSSELL: My Lords, I have given Notice to call the attention of your Lordships to the state of public affairs, because I wish to obtain some explanation from the noble Lord (the Lord Privy Seal), on behalf of Her Majesty's Government, and also because I conceive that the present state of affairs is one without precedent since the accession of the House of Hanover. I think there never has been a time when Parliament was proceeding quietly with the ordinary Business when it had been formally announced that the Government had not the confidence of the House of Commons. I state this on no mean authority. The Prime Minister himself has stated, and the statement has been circulated throughout the country, that in consequence of the vote of the House of Commons with respect to the Irish Church he had thought it necessary to ask an audience of Her Majesty, and that at that audience he had asked of Her Majesty, in the name of the Ministry, permission to use the Prerogative of the Crown for the purpose of dissolving Parliament. Now a more authoritative declaration never was addressed to the House of Commons by the First Minister of the Crown. The right hon. Gentleman naturally and truly stated that he was an express authority on the subject. Her Majesty, on that advice, gave him permission to use the Prerogative of the Crown for that purpose, in order to take the sense of the people on the question of the Irish Church as soon as the despatch of Public Business would allow of the dissolution of the Parliament. But the right hon. Gentleman the First Lord of the Treasury did not take the course which Her Majesty had sanctioned—namely, that as soon as Public Business would allow there should be a dissolution of Parliament. There were, I confess, strong reasons for not taking that course. There seemed no object to be gained by putting the whole country to the trouble and vast expense of a General Election, when that election would produce no adequate result. Supposing that the right hon. Gentleman's prediction should be fulfilled, and that he had a majority against the disestablishment of the Irish Church on an appeal to the present constituencies, still it was evident that before very long there must be another election, and an appeal to constituencies very considerably enlarged, especially in the boroughs of the country. Therefore, the opinion to be derived from the present electors would not be a final decision; and the country would have been put to a great expense and the Members of the House of Commons to very considerable trouble by a General Election under the existing system—and that, too, as I said before, with no adequate result. It is evident, therefore, that there were sufficient reasons why there should not be a dissolution at once; and the right hon. Gentleman the First Lord of the Treasury, while not advising an immediate dissolution, has taken another course, which, however defensible it may be, is altogether new, and requires at least the attention of your Lordships. The course proposed is, in effect, that the present Ministers should continue to keep their places after having declared that they had not the confidence of the present House of Commons, and that the House should continue transacting its ordinary Business, and that that position should last for six months after the time at which the Prime Minister had advised a dissolution. I must say that that is an extraordinary and unprecedented state of things. There have been many instances in which a Minister who has been defeated in the House of Commons has tendered his resignation, and often the Minister so defeated has obtained the permission of the Crown to resort to a dissolution of Parliament; but I do not recollect any case in which a Minister, having advised that there should be a dissolution, that dissolution should not take place for more than six months after the advice has been tendered to the Crown. No doubt there is great convenience to be obtained by that course—a great convenience to the Minister, who would thus remain in Office, though not possessing the confidence of the House of Commons; and, likewise, it is greatly convenient to the Members of the House of Commons, who otherwise would have to undergo the expense of two General Elections instead of one, while the country is spared a great disturbance. At the same time, I must say that if Parliament and the country acquiesce in that state of affairs—a state of things which is without precedent, and difficult of justification—there are some conditions, at least, which we ought to have from the Executive Government. I think that the first condition should be that no time should be lost, and that there should be no unnecessary delay before the registration, which would afford

the means of having a General Election completed. It appears to me that there was great and unnecessary delay in the course taken last year. In looking back to the Session of 1832, I find that a very large and extensive measure of Reform was passed for England and the Scotch and Irish Reform Bills were also passed; there were Boundary Bills for England and Ireland, and, I rather believe, for Scotland also; and the Session ended on the 16th of August. I must say it seems to me that, in the course of last year, the Government, of which the noble Earl opposite (the Earl of Derby) was then the head, seemed rather to have procrastinated Business, with a view not to pass the Scotch and Irish Reform Bills, so that there might be an unnecessary Session in the present year. That being the case, I hope the Government will assure us that, instead of interposing unnecessary delays, they will rather hasten some of the processes by which the registration is to be made out. There is no need, for instance, for so very long a time being allowed to the Revising Barristers. By the Reform Act of 1832 power was given to the Judges to increase the number of Revising Barristers if it were inadequate, to get through the business in the time limited. If that power were now exercised, no doubt considerable expedition in establishing the rights of the voters would result. I do not know that there can be great despatch obtained by a step which has been suggested—namely, that before the registration is completed there should be a dissolution of Parliament; because I believe that when there is a dissolution the elections in London, Westminster, and all places near the metropolis will occur in about four days afterwards. But we may ask that there should not be any unnecessary loss of time, and that the Scotch and Irish Reform Bills and the Boundary Bill should be proceeded with as speedily as possible, so that the country may have the satisfaction of exercising the suffrage under the new Reform Acts, which many persons believe to be an improvement of the electoral system, but which the noble Earl opposite called "a leap in the dark," and which, as I believe, was very justly so described. At all events, we should know what we are to expect from it. The next thing which I think we have a right to ask is that there should be some definite policy announced by Her Majesty's Government. I think that whenever the dissolution occurs it would be unfair for the Government to ask the decision of the country as to who should be its representatives unless they announced certain principles. In the summer of last year I ventured to state that I thought there were three questions of great importance to be decided. The first is the question of church rates. There is no policy on the part of the Government with respect to church rates. Mr. Gladstone, who is in fact the Leader of the majority in the other House, and who introduced a Bill in respect to church rates, was impressed with the belief that the Government intended to oppose that measure; and it was only because the demonstration of force against it proved insufficient that they abstained from direct resistance to it. The Bill then passed by a considerable majority, and came to this House. We were then assured that the Bill, having passed the other House by a large majority, would be fairly treated in this, and the noble Earl opposite proposed that it should go to a Select Committee, not, as he represented, with the view of defeating it, but for the purpose of its improvement. Well, I trust that the Bill will come out of that Select Committee uninjured, and in such a shape that the House of Commons will have no difficulty in adopting the Amendments. But when I understand, as there was a great demonstration of force against it in the other House, and when I know that it has many enemies in this House, I feel doubtful whether some of the Members of the Government will give it that cordial support by which alone it can obtain the general assent of Parliament. Another subject to which I alluded as being of vast importance was the great question of education. I will not now anticipate the discussion on that question; but I hope that the Government have some measures in contemplation which will comprehend that subject in all its breadth—which will provide for the primary education of the poorer classes, the education of the middle classes, for the treatment of endowed schools, and, lastly, for the improvement of education in our Universities. I hope when the Reformed Parliament meets some measure worthy of its consideration will be proposed on these subjects. There is another subject of which I then stated I thought there must be a consideration at an early period. That is the state of Ireland. Everything shows that it is a question which requires immediate consideration. When the Suspension of the Habeas Corpus Act in Ireland was passing through this House, and I was giving my ready assent to that measure, I said that I hoped the policy of the Government with regard to Ireland would be stated and developed. In reply to my observation on the subject the Government replied that the only reason for not stating that policy in this House then was that it would be more convenient that the noble Earl the Secretary to the Lord Lieutenant —himself a Member of the Cabinet— should state in the other House of Parliament what was the whole policy of the Government with respect to Ireland. We were told in the month of March that within a few days—I think on the Monday following—the whole of that policy would be stated by the noble Earl in the House of Commons. It was stated in the House of Commons, and it embraced that portion of the Irish question which had engaged the special attention of your Lordships— namely, the position of the Church. I think I have got here what was said by the Earl of Mayo when speaking on that subject. He said—"There would not, I believe, be any objection to making all Churches equal, but the result must be secured by elevation, and not confiscation." That was a very important declaration. It was the deliberate declaration of the policy of Her Majesty's Government in the month of March last. Undoubtedly, equality may be produced by what is called "elevation" as well as by endowment; but I cannot see how with one Church in possession of establishment and endowment you could produce equality among all Churches— which is Lord Mayo's phrase—otherwise than by giving establishment and endowment to the Roman Catholic and the Presbyterian Churches in Ireland—I say I do not see how equality can be established by elevation, if establishment and endowment are to be continued to the Protestant Episcopalian Church in that country, in any other way than by raising the Roman Catholic Church and the Presbyterian Church as regards endowment and establishment to the same level as the Episcopal Church. Of course, every one supposed that was the policy of equality by elevation put forward by Her Majesty's Government—that their policy was to extend to the Roman Catholics and the Presbyterians privileges similar to those now enjoyed by the Established Church in Ireland. It is obvious that equality together with elevation could be produced in no other way; and yet, after some three months, when we ask what this policy amounts to, it appears that the plan at one time entertained of giving a charter to a Roman Catholic University, which threatened to create a most calamitous division on the subject of education in Ireland, has been abandoned. Indeed, as far as I can see, the whole of that policy which was stated in such detail by Lord Mayo in a three hours' speech has been abandoned. It appears that the elevation of all Churches which the noble Earl proposes amounts simply to this—that the Roman Catholics will be allowed to lay out their own money and build their own churches—that, in fact, no law will be proposed to prevent them from laying out their own money in providing for their own spiritual wants according to the rites of their own religion. The policy of the Government is, therefore, to do nothing; but that is hardly a policy to require more than three hours for its exposition. It is a policy which ought to be fairly stated, at all events. When we ask what the Government mean to do to meet the evils of Ireland, I do not mean to say they ought to adopt any views which I may entertain; but, at all events, they should say, "We intend to do nothing. We think force is sufficient; force has been used hitherto, force will do in future, and we have no other policy." There are many other subjects with regard to which I think the Government might be asked to state their policy; but those are three very main subjects. Well, I ask next, what has been the conduct of the Government in respect to executive administration and the preservation of the public peace? I find a most remarkable assertion made by the Committee of the Reform League with regard to the preservation of the peace of this metropolis on a very memorable occasion. The late Government proposed a plan of Reform which the country generally appeared to approve. It was heartily approved by numerous meetings composed of very large numbers. It failed, however, to obtain the approval of Parliament. But when the party of the noble Earl opposite came into power, the Reform League appears to have thought that nothing but very great demonstrations of numbers and power would obtain a measure of Reform from the new Government. The Chairman of the Executive Committee, I believe, of the Reform League thus states what happened—

> "Then followed the now celebrated demonstration at Hyde Park on the 23rd of July, 1866. The Tory Government, having illegally closed the Park gates against the people"—I am not adopting this assertion—"the Park palings fell. The police and military, called in to the aid of the Government, were unable to clear the Park either that evening or on the two following days, and on the afternoon of the 25th the same Government which had closed the Park against the League and the people on the 23rd applied to the League to restore that law and order which the Government themselves had broken, and to preserve the peace of the metropolis from what threatened to be a very serious and dangerous crisis."

My Lords, I am not entering into the question of the legality or illegality of the meetings in the Park; but that the Reform League was applied to when the Government were unable to restore order in Hyde Park I believe to be perfectly true. There are too many instances of their inability to preserve the public peace and order. Your Lordships recollect the case of the men who were executed at Manchester for the rescue of persons charged with high treason.

THE EARL OF DERBY: They were executed for murder; not for treason.

EARL RUSSELL: They were properly convicted — properly convicted of murder committed in the rescue; but I refer to the case as one in which proper precautions were not taken — had such precautions been taken there would have been no loss of life. Again, there has been the case of the working men from Staffordshire who went into Lancashire for a peaceable purpose, who were there subjected to acts of physical violence, and who were obliged to return again to Staffordshire because they could not obtain protection in Lancashire. Then the peace has been broken by the destruction of Roman Catholic chapels, and there, again, there was a neglect of precautionary measures. It was only after the steed has been stolen that precautions were taken to shut the stable door. There is another question on which, I think, we ought to call on the noble Earl to state explicitly what are the views of the Government. As I have already stated, the Government have themselves declared that they have not the confidence of the House of Commons. On the question of the Irish Church there had been at the time to which I alluded two divisions. In one of these there was a majority of 60 and in the other a majority of 65 against the Government. A third division has since been taken with a less majority, but still with a majority of 54 against the Government. It is clear, therefore, that on the subject in respect of which they themselves proclaimed that they had not the confidence of the House of Commons, they have not obtained that confidence since the power of dissolving was accorded to them. The key-stone of the arch on which the Constitution of this country rests is that a Ministry should not remain in Office unless it possesses the confidence of Parliament. The present Prime Minister was so strongly impressed with this conviction in 1841, that he quoted a saying of Mr. Fox, marked, as his sayings generally are, with superabundant energy. Mr. Fox said that the Minister who remained in Office without the confidence of Parliament was guilty of a high crime and misdemeanour. I do not say that; but I do say that the safety of the Constitution depends on the Government not remaining in Office when it ceases to possess the confidence of the House of Commons. I need not particularly refer to the events of old times, before this principle was acknowledged, when those violent means were resorted to; when Lord Strafford lost his life on the scaffold, Lord Clarendon was banished, and Danby was imprisoned; but from the time of Sir Robert Walpole to this day the machine has worked smoothly, and the safety of the Constitution of this country has depended on a change of Government being made whenever the Minister lost the confidence of the House of Commons. I am not now referring to the question of dissolution or to the appeal which may be made to the constituent body, as established upon a novel system. But I ask whether the Ministers acknowledge the principle, and whether they do not think it would be wrong to remain in Office after the dissolution if they were not supported by the confidence of the House of Commons? For that, I say, is the great key-stone of the arch of the constitution of this country. And I think, from the accounts which we had of late from the other side of the Atlantic, we may see the importance of such a principle, and that the absence of such a test is attended with great inconvenience. The President of the United States has been for some considerable time at open variance with the Congress of the United States. Had he been a Minister in this country a Vote of Want of Confidence would have displaced him; but as they have no such convenient machinery or conclusive test in America, they have thought it necessary to impeach him, and so, by obtaining a verdict of guilty, to remove him from his office. In this case we see the evils that follow from a course such as I have spoken of. I trust that at all events this contest will cease when the new Parliament is elected. If the decision of the new House of Commons be against the party to which we belong we shall bow to that decision; and I trust that Ministers will likewise bow to the voice of Parliament, and will not endeavour to set up an unconstitutional practice by attempting to sustain themselves in power in spite of the adverse decisions of the House of Commons.

THE EARL OF MALMESBURY: My Lords, the noble Earl (Earl Russell) has made use of the privilege which, no doubt, he possesses as Leader of the Opposition in this House, of calling Her Majesty's Ministers to account for the many and various delinquencies which he charges upon them, and also of seeking for an explanation of those delinquencies. But, unless your Lordships have a better memory than I have, you will hardly remember with any distinctness the disconnected accusations which he has brought against us. The noble Earl began by attacking us for certain acts done one or two months ago, as to which he was totally and completely silent at the time—

EARL RUSSELL: At the beginning of this month, I think.

THE EARL OF MALMESBURY: I allude to the time when the Prime Minister had an interview with Her Majesty. From that he went to events which occurred quite recently; and from them he jumped back again to the now historical causes and effects of the Hyde Park riots. It is rather difficult to answer a speech so fitfully expressed as that of the noble Earl; and therefore I must beg your Lordships to grant me all your usual indulgence while I try to make intelligible that which the noble Earl, like one of the heroes of Homer, has thrown a cloud around, probably to prevent any effective reply. It was first of all asserted that we have not the confidence of Parliament; and the noble Earl, as an ancient friend and supporter of the British Constitution, stated —and stated very truly—that for a Ministry to continue in Office which does not possess the confidence of the House of Commons is not only a delinquency in itself, but may have the worst possible results upon the country and its institutions. But then the noble Earl begs the question. He says we have not the confidence of the House of Commons; but how does he prove that? He may justly say that we have not the confidence of the House of Commons on a particular question; but I have not yet heard that the House of Commons has exercised its undoubted privilege—one that has been frequently resorted to in other cases—of expressing by a distinct declaration its want of confidence in the Government. I can only say that if the House has not any confidence in the general conduct of public affairs by the Government the discredit rests, not with the Government for remaining in Office, but with the House of Commons, which does not force them out of Office by a bold and straightforward Vote of Want of Confidence. And if the House of Commons fails in its duty, what is to prevent the noble Earl who sits opposite, or any of his Colleagues who sit near him, from inviting an expression of opinion by your Lordships by bringing forward a Motion of Want of Confidence? There must be some reason why this is not done, and I think your Lordships can easily imagine why such a Vote has not been come to, and why the noble Earl does not come forward to propose it. The plain answer must be that for the general purposes of carrying on the Business of the country the House of Commons and the House of Lords have confidence in Her Majesty's Government; and therefore all the constitutional arguments which we have heard—arguments which I have not the slightest idea of opposing—fall to the ground, because the premises will not bear the test of examination. Then, with reference to another complaint of the noble Earl, why, when the Prime Minister had the important conference with Her Majesty, and Her Majesty was graciously pleased to refuse to accept our resignations which the Prime Minister had put into her hands, why did not the noble Earl come forward at that time and explain to the House and the country how unconstitutional our conduct was in his eyes? Why, we did not hear a whisper from the noble Earl on the subject, and I think it is now nearly two months since those events occurred. Then the noble Earl entered into a discussion of various points to show that we had not the confidence of the country—or rather, that we ought not to have its confidence. But the noble Earl forgets that he and some of his former Colleagues, far from uttering the opinions which he now expresses, have on various occasions, with a generosity which we perfectly appreciate, actually gone out of their way to express satisfaction at the conduct of public affairs in several Departments. Sometimes in this House, sometimes in the other House, Her Majesty's Government have received the compliments of leading Members of the Opposition upon three or four very important subjects. The foreign policy of my noble Friend at the head of the Foreign Office has constantly been received with approbation in Parliament, and this feeling has been expressed especially by my noble Friend opposite (the Earl of Clarendon), who, I would say, knows as much of foreign affairs as probably any of your Lordships. Then, as to the management of Ireland by the present Lord-Lieutenant and Chief Secretary for Ireland, under the great difficulties arising out of the Fenian conspiracy, from individual Peers who do not agree with us upon general subjects, as well as from individual Members of the Opposition in the other House, we have received compliments upon our conduct of Irish affairs. As to our home policy, to which the noble Earl himself adverted in speaking of the execution of the Fenians for murder, very high encomiums have been passed from time to time upon the Home Secretary for the manner in which he maintained the peace of the country, and for the great sagacity which he exhibited and labour which he bestowed upon discovering and unwinding the threads of the Fenian conspiracy. In ten days' time your Lordships, I hope, will be called on to return thanks to the gallant military and naval Forces of the Crown for their deeds in Abyssinia. I would not detract one iota from the inestimable services of those troops and their officers; but they themselves would be the first to say that this success could hardly have been looked for if the civil servants of the Crown had not exerted themselves assiduously to arrange for the transport of the troops and stores necessary to carry out that most dangerous and uncertain expedition; and, therefore, Her Majesty's Government may claim, at least, some credit for the success which, under Providence, they have had in Abyssinia, and I do not think it likely that upon that score the House of Commons will express any disapprobation of our policy. I must confess that I did not quite understand the drift of one part of the noble Earl's observations. He thinks we act unconstitutionally by remaining in Office; and, somehow or other—for he does not explain that point—he thinks that Public Business has suffered, that many important questions have been neglected and have fallen through, and that we are not as much advanced as we ought to be at this season of the year. Well, my Lords, such are the facts; but what are the causes? Allow me to ask your Lordships to take a retrospect of past events; they have been very important, and to a great extent they certainly have been unforeseen. I have no scruple in saying that in January this was the general view formed by public men of the course which public affairs were likely to take this Session. The great controversy which had been going on for some years had been partly closed by the efforts of my noble Friend the noble Earl the late Prime Minister; the Reform Bill for England had been carried; but the Bills for Scotland and Ireland were still outstanding. And if the noble Earl reproaches us for not passing them last year, all I can say is—remembering the time that the English Bill occupied—it was physically impossible for us to do so. In January last, therefore, the organization of the Constitution was in abeyance; the Reform Bill for England had passed into law, but those for Scotland and Ireland had still to be adopted. Under these circumstances what were the expectations of nine men out of ten throughout the country? They thought this Session would be occupied in maturing the great question of Reform, and completing it in all its points—by passing the Scotch and Irish Bills; by passing the Bill for restraining corrupt practices; by passing the Boundary Bill; and thus having prepared a new arena for both parties to engage in a trial of strength and integrity, the country would decide in a fair field by which of the two parties it would be governed. This was the universal feeling: and although this feeling would not necessarily prevent the proposition of measures of another description, we purposely selected measures that were not likely to provoke opposition and political feeling; and in the like spirit we withdrew the Education Bill to which the noble Earl has referred. But a great misfortune befel the country; the noble Earl at the head of the Government (the Earl of Derby) was obliged to resign Office at the beginning of the year, and the whole aspect of affairs was altered. The armed truce which we expected would last till the Reform Bills had passed and until the dissolution in the autumn was suddenly broken; there arose new causes for political agitation, and these circumstances are in reality the cause of those defects in legislation on which the noble Earl has commented. My Lords, a new and extraneous question of the highest possible importance was broached; it was a question of far more importance, indeed, than the Reform Bills, because they involve only questions of detail as to the method of Parliamentary election and management. And that important question to which I refer was not dealt with after the manner in which it was brought forward by the noble Earl opposite some time ago; he proposed only a modification of the Irish Church by taking a little from it here and adding a little there, by apportioning its possessions among itself and neighbours; but Mr. Gladstone came upon the scene and treated the proposal of the noble Earl with as little respect as if it had come from this side of the House. Mr. Gladstone declared at once—"This scheme won't do; it's mere milk and water. It's not worth having; it's like the drag which you ran thirty years ago—the Appropriation Clause." That was Mr. Gladstone's view; the remedy was not strong enough for him—he felt he could get no followers with such a programme; and having no more respect for a measure proposed by the noble Earl than he would have had for one proposed on this side of the House, he boldly and at once declared, not for reforming the Irish Church, but for its abolition. The noble Earl has asked me to state the opinions of the Government on one or two points, and among others he has asked what I think respecting the state of Ireland, and what would be the best means to adopt for its pacification. Now, I think the noble Earl is about the last man who should press that question, because when a noble Viscount connected with Ireland (Viscount Lifford) recommended interference with the Irish Church only two years ago, the noble Earl with considerable energy absolutely put him down and said the thing should not be. And I might ask what did the noble Earl then depend upon to keep Ireland in a state of comparative order? Force, my Lords. No doubt the noble Earl had some statesmanlike reasons for adopting that policy; he could not have summarily rejected the counsels of the noble Viscount from mere caprice, and rebuked him in a fit of ill-temper. I need hardly tell the noble Earl what are our views upon the subject of interference with the Established Church of Ireland. I would not remain silent on that subject if I were not a Member of the Administration, and as long as I have a vote in this House I will use it to support the Irish Church; and I will do so because I am convinced that Church cannot be disestablished and disendowed without carrying with it in its downfall the Established Church in England. These are not my opinions only; I hear them expressed by men who are best judges of what the result would be, and they are largely shared in by Dissenters, some of whom deprecate the disestablishment of the Irish Church. I happen to have heard, from both those Dissenters who favour, and those who object to this movement, the opinion that, if carried, it will be but the prelude to the total disestablishment of the English Church; and this opinion has been expressed on the one part with joy, and on the other with the deepest regret. I therefore give the noble Earl my opinion very plainly; and I believe my Colleagues entirely concur with me in the view I take. The noble Earl has touched upon the Roman Catholic University scheme. The proposition we made was rejected by the Roman Catholic Bishops because we made it a *sine quâ non* that a lay element should have part in the management of the University; and if the noble Earl will read the published Correspondence between the Earl of Mayo and the Roman Catholic Bishops he will be in possession of all the information he asks for. I think I have nothing more to say in answer to the noble Earl, except to add with regard to the dissolution that the sooner the event occurs the better Her Majesty's Government will be pleased, and no one will welcome it more heartily than myself. If the noble Earl has not patience to wait until such time as the dissolution can be brought about with fairness to the electors, I can only entreat him to move in this House, and ask his Friends in the other House also to move, a Vote of Want of Confidence against Her Majesty's Ministers.

Motion *agreed to*.

House adjourned accordingly at half past Seven o'clock to Monday, the 8th of June next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, May 29, 1868.

MINUTES.]—Select Committee — *Report*— Boundaries of Boroughs. [No. 311.]

Supply—*considered in Committee*—Civil Service Estimates—Class III.

Resolutions [May 28] *reported.*

Public Bills—*Resolutions in Committee*—Courts of Law (Scotland); Pier and Harbour Orders Confirmation (No. 2).

Ordered—Courts of Law (Scotland)*; Pier and Harbour Orders Confirmation (No. 2)*; Turnpike Acts Continuance, &c.*

First Reading—Pier and Harbour Orders Confirmation (No. 2)* [148]; Turnpike Acts Continuance, &c.* [149].

Second Reading—County General Assessment (Scotland)* [84]; Promissory Oaths* [113].

Committee—Duchy of Cornwall Amendment* [136].

Report—Duchy of Cornwall Amendment* [136].

Third Reading—Registration of Writs (Scotland)* [62]; Vagrant Act Amendment* [130], and *passed.*

Withdrawn—Investment of Trust Funds Act Amendment* [116].

CORRUPT PRACTICES AT ELECTIONS BILL.—QUESTION.

Mr. SCHREIBER said, he would beg to ask the First Lord of the Treasury, On what day after the Recess it is his intention to proceed with the Committee on the Election Petitions and Corrupt Practices at Elections Bill?

Mr. DISRAELI said, in reply, that he was sorry he could not fix a day at present, but would do so on the first day after the holidays.

TURKEY—BRIGANDAGE NEAR SMYRNA.

QUESTION.

Mr. WYLD said, he would beg to ask the Secretary of State for Foreign Affairs, If any information has been received from Her Britannic Majesty's Ambassador at Constantinople announcing the release of Mr. J. W. Stevens, a British subject, who has been captured by Brigands near Smyrna; and if the restoration of Mr. Stevens cannot be obtained without the payment of the money demanded by his captors, application will be made to the Ottoman Government to pay the required ransom?

Lord STANLEY: Sir, I am sorry to say I have as yet no intelligence upon the subject. There is a mail at present due from Constantinople, and I daresay I shall receive information in a day or two.

CEYLON—UNAUTHORIZED PUBLICATION OF A DESPATCH.

QUESTION.

MR. WATKIN said, he wished to ask the Under Secretary of State for the Colonies, At what time the noble Duke the Chief Secretary for the Colonies received an official letter fully addressed to his Grace by Mr. George Wall, the President of the Planters' Association of Ceylon, and dated Colombo, March 5, 1868, which letter was entrusted by Mr. Wall to the hands of the Governor of Ceylon, Sir Hercules Robinson, to forward, in accordance with the usual etiquette; if he is aware of the fact that such letter so entrusted to the hands of the Governor was tampered with, and was published in a local paper called the *Ceylon Herald* before it could have come to the hands of the Chief Secretary, and without the knowledge or consent of the writer, or of the Chief Secretary; and, what course is intended to be taken in reference to such a proceeding?

MR. ADDERLEY, in reply, said, the noble Duke the Colonial Secretary received Mr. Wall's letter dated Colombo, March 5, in a Despatch, dated March 21, on April 27, and a further letter from Mr. Wall, dated April 17, complaining of the first having been published in a local newspaper. On inquiry it appeared that this publication was without the authority, consent, or even knowledge of the Governor, but much to his annoyance, as unfair to himself. But the substance of the letter, and of one of the League Committee of the same date, was sent by Mr. Wall himself to a local newspaper before even the transmission of the documents from the island. The Governor, however, had been requested to ascertain, if possible, whether the letter appearing in a local newspaper supporting the Government had been effected by any Government officer or by any breach of official duty. An answer had not yet been received.

IRELAND—UNIVERSITY EDUCATION.

QUESTION.

MR. FAWCETT said, he would beg to ask the First Lord of the Treasury, Whether, in order to secure an adequate discussion on the subject of University Education in Ireland, he will promise that there shall not be a Morning Sitting on Friday, the 19th of June, the day fixed for a Motion relating to Trinity College, Dublin?

MR. DISRAELI: Sir, I really am unable to see so far ahead as the 19th of June. At the same time I shall be very sorry to interfere with the discussion indicated by the hon. Gentleman.

LOSS OF THE "GARONNE."—QUESTION.

ADMIRAL ERSKINE said, he wishedto ask the Vice President of the Board of Trade, If the Board will institute an inquiry into the loss of the steamer *Garonne* on the Land's End, which is said to have been caused by a want of seamanship, and to have been attended by a great loss of life?

MR. STEPHEN CAVE: Sir, The Board of Trade have already sent instructions to the Solicitor of the Customs to take steps for an immediate inquiry into the circumstances attending the unhappy loss of this vessel.

RIOTS AT ASHTON, STALEY BRIDGE, BIRMINGHAM, &c.—QUESTION.

MR. WHALLEY said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of the Government to institute any inquiry as to the origin and nature of the recent riots at Ashton and other places in the county of Lancaster, and at Birmingham and other places in the counties of Warwick and Stafford; and whether the Government has made any and what provision for the better protection of public lecturers and those who may attend such lectures in the event of threats to suppress such lectures by riot and outrage, and then prevent the recurrence of such riots as before referred to?

MR. GATHORNE HARDY: Sir, I practically answered this Question the other night. It is not the intention of the Government to institute any inquiry at present, whilst trials are pending; and with respect to the latter part of the Question, I may say it seems to me that the matter is one that rests entirely with the local authorities.

METROPOLIS — OBSTRUCTION OF THOROUGHFARES.—QUESTION.

MR. OTWAY said, he wished to ask the First Commissioner of Works a Question of which he had given private Notice. When Parliament re-assembled after the

Easter holidays the usual access to the House was obstructed through a street having been broken up. On the eve of the "Derby" the access to the South-Western Railway was similarly obstructed in the Westminster Road. At present, Bond Street, Vere Street, and part of Oxford Street—to say nothing of Park Lane and many other thoroughfares—were also obstructed. He, therefore, wished to ask, Whether the attention of the Government has been called to these obstructions; by whom they are authorized; and whether any Department of the Government has power to prevent persons breaking up the thoroughfares at a time when London is full, and when it is most necessary that traffic should be unimpeded?

Lord JOHN MANNERS, in reply, said, he could only repeat the Answer he had given privately to the hon. Member, which was that the Government had nothing whatever to do with the management and control of the streets of the metropolis. The cost of the maintenance and repair of them was not defrayed out of moneys voted by Parliament, but out of rates levied upon ratepayers by local authorities. It was clear, therefore, that the management and control of the streets must be vested in the representatives of the ratepayers, who had to pay for the maintenance of them. Those representatives were the local authorities, and they, and not any Department of the Government were responsible for the state of the streets.

ESTABLISHED CHURCH (IRELAND) BILL.—QUESTION.

Mr. GLADSTONE: I wish, Sir, to ask a Question with respect to the Established Church (Ireland) Bill, which stands for Committee on Friday next. I apprehend there may be many Members of this House who would not feel themselves obliged to return to London next week except for this Bill. I understood the Government to say they should not feel it to be their duty to attempt any Amendment of the Bill in Committee. I think it might be a convenience to the House if the right hon. Gentleman is in a condition to state what course the Government will take at that particular stage of the Bill?

Mr. DISRAELI: Sir, not to be misunderstood, I may say that my opinion of this Bill remains the same. I think it is a bad Bill and badly drawn; but I do not think it incumbent on us to attempt to improve it. Therefore I shall not offer any formal opposition in Committee.

IRELAND—UNIVERSITY OF DUBLIN. QUESTION.

Sir HENRY WINSTON-BARRON said, he wished to ask a Question about some Returns which had been ordered some time since and had not been produced, although they would require very little preparation. He hoped they would be forthcoming before the re-assembling of Parliament after Whitsuntide?

Mr. DISRAELI, in reply, said, he would endeavour to get them issued during the holidays.

BOUNDARIES OF BOROUGHS. REPORT OF THE SELECT COMMITTEE.

Mr. WALPOLE brought up the Report of the Select Committee. There were several corrections which required to be made in it before it could be circulated; but such instructions had been given that he hoped the Report would be in the hands of Members by Monday morning. In the meantime he was authorized and instructed by the Committee to communicate to the House the results of their labours, which, he hoped, would be satisfactory to the House. There were three classes of cases into which the boroughs as dealt with by the Committee might be divided—cases in which the Report of the Commission had been recommended for adoption; cases in which the Select Committee recommended that modifications should be made in the Report of the Commissioners; and cases in which the Committee recommended that the present boundaries should be retained. The first class, in which it was recommended that the Report of the Commissioners should be adopted, included the cases of Bolton, Chester, Greenwich, Newport (Monmouthshire), Northampton, Preston, Stalybridge, and Windsor. The cases in which the Committee recommended that the Report of the Commissioners should be modified were those of Chelsea, Cheltenham, Darlington, Gloucester, Hastings, Midddlesborough, Newport (Isle of Wight), Oldham, Salisbury, and Wilton. It was recommended that the present boundaries should be retained in the cases of Birkenhead, Birmingham, Bristol, Gateshead, Lambeth, Liverpool, Marylebone, Manchester, Nottingham, Portsmouth, Reading, South Shields, Tynemouth, Warwick and Wigan.

Report read; and ordered to lie on the Table, and to be *printed.* (No. 311.)

Minutes of the Proceedings of the Committee to be *printed.* (No. 311.)

ADJOURNMENT FOR THE WHITSUN HOLIDAYS.

Motion made, and Question proposed, "That the House, at rising, do adjourn till *Thursday* next."

NEW COURTS OF JUSTICE.

OBSERVATIONS.

Mr. **BAILLIE COCHRANE** said, he rose to call attention to the site of the New Law Courts. That site was accepted by the House at a time when the embankment of the Thames had scarcely been commenced, and when it was impossible for the House to have decided fairly upon so important a point. There was an opportunity now, however, of carrying out a most magnificent design, and of carrying it out without additional expense and with the greatest advantage to the public. Three conditions should be satisfied in the choice of a site for such a building: there must be space, light, and air. Another point should be remembered—that things beautiful in themselves became more beautiful still by juxta-position. Thus, a woodland scene, and a venerable abbey, each beautiful in itself, had new charms when placed side by side. Apply this principle here. Nothing could well be finer as a building site in European capitals than the banks of the Thames. There was nothing like it in Europe, except the Neva and the Tagus. Well, place the Law Courts on the river side, and their architectural effect would be greatly enhanced. The three conditions requisite in public buildings were space, light, and air. The site on the Thames Embankment combined these requisites. At present it was proposed to build the Law Courts on a site which would give a frontage of 700 feet and a depth of 550 feet. Now, the *Quarterly Review* had shown clearly that that space was utterly inadequate. When erected the Law Courts would be surrounded by most miserable streets—such as Carey Street, Drury Lane, and its purlieus. He had seen an estimate showing that in order to procure the necessary approaches it would be necessary to spend another £1,000,000; and the Courts would be so crowded that they must be enlarged at a probable cost of £1,000,000 more. On the other hand, between King's College, adjoining Somerset House, and the Temple, you had 1,000 feet of river frontage, with a depth to the Strand of 700 feet—150 feet deeper and 300 feet longer than that of the Strand site. The accommodation would be admirable, the approaches would be made for you, the Underground Railway would be close by, and yet the House hesitated to acquire a site which would be unequalled in any capital in Europe, because they had formerly agreed to place the Law Courts in the Strand. Some of those Gentlemen (among them Mr. Abraham) who had been of opinion that the Strand would be the best position were now most anxious to place the Law Courts on the Embankment. The objection that, having bought the site you must make use of it, reminded him very much of the answer given in one of Mr. Dickens's works by a man who was getting very drunk on a bottle of bad port, and who, when remonstrated with, said, "I cannot help it; I have paid for the wine and I must drink it." Why should the House throw away £2,000,000 and lose all the advantages they would derive from the adoption of the Embankment site? They had performed a good and philanthropic work in purchasing the present site and clearing it from the dens of dirt and infamy with which it was crowded, even if they had never intended to place the New Courts there at all. The persons whom it would be necessary to turn out from the houses between King's College and the Temple might be transferred to the vacant ground which had been bought fronting the Strand. The calculation was that the land would cost about £1,000,000; but the result would be a great economy in comparison with the existing site, for the Embankment and the Strand would be ready-made approaches. They would have only one street to open out, leading from the Strand down to the River. He did not care how admirable the architecture might be, the building on the site now contemplated could not have the same beauty as if placed upon the Thames Embankment. They had now got a great opportunity of beautifying the metropolis, and not only that, but of doing honour to the whole country, for almost everyone was interested in whatever promoted that end. Some Gentlemen might consider that such a matter was not worthy of the attention of Parliament;

but he, on the contrary, had been much struck by the truth of a passage on this subject which he would read to the House—

> "The greatest statesmen and philosophers have ever considered the cultivation of art, and the building and adornment of cities, as of primary political importance. Plato attributes the origin of legislation to the cultivation of the arts. Public buildings are the most lasting and effective ornaments of the country, and at the same time the cheapest the people can obtain."

No matter how important matters of political feeling might be, it was most desirable that when we were going to spend millions of money we should be sure of doing what was right and beautiful. He had brought forward this subject thus briefly because he thought it desirable that the House of Commons should know the position in which it was placed, for upon it would rest the responsibility of whatever decision might be come to. To the House of Commons therefore he appealed, before it was too late, to take advantage of an opportunity of beautifying the metropolis which might never occur again, and which, if lost now, might be lost for ever.

Mr. M. CHAMBERS said, he desired to express his concurrence in the recommendation of the hon. Gentleman. We had laid out a large sum of money, and obtained what he (Mr. M. Chambers) thought at the time would be the most eligible site for theN ew Law Courts. But since that expenditure and the partial clearing of the ground it had become known that it would be next to impossible to accomplish the original grand scheme. They had had the mortification of seeing that some of our ablest architects had failed in producing even one design adapted for the purposes in view. There were, however, reasons which might account for that failure. In the first place, the site was perfectly inadequate and unfit for its object. It was upon a steep descent, or ascent, and of a very irregular shape. In the next place, there would be the greatest difficulty in getting access to the edifice if erected. He had been informed by a gentleman of great experience that it would cost half as much as had been already expended to make proper approaches. Then, with regard to the nature and situation of the plot of land, he did not know whether any Gentleman in that House had ever walked in that unfashionable neighbourhood; but if so, they must have discovered that the houses to the west were the dirtiest and worst that could possibly be imagined, and to the north and east equally unsightly. Of course those houses could not continue in the neighbourhood of the Courts, for they would be an absolute disgrace. But what would be the result? Why, that these must all be bought and pulled down; and how much that would cost it was not for him to say. But everyone knew that as soon as a spot was improved and beautified, that moment the adjacent lands and premises were rendered three, six, and even tenfold more valuable than before. But besides, light and air could not be obtained without buying other property, hemmed in as the Courts would be by Carey Street, Bell Yard, and Chancery Lane. Then how were they to approach the Courts from Holborn and the West End; for access would be required from every side? Owing to the land being on a slope, it was most remarkable that in one of the two plans—the external and internal—which had been most approved, the Judges, counsel, witnesses, and, in fact, all who had to go to the Courts, would have to ascend, as he was told, nearly as high as the Chamber in which he was speaking, by means of a magnificent staircase. How they were all to climb so high was matter for consideration. Some people said there were such things as lifts; but if they were to put such an expedient into practice how ridiculous they would make themselves. He ventured to say that we laid too much stress on external beauty, or florid ornament, and did not sufficiently consider, in the first instance, what the object of the building was, and what the purposes were for which it was intended. He thought solidity and sedateness should be consulted, and he was disposed to prefer the mixed Roman and Grecian or Palladian architecture to towers and turrets and the monastic or cathedral style proposed in the plans. Before any active measures were taken it should be ascertained by the authorities how much had been paid for the present site, what sum it would be likely to realize either now or a few years hence, and what a new site on the Thames Embankment would cost. His impression was that if the latter site were purchased and cleared the value of the present one would immediately be considerably raised, so as to preclude any danger of loss; and a building having the Embankment on one side and the Strand on the other would have an access far superior to one erected on the north of the Strand. We should not be in too great a hurry to do something simply because we had a site in hand. No plan having been adopted, no harm could ensue from waiting. It would be better even to sustain some loss than to have a bad site and a bad building; but from the experience of the Metropolitan Board of Works with regard to some of their purchases, he believed that if the matter were properly managed the change of site would be attended with gain rather than with loss.

MR. COWPER said, he felt some sympathy with the hon. Gentleman opposite (Mr. Baillie Cochrane)—who was known in that House for the interest which he took in matters of taste—in his desire for the erection of a fine building on the banks of the Thames, and he admitted that on purely æsthetic grounds there was much to be said on behalf of that site. He could not, however, admit that it was preferable to the present one in point of convenience and economy. It was obviously undesirable that the Courts should be bounded by two noisy thoroughfares; and the present site, while having the Strand on the one side, would have on the other streets which, though wide, would not be thoroughfares, except for persons attending the Courts. The slope, moreover, so far from being a disadvantage, would be a great advantage; for it would furnish a considerable amount of space for records on the lower side, while the ground floor would be at a proper height to prevent inconvenience from the traffic. The site, too, was just in the centre of the legal quarter, equi-distant from Lincoln's Inn, the Temple, and Gray's Inn, so that one object of a concentration of the Law Courts would be accomplished, and the convenience of the gentlemen of the long robe would be consulted. On the other hand, a site on the Embankment would cost at least twice as much; for the houses in Norfolk and Arundel Streets, and all the streets which would have to be pulled down, were of a more valuable description than those which had been purchased for the Carey Street site, the cost of which, moreover, had not exceeded the original estimate. If 1,000 feet instead of 700 feet were required, the extra space could be obtained at less expense on the present than on the proposed site; but he did not believe that such an enlargement was necessary. Many architects, indeed, had fancied that the present site was insufficient; but this question depended on the amount of accommodation which the Government might finally determine upon. It had not been necessary to consider this point before the final adoption of plans; but he felt confident that when the plans were ultimately adopted and were carefully scrutinized, with a view of avoiding any unnecessary Offices or Courts, additional space would not be required, and that it would not be necessary to expend much money upon the approaches to the Courts. The site was amply sufficient for the real and necessary wants of the Courts. There was another ground on which the House ought not to make any change. An immense inconvenience would be caused by the delay which would arise from changing the site —a delay of at least five years. Four years had already elapsed since an Act was passed authorizing the purchase of a site for the Courts of Law. He hoped the Government would endeavour to push on the work with as little delay as possible, and that, now the Report of the Attorney General had been received, they would give effect to the report of the judges as to the design to be adopted, so that the two architects might proceed to prepare a plan with reference to any change that might be determined upon as to the number of the Courts. He entirely demurred to the assertion that these designs were so bad that none were worthy to be selected. The reverse was the fact; for the difficulty of the judges arose rather from the excellence of the designs than their want of merit.

SIR GEORGE BOWYER said, it was evident that considerable delay would occur before the plans of the New Courts were settled, because the Commission of Judicature proposed great alteration in the system of the Courts of Law, and it would be absurd to build a Palace until they knew what Courts were wanted, and what Parliament would do upon the Report of that Commission. He thought it would be a great advantage to have the Law Courts built upon the Thames Embankment; because there they would be accessible both by land and water, and would not be surrounded by old and low streets and lanes like those which surrounded the selected site. Then as to the question of ornament and beauty the Thames Embankment was, in his opinion, far preferable to the present site. Having bought a site it might be said that it was necessary to make use of it; but if they had not, after all, got a good site, it was better not to use it. Dr. Johnson being at a tavern where the wine was not good, said that he called for the wine for the good of the house, and he abstained from drinking it for his own good. The site already bought was as good as a bank note, and, if sold, it would probably fetch more than the Government had given for it, especially if it were settled that the New Courts were to be built in immediate proximity to the site. With regard to the style of the new building, the plans were very picturesque, but none of them were, in his opinion, appropriate to the style of a Court of Justice. They seemed to be formed of reminiscences of feudal castles, cathedrals, and chapels, — one imitating the interior of Westminster Abbey, and others being reminiscences of the Sainte Chapelle at Paris and various picturesque buildings on the Continent. What was wanted was a plain, handsome, and noble style, with no ornament at all. He thought the Four Courts at Dublin was a building which would be a very good model of a structure of this kind. It was elegant, yet plain, with no ornament; yet it was admired by all persons of taste. Why could not the new Courts be built something in the style of Somerset House? It would be less expensive than the fanciful Gothic building in which they were assembled, on which thousands had been thrown away on ornament consisting of a repetition of panels and an excess of details, the result being very florid and very expensive. It was a building resembling a wedding cake, covered with ornaments, but unfit for the purpose for which it was intended. What was wanted for the New Courts of Law was a structure with an exterior plain and severe, and in accordance with the uses for which it was designed.

Lord JOHN MANNERS said, his hon. Friend the Member for Honiton (Mr. Baillie Cochrane) had expressed a hope that the Government would not hastily decide on the site of the New Courts of Law. But the Government had no decision to make in the matter. This question had been decided years ago by both Houses of Parliament — not hastily, nor by one decision, but after consulting the highest authorities, and by repeated Acts of Parliament, extending over a series of years. Ten years ago a Royal Commission was appointed to inquire into this very question of site. That Commission reported in favour of the present site. Parliament sanctioned the purchase, which was now virtually completed, and the whole legal profession were anxiously awaiting the proper steps to be taken to carry out the intentions of Parliament; yet at such a moment the hon. Member had thought proper to raise the question of an entire change of site. If the question could be re-opened, no doubt much might be said in favour of the site of the Thames Embankment; but the question had been definitively settled by the Legislature. In answer to the hon. and learned Member for Devonport (Mr. Montagu Chambers), he was able to state that the site had cost £789,000 up to the present moment, and there were additional purchases and contingencies, so that the total amount for the purchase of the site would amount in a very short time to £896,000. The hon. and learned Member asked what they could sell the site for, two, five, or ten years hence? It was impossible to form anything but the most vague conjecture as to that. They knew what the site had cost; but what it would sell for if put into the market was a matter of speculation about which he could give no opinion offhand. Then it was said it was a drawback to the present site that the Strand was not on a level with Carey Street; but he thought it would be found that there was as great, if not a greater, slope between the Strand and the Thames Embankment. There could be no doubt that, as far as the suitors were concerned, the Carey Street site would be extremely convenient. Then, again, the House had, from time to time, appropriated considerable funds for one of the best public buildings of which we could at present boast—namely, the Public Record Depository, behind Chancery Lane. Including the sum of £60,000 sanctioned by the House the other day, during the last few years upwards of £200,000 had been expended on that building. It was of the greatest importance that the public records should be kept in immediate proximity to the Courts of Law; and that point ought also to be taken into view when they were asked to place the Courts of Law on a different site from that which Parliament had decided upon. He did not think, therefore, that the present Government ought to take upon themselves the responsibility of changing the decision of the Legislature on that matter; and he felt that if anything of that kind were now attempted, not only would the greatest delay ensue, but in all probability there would be an immense outlay incurred, he did not say of public money, because the fund applicable to that purpose was the Suitors' Fund, but there would be an immense demand made upon that fund, the result of which no human being could tell. Most probably, however, at the end of four, five, or six years, when the new site had been purchased and cleared, and when the Government of the day had selected the architect for erecting the building, other Gentlemen would rise in the House and say that the circumstances were altered, that a still better site might be obtained in the east, the west, the north, or the south, the whole question would be left in suspense, and no final decision whatever would be come to. On the question of space, he agreed with the right hon. Member for Hertford (Mr. Cowper). The site already acquired was seven acres; and if the Courts of Law could not be accommodated on that space, their requirements must be very extraordinary indeed. Under those circumstances, as his hon. Friend (Mr. Baillie Cochrane) had made no Motion, he hoped he would be content with the discussion which had just taken place.

DISSOLUTION OF PARLIAMENT.

QUESTION.

MR. W. E. FORSTER said, he rose to ask the First Lord of the Treasury, If he can inform the House what steps he intends to take in reference to the contemplated measure for expediting the dissolution of Parliament on the new constituency in the autumn? He believed that both sides of the House would be agreed that it was desirable that as little uncertainty as possible should prevail in reference to that important subject; and, before they separated for a short holiday, he wished to remind the House of what he considered to be the condition in which they stood with respect to it. The right hon. Gentleman at the Head of the Government had brought the matter before them in a Ministerial statement about three weeks ago. The right hon. Gentleman then told them that Her Majesty, acting on his advice, had announced her readiness to dissolve Parliament as soon as the state of Public Business would permit; and, he added, that by that he meant the autumn of this year, when, he believed, an appeal could be made to the new constituencies. The right hon. Gentleman informed them that the House of Commons having come to a vote opposed to the views of the Government upon a most important point of public policy, the Government only held Office upon the condition of making that appeal at the earliest possible moment; and he repeated that assertion on last Monday, in urging them to proceed as rapidly as they could with the Scotch Reform Bill. On the following day the right hon. Gentleman in replying to a question from the hon. Member for Maldon (Mr. Sandford) said the matter had been under the consideration of the Government, and that he was bound to state that the difficulties connected with it were greater than had at first been contemplated, and the answer of the right hon. Gentleman must be his (Mr. Foster's) excuse for bringing the subject, at that moment, under the notice of the House. It appeared to him, after having looked into the question as carefully as he could, that the difficulties were not insuperable—that it would be possible so to facilitate the registrations as to enable Parliament to meet in the middle of November—say, Thursday, November 12. By the present law, six weeks were allowed for the work of the Revising Barristers; but he believed that if they appointed more barristers, that work might be completed in four weeks. Then, again, the printing of the register, under the present law, occupied two months; but that was an alteration of the previous law, under which the register was printed in one month, and he saw no reason why they should not return to that former system. Thirty-five days were at present allowed for the actual process of election; but he thought that on an emergency, twenty-five days would be found sufficient for the completion of the whole of the elections. Then there might be a few days gained by shortening the time within which claims and objections could be furnished. He did not believe there could be any change made with respect to the date at which the new registration was to begin. The existing law declared that it should begin on the 1st of August; and he did not think it would be possible to ante-date that event. Under any circumstances, some new legislation would be necessary. The 10th section of the 6 *Vict.* c. 18, provided that the town clerk of every borough should issue his precept to the overseers, to make out the lists before the 10th of June in each year. The precepts should, of course, be issued for those additions to the boundaries to be made under the Boundary Bill, and he supposed it would not be possible to get that measure passed before the 10th of June; so that some fresh legislation would be necessary, in reference to that matter. That was not, however, an important point, because there would be time between the 10th of June and the 11th of July for the overseers to prepare the lists. Under all the circumstances, it appeared to him that it would be quite possible for Parliament to meet in the middle of November—say, the 12th of that month, so that they might begin business on Tuesday, the 17th, which would be the same time at which they had commenced business last year. But other Members might entertain a different opinion upon that subject; and that being the case, he hoped that the Government and the House would take into their consideration the suggestion which had been made by his right hon. Friend the Member for South Lancashire (Mr. Gladstone), that the question should be referred to a Select Committee. There would be this advantage in adopting such a course, that as the Committee would no doubt consist of Members from both sides of the House, any decision to which it might come would be regarded as one perfectly irrespective of party or personal considerations. Many Members, it was true, objected to having their holidays cut short by an autumn Session, but, on the other hand, a longer Recess with several months spent in canvassing, would come to much the same thing. Whatever might be the general opinion, however, he was sure the House would not approach this question in any personal or party spirit. How an early dissolution would tell on party aims, he, for one, had not the remotest idea. There were several reasons for having as early a dissolution as possible. Undoubtedly it might be found that the difficulties in the way of the adoption of such a course might be insuperable, and that the new elections could only be hurried forward at the risk of disqualifying the voters who had been enfranchised under the new Reform Bill. In the latter event, of course, it would not be advisable to have an immediate dissolution, for certainly it was the first duty of the House to take care that the new electors to whom votes had been given by the English, Irish, and Scotch Bills, should not be disqualified in consequence of any haste in the registration. But if there were no such difficulties he thought little difference of opinion could exist as to public convenience being promoted by an early election. Even the right hon. Gentleman opposite had himself stated that a great question of public policy having been debated, and the House having arrived at a decision adverse to the opinion entertained by Her Majesty's Ministers, it was important that the opinion of the country should be taken without delay. There was another reason why the decision of the country should be given as soon as possible, and that was that the longer this great question was in debate, the worse it would be for England and Ireland. If it turned out, as was urged from the other side, that the feeling of the country coincided with that of the minority of the House, the quicker that opinion was known the better, in order that Gentlemen on the Opposition side might give up a fruitless agitation. If, on the contrary, the majority of the people in the country coincided with the majority of the House, even Gentlemen from the North of Ireland would agree that the sooner the question was settled for the interests of Ireland the better. The saving of three months during the present year might be the means of saving much bad blood, agitation, and hot water in Ireland. He did not think the question whether or not the present Administration possessed the confidence of Parliament was of sufficient importance to justify the putting of the country to inconvenience in the matter of a General Election; but nobody could deny that owing to exceptional circumstances the Constitution of the country was strained at the present time. Her Majesty's Ministers were holding Office in a manner that was contrary to the usual custom of this country. They held it in opposition to a majority of the House, upon a question of the very utmost importance. The Government had stated that they held Office simply because, in the present exceptional circumstances, they found it difficult to appeal to the country, though they were most anxious to make such an appeal. He gave them credit for that being their view, and upon the whole he believed that they had not taken a wrong course in determining to appeal to the new constituencies. That however, was only another reason why the Constitution of the country should be strained as little as possible, and that the appeal should be made at the earliest possible opportunity. These were the reasons which induced him to put his Question to the First Lord of the Treasury.

MR. HIBBERT said, he could fully confirm what had fallen from his hon. Friend the Member for Bradford as to the possibility of having an election in the middle of October, and he thought that only very slight alterations would be required in our electoral machinery for the purpose of accomplishing that end; but the real question to be determined was whether the House were really desirous to have a sitting in November? He went so far with his hon. Friend as this—that he should be very glad, in common he was sure with most hon. Members, to have the opportunity of eating his Christmas dinner in peace, and unless there was to be an election during the present year, that desirable object could not be attained. According to the present law Parliament could not be dissolved until after the 31st of December, and consequently there could be no elections till the beginning of January; but without going as far as his hon. Friend proposed, and without even attempting to alter any part of our electoral machinery, he wished to point out that we might have an election in December, so that the new House might meet either in the early part, or the middle of January. Thus the unpleasantness of canvassing during Christmas would be got rid of. He would briefly indicate how this might be accomplished. Under the present law the lists must be handed over by the Revising Barristers to the clerks of the peace on the 31st of October, and the clerks of the peace were allowed two months from that time to prepare the lists, by putting them into alphabetical order, and causing them to be printed. But prior to the Act of last year the clerks of the peace were only allowed one month to prepare the lists, and were obliged to have them ready on the 30th of November. Now, if a return were made as to what was the law on this subject previous to last year the elections might easily occur in the middle of December, and the House might then meet not less than thirty-five days afterwards, or some time in the middle of January. That would be one way of getting over the inconvenience and unpleasantness of a long canvass during the winter months. He did not, however, say that the object of his hon. Friend could not be accomplished; for he thought there might be an autumnal meeting of the House in November, if the House desired it. That object might be attained, either in the way just sketched out by his hon. Friend, or in the way suggested by the Solicitor General some evenings ago. At all events, he was sure that all hon. Members must desire to prevent the long period of excitement which would be inevitable if the elections were postponed till after Christmas.

LORD ELCHO: Sir, last evening when the Scotch Reform Bill was under discussion the late Lord Advocate said it was the unanimous wish of the House that the dissolution should be hurried forward. I expressed my dissent by a "No," which found a response on both sides of the House. Now I think this is a question which affects other persons in this House besides the right hon. Gentlemen who sit upon the front Benches. It affects the convenience of private Members, and the interests of the public, though I perceive it is too much regarded simply as a question between right hon. Gentlemen on this side of the House and right hon. Gentlemen on the other. On this side of the House you have right hon. Gentleman who, no doubt, suppose it is not in the interest of the country that a Government in a minority should continue in Office. On the other hand, we have Gentlemen on that side of the House who have thought it their duty to carry on the Government with a minority. I should remind the House, however, that although the Government were in a large minority on the Irish Church question, yet they were in a majority on the great constitutional question which has occupied so much of our time. Last year, when the English Reform Bill was under discussion, the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) did all he could to carry certain propositions which would have turned out the Government, but he failed to do so. Last night we had the Scotch Reform Bill under discussion, and again the right hon. Gentleman spoke against the proposition of the Government, and his party to a certain extent supported him; but what was the result? Why, the propositions of the Government were carried. On this great constitutional question, therefore, the Government has been able to command a majority. Is there, then, any important public reason which would justify the forcing of our whole system of registration, and the torturing of the machinery of registration, in order that two months, or perhaps one month earlier, a vote may be taken in this House as to which right hon. Gentleman is to be at the head of affairs? I maintain that there is no public reason which justifies or demands that such a course should be taken, and as a private Member I boldly say, that after the hard work of a long Session, we ought not to be put to the inconvenience of spending the months of August, September, and October in electioneering. I say boldly that I want to have those three months free. I want my holiday in August, September, and October, instead of having it sacrificed in order that an early decision may be come to as to whether this or that right hon. Gentleman should be in power. At the same time, I, with other private Members, shall be quite willing to make the sacrifice if the public interest required that that decision should be precipitated. The speech of the hon. Member for Bradford (Mr. W. E. Forster) showed the great difficulties in the way of bringing about a dissolution in time to enable the House to re-assemble on the 12th or 17th of November. You were to repeal and enact, and, indeed, such a description of the difficulties to be got over was given that it seemed to me the argument by which the hon. Gentleman attempted to show how possible it would be to do, what I hope is unnecessary, proved the impossibility, or, at any rate, the impolicy of doing it. The right hon. Gentleman says that if we postpone a dissolution we shall be spending all the autumn—the time we should naturally spend on the hills of Scotland, or the hills of Switzerland, or, at any rate, in enjoying the country—in canvassing our constituents. Let the hon. Gentleman speak for himself, if his constituents have so little confidence in him that he has to spend a whole holiday in going about from door to door canvassing them. I hope my constituents have more confidence in me than to require that I should go about from door to door for three months waiting upon them. I maintain that the public interests, so far from requiring all this, require that it should not be done. The hon. Gentleman talks about registration agents, but a letter appeared in *The Times* this morning from the gentleman who is, perhaps, the best authority in this kingdom on the question—an authority which, at any rate, the right hon. Member for the City of London (Mr. Goschen) will not dispute ; for it is in a great measure to the exertions of Mr. Sidney Smith the Secretary of the Liberal Registration Society in London, that the right hon. Gentleman and his Colleagues, including the worthy Alderman (Alderman Lawrence), owe their seats in this House. Mr. Smith's opinion is not that of a theorist, as the opinion of the hon. Member for Bradford is, for the hon. Member is no more competent than any other Member who is not a lawyer, nor a practical registrar, to express an opinion on the subject. What does this practical man say ? He says—

"Sir,—May I be permitted to ask" [not on behalf of the right hon. Members on the other side, but] "on behalf of the world outside the House of Commons, what urgent necessity there is for hastening the business of registration and the dissolution of Parliament ?

"If the new constituencies are to be properly tested, the register must be rightly formed. Every official has a new and excessively ill-drawn Act to understand and to work ; every Revising Barrister has to dispose of a fresh statute, bristling with points of doubt which will all have to be argued out, and to reconcile, if he can, anomalies betwixt the new and the old Acts, which will puzzle all concerned."

The whole letter is equally to the point. Towards the close of it, he says—

"If the General Election is to be anything but a scramble, in which nobody will be allowed time to discover the colours under which he would march, it should not be before January at the earliest."

Mr. GOSCHEN : Which party would gain by it ? Read the latter part of the letter.

Lord ELCHO : I am ready to read the whole, but I do not wish to trouble the House. I had marked that passage to read—

"The only faction that can gain by precipitating the business of revision is that which would be weakest if the new statute were duly carried out, and that is certainly not the Liberal party."

I never said it was in the hope that you would gain by precipitating things that you wished to precipitate them. All I say is that you are of opinion it is absolutely necessary in the interests of the public that the two sides of the House should change places—because you believe they will ultimately do so—two months sooner than this Gentleman says is compatible with a fair testing of the constituencies—instead of a scramble—which testing, he says, ought to be in January instead of November. I can enter into the feelings of the right hon. Gentlemen who sit upon the Treasury Benches—to a certain extent, unconstitutionally, because they have not a real and trusty majority at their backs ; but we must not forget how they are there, and that the right hon. Member for South Lancashire inherited from Lord Palmerston a majority of 70. ["Question !"] There can be nothing so much to the question as that that majority was destroyed simply by the action taken on this side of the House —[" No, no! " *and* " Yes, yes !"]—by the mode in which this side of the House was led. I can understand the feelings of honourable men, who must naturally writhe under the accusations of tenacity to Office which have been made so freely this Session from this side of the House—so freely, indeed, that they had been reproved from the same side—and I therefore can understand the anxiety and the strict sense of duty which impel these Gentlemen to meet this accusation at the earliest opportunity, and even to force the registration, so as to have the question decided yea or nay whether they are to continue sitting on the Treasury Benches. But, on the other hand, the interests and convenience of private Members of this House, and the importance and necessity of obtaining a purified register and a fair decision from the constituencies, furnish, I maintain, stronger grounds for delay than can be shown for pressing forward the Dissolution and torturing the machinery of election in the way the hon. Gentleman has suggested. Although it may be painful to the Government, it is their duty to hold on until the question at issue can be fairly tried, and not to put us to the unnecessary inconvenience we should be put to if the course suggested by the hon. Member for Bradford were adopted.

MR. CLAY said, he had never accused right hon. Gentlemen opposite of undue tenacity to Office. On the contrary, he was of opinion that the course they had taken was the right one. Although it might be doubted whether any Prime Minister ever had a right to a dissolution before leaving Office, he believed that, if ever a Prime Minister had that right, it was the right hon. Gentleman opposite, not on the ground on which he himself had put it, that the present Parliament was not elected under his auspices, or those of his predecessor; but because his Government had passed one of the most remarkable and important Acts in the history of this country, and he had every right to ask whether the country gave him credit for it or did not. He had his own opinion as to the answer that would be given, and thought the country would rather give the credit to the Liberal side of the House; right hon. and hon. Gentleman opposite had as good a right to their opinion; and it certainly was a question which they were entitled to put to the country. That feeling was very general on the Liberal side of the House; and it was because of that that remarkable forbearance had been shown to the Government. That forbearance was entirely due to the very peculiar circumstances in which the Government were placed. It must be recollected that the ordinary chance of a dissolution was almost denied to the present Government by the necessity of appealing to the new constituencies. Nothing but the direst necessity would have warranted the Government in dissolving with the existing constituencies. Under ordinary circumstances, he believed the right hon. Gentleman opposite would not, but for this reason, have delayed a dissolution the first time he was beaten by a majority of 60. At that time a dissolution would have been almost wanton, and would have brought together a Parliament which could have sat only for a few months and could have settled nothing. It would have been a serious inconvenience to hon. Members, and, which is of far greater importance, a serious disaster to the country, to have had two dissolutions within a year of each other. It was owing to these circumstances that we had not a dissolution two months ago, and that very proper forbearance was shown to the right hon. Gentleman opposite. It certainly behoved the Government, for the sake of their own characters and to justify the the forbearance to them under circumstances of peculiar difficulty, to see that not a moment was lost in consulting the country as soon as it was possible to do so. The country undoubtedly expected it; and he had been asked over and over again, " Do you believe the Government are sincere in telling us that they will expedite matters as much as possible in order to give us an early dissolution ? " He always said he believed such was their intention; and he still held that belief. Whether that were so or not, it was the right thing for them to do, and for the Opposition to insist upon as the only means of justifying the forbearance they had shown. At the commencement of the Session, looking forward to the difficulties that were sure to arise, to the probability of the Government being in a minority, and to the probability of a Vote of Want of Confidence being moved, which he and others, however, had determined not to be parties to, it was his idea that the proper Business of the Session was the passing of the Scotch and Irish Reform Bills, and of the Bill against Corrupt Practices at Elections. That was the Business that Parliament ought to endeavour to finish now, and the Opposition ought to insist on a dissolution at the earliest possible moment.

Mr. MILNER GIBSON: Sir, after it has been admitted that this Parliament would have been dissolved were it not for exceptional circumstances, it appears to me that we are not in a position to deal with contested measures, or measures of public importance about which there may be great difference of opinion. The supplemental measures of Reform relating to Scotland and Ireland—which may be considered to form part of the original question of Reform—should alone be the measures dealt with by this Parliament. I have doubts whether the Bill with regard to Corrupt Practices at Elections ought to be decided by this Parliament, because it is proposed by it to transfer the jurisdiction over contested elections to Judges out of the House. And we can never get that jurisdiction back if we part with it, without the consent of the other House. Therefore, a question of that importance should not be disposed of by the present Parliament. There is also the Telegraph Bill, involving questions of importance that will lead to long discussions. There is also the measure relating to the Importation of Foreign Cattle. That will lead to discussion. I think that all these measures had better be deferred to a new Parliament, rather than that we should take upon ourselves the responsibility of deciding upon them. This may be considered a dead Parliament, and we ought not to attempt to settle these great questions in it. I beg to ask the right hon. Gentleman at the head of the Government, whether he will give us some assurance that the business of the Session will be limited to the subjects to which I have referred?

Sir RAINALD KNIGHTLEY said, he wished to remind the House of the position in which they stood with regard to the Corrupt Practices Bill. In 1860 his hon. Friend Mr. Bentinck, who was then Member for West Norfolk, proposed as an Instruction on going into Committee upon Lord John Russell's Reform Bill that the Committee should have power to deal with the question of bribery and corruption. Lord Palmerston, with his usual good sense, assented to that view, and the Instruction was adopted. In 1866 he (Sir Rainald Knightley) made a similar Motion. The right hon. Gentleman (Mr. Gladstone) thought proper to object to it; but the House re-affirmed their former decision, that bribery and corruption were part and parcel of the same question. In deference to this repeated expression of opinion, the right hon. Gentleman (Mr. Disraeli) last year said he would either deal with the question of bribery and corruption in the Reform Bill, or on the same night would bring in a separate measure. He did not reproach the right hon. Gentleman for failing to carry out that intention, for circumstances made it almost impossible to do so. But both sides of the House were pledged to deal with the question of bribery and corruption, and as soon as the Irish and Scotch Reform Bills were dealt with he hoped that the Government would proceed with the Bribery Bill without any delay.

Mr. OTWAY said, he had not hitherto uttered one word about the "clinging to Office" which was said to characterize the Government; but, on the other hand, he had seen nothing of the "writhing" process which the noble Lord the Member for Haddingtonshire (Lord Elcho) had described as going on upon the Treasury Benches. He was not surprised that the noble Lord should have taken advantage even of this opportunity of expressing his sympathy with her Majesty's Government. But on this occasion it seemed to be wasted. He (Mr. Otway) thought that Ministers retained their seats with astonishing calmness and composure, although there had been a Ministerial crisis about once a fortnight. The fact was that the question of the gravest importance just now was not what party should be in Office; the credit of the House itself was at stake. Of late the House of Commons had fallen into great discredit throughout the country. Scenes had occurred there which had rarely been witnessed before; and those who presided over the affairs of the country had shown such an indifference to public opinion and to constitutional usage as had never been shown by any Government of recent days. Now, he did not believe that the right hon. Gentleman the First Minister of the Crown would say anything on this matter which he thought would bring discredit upon the House of Commons. But as the right hon. Gentleman had said it was his earnest wish to dissolve as soon as possible, and the Solicitor General added that means might be taken for facilitating a General Election, it was desirable, that the House should know whether the right hon. Gentleman would on an early day introduce a Bill to shorten the time between the dissolution and the elections. Not only was the honour of public men at stake on this occasion, but the House would remember that the longer this question of the Irish Church was kept in abeyance, the greater would be the turmoil and the disorder in Ireland itself. Again, from the moment the House separated it was tolerably certain that canvassing would be carried on all over the country. For instance, if he (Mr. Otway) gathered correctly the opinions of Scotchmen, the noble Lord must make great exertions in order to secure his return for Haddingtonshire, and would have to make a larger distribution of tobacco than at the last election. He believed the feeling of the country to be that the right hon. Gentleman should do all in his power to expedite the General Election, and he trusted that he would make a declaration to that effect.

Mr. WHALLEY said, he did not think that any arguments could be advanced on public grounds in favour of an early dissolution. Hon. Members were well entitled to a quiet holiday when they left Westminster; besides which, the period between the dissolution and January was short enough for the country to form an opinion upon the great question of Popery and Protestantism on which the new Parliament would probably be elected.

Mr. DISRAELI: Sir, with reference to the inquiry of the right hon. Gentleman the Member for Ashton (Mr. Milner Gibson) as to the conduct of Business, I thought I had before expressed the views of the Government upon that subject. Our opinion is that we should confine our labours, generally speaking, to that which is necessary; and I should describe as "necessary" only the supplementary Reform Bills and the Estimates. With regard to the Bribery and Corruption Bill, I myself should relinquish it with a pang. It is, in my opinion, most desirable, if not absolutely under the circumstances, indispensable; and if, after proceeding with the supplementary Reform Bills, and the Public Business which is absolutely necessary, we have time also to carry the Bribery and Corruption Bill, there will be no lack of effort on the part of the Government to do so. Then, with regard to other measures. We have allowed some of them, such as the Bankruptcy Bill, to drop. There are, however, two measures, which have been especially alluded to by the right hon. Gentleman—namely, the Telegraphs Bill and the Bill with regard to the Importation of Foreign Cattle which have not been formally withdrawn. There are special reasons why these subjects should be brought under the consideration of the House; but then it will be for the House to express an opinion whether they should be proceeded with or not, or whether certain objects of public interest connected with them might not be accomplished without going on with the entire measures. With regard to the inquiry of of the hon. Member for Bradford (Mr. W. E. Forster) as to the steps which we intend to take in reference to the contemplated measure for expediting the dissolution of Parliament and the appeal to the new constituency in the autumn, I have nothing, certainly, more precise to say than I had forty-eight hours ago, when the subject was introduced to my notice. It is a matter on which it is useless to speak unless you are prepared to speak with great precision. When I originally made to the House that declaration to which the hon. Member adverted—namely, that I was assured by those in whom I placed confidence that an autumn Session was practicable—and of course at that time I never contemplated a Session earlier than November—I felt that it was a very great object to obtain that result, and great incredulity was expressed by many hon. Gentlemen opposite. It was even intimated that I had made a random observation without having consulted the Law Officers. The right hon. Member for Kilmarnock (Mr. Bouverie) brought the matter before this House, but he brought it forward in a spirit of scepticism and incredulity, not for the purpose of pressing the Government to accomplish an autumn Session—or facilitating that operation, but rather of making some critical remarks by which he wished to prove that it was impossible. Upon that occasion the Solicitor General — though it has been insinuated that I had not consulted with the Law Officers of the Crown on the subject—placed before the House the general conclusions at which he had arrived. But that was not a mature statement on the part of the Government, but was rather intended to show to the House that we were in earnest, and had given considerable attention to the matter. We were obliged to make that statement then in self-defence; but it was not put forward by the Solicitor General as a complete and mature exposition of the views of the Government, and the means by which they hoped to accomplish their purpose. Well, the subject has been more or less under our consideration since that period, and though some time has elapsed, not a day has been lost so far as regards the ultimate accomplishment of our object. But we had not only to consider what were the best means by which that object could be accomplished; some regard was also due to the progress of other Public Business, and our calculations must be affected in some degree by that consideration. I said when I spoke first that it was very important that the Boundary Bill should be passed by the 10th of June. That was an element in our calculation, but, unfortunately, now there is no chance that it can be passed so soon. Then you are to have questions of boundary with regard to the Scotch and Irish Reform Bills which are of a very vague and disturbing character. But, at the same time, I am bound to state that these are difficulties which I think may be overcome; but, nevertheless, we must remember that in preparing any proposition for the consideration of the House, it is of the utmost importance that no suspicion should enter into the minds of the new constituencies of this country that there is any attempt to neutralize the great privileges which we, in my opinion most wisely, accorded to them last year, by, as it were, hurrying and hustling them in obtaining their electoral privileges. And although I have had schemes put before me for reducing the period of registration—which I must say were far from impracticable, though they might have been expensive—but in a matter of this kind the House would not hesitate as to the expense—still, in other respects they proposed such a serious reduction of the time for making claims and defending and vindicating rights, as to require the utmost delicacy and consideration on the part of this House, otherwise the result might be of an undesirable and even a calamitous character. Because, if there be an impression after all that, though we have given those privileges to the great body of the people, yet at the last moment they have been deprived of time to avail themselves fully of their new rights, the House of Commons that would be elected would be one in which the mass of the people would not have confidence. That consideration has not been absent from the mind of the Government, nor should be absent from that of the House for a moment, and in any propositions which we shall make to accomplish an earlier dissolution than the law at present provides, that consideration will necessarily influence us. I must repeat to the House that no time has really been lost, and that Her Majesty's Government have given to this subject a constant, and, I hope, a candid consideration.

Mr. GLADSTONE: Sir, there are two branches of this subject. One of them relates to the Bills as to which my right hon. Friend the Member for Ashton (Mr. Milner Gibson) has inquired whether, in case they are contested, the Government would go forward with them or not, and on that matter the answer of the right hon. Gentleman the First Minister of the Crown is a perfectly just and fair answer. He says that in his opinion all Business ought to be dropped except the measures necessary as a supplement to the Reform Act, unless there be some very special cases indeed. I think the right hon. Gentleman has specified in a very fair manner all the measures essentially supplementary to the Reform Bill. I presume him to mean the Irish Bill, the Scotch Bill, and the Boundary Bill. I think the House entirely sympathizes with the right hon. Gentleman in his strong desire to dispose, if possible, of the Corrupt Practices Bill. But, with regard to the Foreign Cattle Market Bill and the Electric Telegraph Bill, we are not precisely cognizant as yet of the special reasons which make the Government desirous of carrying them forward at this moment. As to the Foreign Cattle Market Bill, I confess I am very sceptical, if not extremely jealous, of the policy it involves; but I will not give any opinion upon it now. But, with regard to the other branch of the question, I cannot speak with quite so much satisfaction. And here I greatly regret that, after my hon. Friend (Mr. W. E. Forster) introduced the subject in a tone which could give offence to none, and which involved no matter of controversy, my noble Friend the Member for Haddingtonshire (Lord Elcho), in that indulgence if not of his sympathies, at all events of his antipathies, found it necessary to trouble, perplex, and embroil the question by the introduction of very invidious, not to say offensive topics. Now, Sir, I must very frankly make this protest in the face of the noble Lord. The noble Lord says he is anxious for the credit of the House. It is not for the credit of the House that this matter, with respect to the time of dissolution, should be made to turn upon the holidays of the noble Lord or any other person. I must say that ingenuous confession of his is one which I must take the liberty not to pass by in silence, and I think the noble Lord himself will feel it is not a consideration upon which this matter ought to turn. [Lord ELCHO: Hear, hear.] I am glad we are agreed in that; it was a part of his speech on which the noble Lord dwelt with some emphasis, and it elicited some cheers from another quarter of the House. Well, the Session of Parliament, by the very declaration of the right hon. Gentleman, is a maimed and mutilated Session. It is a Session in which the House is quite averse from carrying forward a variety of important measures, not simply from want of time, because we have not yet reached that period of the year at which measures would have been dropped from want of time, but on account of the political situation which has arisen. What is that situation? On an occasion upon which this House arrived at certain votes with regard to the Irish Church, the right hon. Gentleman attached, I will not say an exaggerated, but an enormous importance to those votes. I thought, however, that there was some degree of exaggeration in the remark of the right hon. Gentleman — that the consequences were more important and vital than those of a foreign conquest. But at the same time he recognized, and properly recognized, the facts then before him as constituting what we in our peaceful way looked upon as a constitutional crisis. The right hon. Gentleman, though he did not say so at the moment, stated afterwards that the votes of Parliament did not justly represent the opinions of the country. That is the opinion which he has expressed, and he holds that opinion irrespectively of other doctrines to which I do not assent, but which the right hon. Gentleman has sometimes laid down with regard to the general right of a Minister to dissolve Parliament. But with respect to the case of dissolving Parliament when the Advisers of the Crown consider that the existing Parliament does not actually represent the country, they are clearly in the right when they undertake upon a *bonâ fide* declaration of that kind to appeal to the sense of the people. But do the facts supply the reasons for delaying that appeal which my noble Friend said had been supplied in this case? Undoubtedly, it would have been a great waste of labour on the part of my hon. Friend the Member for Bradford (Mr. W. E. Forster), if he had entered into an elaborate argument and exposition of facts which he naturally supposed to be present to the mind of every man. The Government have recognized them; they have declared that a case had arisen either for resignation of their offices or for an appeal to the people. Well, now, it is the A B C of Parliamentary knowledge that when such an appeal to the people is to be made under circumstances like these—that is to say, as an alternative to resignation, it is to be made at the first practicable moment, and I am certainly astonished that a man of the experience of the noble Lord should have to be instructed in a truth so elementary. Well, let me look back to what has happened in former years. There were three of those cases. In 1841, a case of this kind arose. A Vote of Want of Confidence having been passed, the supplies were voted for a few months, Parliament was dissolved, and the new Parliament met in August. [Lord ELCHO: There had been a Reform Bill.] I will come to that presently, for I like to deal with things in order. In all these cases, it was a matter of course, and according to the practice of the Constitution, that the appeal should be made at the earliest possible moment, and that the new Parliament should meet immediately after that appeal. The case of 1841 was a remarkable instance of that kind, and in neither instance was there any direct declaration of want of confidence in the Government, but the Government was in a minority in a general vague sense—not that they were unable to carry on the Business of the country, or that they did not sometimes obtain majorities in the House; but they were in circumstances which the Government itself recognized as rendering it its duty to wind up the business of the Session, and appeal to the people. The appeal was made in due course, and the new Parliament met for the purposes of an autumn Session. There was, therefore, nothing special in the inquiry of my hon. Friend to justify the noble Lord in going out of his way to find or impute motives to that inquiry. The affair, says the noble Lord, is not an affair between Gentlemen on this Bench and Gentlemen opposite. It is, however, so far an affair between different Members of the House that the intention of an appeal to the people is that they should affirm either the policy which has been pursued on this side of the House, or the policy which has been pursued upon that. Both sides, I am certain, with the exception of the noble Lord, and of an hon. Member opposite must recognize that the Constitution requires the earliest possible appeal to the people, in order to bring our machinery of Parliamentary government again into play. Well, then, the question is, how is that to be done? Now, here, I admit, the interpolation of the noble Lord is in place; that is to say, there has been a new Reform Bill, and consequently, the question arises how far this matter is qualified by that circumstance which renders the machinery of the present constituencies a machinery which it is undesirable to use for ascertaining the opinion of the people. Well, then, we come to the statement of the right hon. Gentleman, which was very much like an authoritative declaration that, according to the sentiments and judgments of men well skilled in these matters, there might be an autumn Session. That statement was made, I think, a full month ago. [Mr. W. E. FORSTER: On the 4th of May.] It was made, my hon. Friend informs me, on the 4th of May, and on the 29th of May the right hon. Gentleman gives us to understand that he does not see his way; that he has a vague hope something may be effected, but cannot say what or when; and that he cannot indicate the time when he will tell us his intentions. I must say there is something very extraordinary in this change of tone on the part of the right hon. Gentleman. It was the duty of the right hon. Gentleman to know his own meaning at the time when he told us that in the judgment of skilled and experienced persons it was practicable to have an autumn Session. The right hon. Gentleman says no time has been lost. I entirely disagree with him. Every day that passes is a day lost, because the operation to be effected is an operation upon the machinery of registration. It has no connection with the progress of Business in this House. The progress of Business is, it may be, very important with respect to a limited number of Bills, and as to those we can see our way perfectly well; but what is really important is that we should now ascertain, at the earliest practicable moment, what can or cannot be done to expedite the operation of the machinery for the new registration. Now, it was with reference to that point that I suggested the other day that a small Committee might possibly afford a convenient instrument for arriving at a conclusion. The right hon. Gentleman made no response to that suggestion either then or to-night; and, of course, if the Government have a plan to propose, it might be more advantageous than to refer the subject to a Select Committee. It is plain, however, that if day after day and week after week slip from us, while the declarations of the right hon. Gentleman, instead of becoming more clear and precise as we approach the point, become more vague and ambiguous and misty — if we pass the 10th of June, when the first step in the registration is to be taken, and the 20th of June, when the second step is be taken, and if all those periods which we intend to shorten are to be allowed to slip away— why the question will practically decide itself. I wish, therefore, to impress on the mind of the right hon. Gentleman much more than it seems to be impressed at present the gravity of this question, and the absolute necessity, after he himself laid the ground in a declaration of the most solemn kind, which, in my judgment, exists for bringing it to an early issue. We have now come to the Whitsun holidays, and must pass another week in total ignorance of what course the Government intend to take. I hope that when the House reassembles, the right hon. Gentleman will be in a position to make a distinct and determinate declaration of his intentions. If he is not in a position to make such a declaration, I think that, looking to all the circumstances, and to the undoubted and unquestionable argument applicable to the subject, as well as to the precedents to which I have referred, it will become necessary—in default of just action on the part of the Ministers of the Crown—a default which I, for one, should deeply regret —for independent Members to consider whether they ought not to take some steps of a definite character for the purpose of obtaining the judgment of Parliament upon the subject.

MR. PAULL said, he was glad that reference had been made to the shame and disgust which prevailed out of doors with regard to the language which had been used in the House during the last few weeks, and which had recently called forth a cutting rebuke from the hon. Member for Nottingham (Mr. Osborne). Only last night an hon. Member gave the lie direct, and was obliged to retract, and the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) had just described the remarks of the noble Lord the Member for Haddingtonshire (Lord Elcho) as offensive. [Mr. GLADSTONE: My words were "Not to say offensive."] Well, that was a negative way of saying that they were offensive. There had been a great number of dictatorial speeches, and the exhibition of angry passions which ought to have been kept under control; and he was bound to say that not the least dictatorial speech of all was that which had just been delivered by the right hon. Gentleman opposite. He could see no reason why the House should listen to such speeches or why such language should be used, and surely those who had most contributed to the delays of this Session had the least right to press the Government to forego the satisfaction of carrying necessary and desirable measures. The right hon. Member for Ashton-under-Lyne (Mr. Milner Gibson) in his usual fascinating manner, had appealed to the Government to withdraw all measures except those relating to Reform; but he had omitted to mention a little Bill which was quite unnecessary and which might be dropped with very great advantage — the four-clause Suspensory Bill. What justification could there be for proceeding with that Bill, which would throw all ecclesiastical affairs in Ireland into confusion for twelve months? How had the proper Business of the Session been delayed but by the sudden introduction of proposals for disestablishing the Irish Church? What object that procedure could serve, the right hon. Member for South Lancashire could best say. The right hon. Gentleman knew well the firebrand he was throwing down. In fact, of all the Bills before the House there was none for which there was less cause than the Bill in question. A Suspensory Bill ought not to have been introduced unless there was a reasonable certainty that within the twelvemonth during which it was to be in operation permanent legislation would take place; but he could see no such certainty in this case. For his own part, considering that long intervals between dissolutions and elections were extremely inconvenient and expensive, he should like to get the election over within a fortnight of the close of the Session, so that Members might begin their holidays with their difficulties over; but it was only right that time should be given to the country to consider the questions at issue. It took some time to arouse the political feelings of the people, and he trusted that during the next few months the country would consider the position of the Church in Ireland, and the results which would follow to the Church of England if the Irish Church were disestablished. It was but fair that the people should have time to reflect on the changes which had been proposed, and to consider whether they should support the present Government or the right hon. Gentleman opposite. He hoped that a dissolution would not be pressed forward too hastily, but that the difficulties in the way of registration and other matters would be fully considered and carefully investigated by the proper authorities.

MR. COGAN said, they had at last got an avowal as to the cause why the postponement of the dissolution was thought to be desirable, namely—that they might have an opportunity of getting up a cry. He thought it greatly to be deprecated that an attempt should be made by any political party to get up a religious cry. Nothing would be more disastrous to the interests of the country than to inflame the passions of the people on the ground of religion. He believed no cry was likely to do such permanent injury to the country, or to inflict more indelible mischief and disgrace on those engaged in getting it up. Whether or not it would be successful he could not say; but they had already seen the peace of this country broken by religious riots in the North of England, and he believed a most serious responsibility would rest on any Minister, however, eminent his fame and talent might be, who lent the sanction of his high authority to raising a religious cry, whether that of "No Popery," or "No Protestantism." There had been other ominous signs and indications, though of a minor nature, as to the course of proceedings intended to be taken. A Notice of Motion given by a Member of that House had been distorted and misrepresented in a way which, during his experience of Parliament, which now extended over sixteen years, he had never seen equalled. He alluded to the manner in which the Notice given by the hon. Member for Clare (Sir Colman O'Loghlen) for the insertion of clauses in the Oaths Bill had been vilified and misrepresented in double-leaded columns in an organ of the party opposite, and to the extraordinary interpretation put upon it by the noble Lord the Member for Haddingtonshire a short time back.

MR. SPEAKER: The hon. Member refers to a past debate, which he is not at liberty to do.

Mr. COGAN said, he would not pursue the topic further. He thought it a serious matter that these religious questions should be stirred in this manner, and the public passions inflamed. The sooner the issue was taken the better for the country. He sincerely believed that the condition of Ireland was was one of very serious import, and if not soon remedied might be a cause of permanent disaster to the interests of the Empire. There was a lull at this moment in the dangers of Fenianism; but he trusted the House and the country would not be led into false security by the peril appearing to have passed away for the moment, and that the hopes excited by the course taken by the right hon. Gentleman the Member for South Lancashire, and affirmed by a majority of the House, might not be indefinitely postponed. Nothing could be more injurious to the prosperity of the Empire, or to the interests of Ireland, than that the faith of the country in the wisdom of Parliament should be shaken, and that the public should be led to think they had no redress for the evils that oppressed that portion of the Empire. He believed in the justice of the English people, and was happy to think that the efforts to create discord had to a great extent failed. He looked forward with confidence to the public supporting that policy which was directed to the maintenance of union and harmony between both branches of the Empire, and which would ultimately, he trusted, attain a prosperous issue.

Mr. GATHORNE HARDY said, he very much regretted that the discussion had not been continued in the tone in which it had been introduced by the hon. Member for Bradford (Mr. W. E. Forster). The question raised by the hon. Member was a very simple one. With respect to the statement of the right hon. Gentleman opposite (Mr. Gladstone), that the Government were going back from something they had stated before, he entirely repudiated any such insinuation. He asked the House whether it would be possible to introduce a Registration Bill, or to adopt means to facilitate the registration, until they knew what the boundaries of the boroughs were to be, and until the matters were settled which were to be the basis of the registration? When his right hon. Friend made his statement, he expected that the question of the Boundary Bill would have advanced much more rapidly. The House, however, although it was the Commission of their own appointing, had thought proper to refer the subject to a Select Committee. He understood that some changes had been made by the Committee, which would have to be discussed, and either adopted or rejected by the House. Until that was done, it was impossible to say in what way the registration could best be facilitated. He was prepared to say on behalf of the Government that they did not go back in any sense from what they had stated. At that very moment, those who were acquainted with the matter, were waiting and watching for the completion of the Boundary Bill, and the Government were prepared, if the opportunity were given them, to hasten a dissolution as much as it was proper to do.

Mr. CARDWELL said, he had heard with very great pleasure the statement just made by the Secretary of State for the Home Department. When the First Minister of the Crown made his statement on the 4th of May, he asked him whether he had spoken after consultation with the Law Officers of the Crown? He understood the right hon. Gentleman to give him an assurance, and he had since remained in the hope that he would do so, and would then make a more definite statement to the House. He had never taken any step to press the right hon. Gentleman, though he had certainly expected to hear something more definite. It appeared to him that the statement now made by the Secretary of State was satisfactory, and he had no doubt that after the Recess the House would receive some definite proposal from the Government on the subject.

Colonel SYKES said, he wished to know whether the two Bills having reference to the Government of India would be proceeded with?

Mr. DISRAELI said, he would make inquiry of his right hon. Friend the Secretary of State for India as to the Bills, and take an early opportunity of stating the intentions of the Government.

Motion *agreed to.*

House, at rising, to adjourn till *Thursday* next.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

PARLIAMENT—RULES OF THE HOUSE.

RESOLUTION.

MR. DARBY GRIFFITH said, he rose to call attention to Rule 164 of "The Rules, Orders, and Forms of Proceedings of the House of Commons"—namely, "No Member may allude to any Debate in the other House of Parliament," and to its frequent infraction or evasion, and to move that it be rescinded. These Rules were often treated like a net which was strong enough to stop the little fishes, but which the great fishes broke through whenever it so pleased them. Now he could not understand the use of Rules that were not to be uniform in their operation. All Members of that House were presumed to be on a footing of perfect equality. They recognized no social rank as giving any preponderance in the estimation of the House; a noble Lord had no greater weight than his talents and character might give him in their debates, and no advantage over another person who was a Commoner. A Minister was no more than a Member. He was, therefore, not ready to give one Member impunity in infringing this law; an impunity not extended to others, simply because he had occupied the position of a Minister in this House. He had noticed that when anything had occurred in the other House of Parliament, which excited interest in this House, hon. Members who had been in office previously, and who expected to be in Office again, were habitually accustomed to disregard the Rule in question, and to refer to debates in the other House of Parliament, and even to give the speakers' names, repeating the *ipsissima verba* of their speeches, without even going through the formality of apologizing or asking permission before doing so. He was always desirous of avoiding direct personal reference to Members of the House, and therefore he would not mention the particular occasion to which he referred; but it must be within the recollection of the House that, on a recent occasion, the Rule to which he alluded was completely broken through. But minor Members were not allowed to infringe the Rule without being called to Order. Though personally not in favour of restricting Parliamentary freedom, he thought that if the Rule were not to be observed in high quarters, it would be better to abrogate it entirely. There was another Rule of the same kind, which had been applied to an hon. Member only a few minutes ago. It was of precisely the same character as the other, and it was for the credit of the House that, if applied to one, it should be applied to all. He held that Members of that House were completely on a par one with another, though one might excel his fellows in some qualifications for public distinction, just as the horses which ran for the Derby two days ago were all blood horses, almost exactly equal in breed and training, though one might come in a head or a neck in front of another at the end of the race. He did not put his own judgment against the experience of centuries which had established the Rule, but he desired that his Motion should be proposed from the Chair *pro formâ*, so that the subject might be discussed.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the rule of this House, 'that no Member may allude to any Debate in the other House of Parliament,' be rescinded,"—(*Mr. Darby Griffith,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. SPEAKER: The hon. Member says that he desires to put this Motion *pro formâ*; but the fact is that there is no such Rule in existence, in a shape that it can be formally rescinded. Certain Rules are to be found in a book which defines what the observances of Parliament are; but they are not in the nature of Standing Orders. There is no Standing Order dealing with this subject, or anything that can be rescinded in the manner suggested by the hon. Member. I will, however, put his Motion if he desires it.

MR. DARBY GRIFFITH said, he would ask Mr. Speaker, as a Question of Order, whether he could not enforce these Rules, and whether he would not enforce Rule 164 against any private Member; and also whether it was not a fact that Rule 160 had that very evening been enforced in the case of a private Member?

MR. SPEAKER: Certainly, if any hon. Member infringed Rule 164, which, as I said, is an account of the practice of Parliament, I should feel it my duty to put that Rule in force; and I trust that I should do so with impartiality in the case of any hon. Member who transgresses it. But the matter can be very easily arranged. If the hon. Member desires the law of Parliament should be laid down that allusions to debates in the other House of Parliament should be permitted, it would be more proper for him to put his Motion in that shape than in the form in which it stands on the Paper.

Mr. GLADSTONE: I understood the hon. Gentleman—though what has fallen from him is not very clear—to cast some censure upon me for having made allusion to debates in the House of Lords.

Mr. DARBY GRIFFITH: I do not presume to censure the right hon. Gentleman.

Mr. GLADSTONE: Well, I do not mean to complain of the hon. Gentleman's censures or observations whichever he meant. What I wish to say is this, that it appears to me that reference to debates in the House of Lords is, as a general rule, very improper and inexpedient; but cases may occur in which it would not only not be improper and inexpedient, but in which it would enter into the obligations of Members of Parliament to do so. I can say for myself that I have been extremely rigid in abstaining from all references to the House of Lords in any matter of general controversy. I think I may say that during my public life, extending now over thirty-six years, I do not remember to have referred to anything said in the House of Lords except on two occasions, and both of these were in the present year. They were cases which did not refer to myself, but they were cases where the position of the House of Commons was involved. It appears to me that in cases where a Member of the House of Commons thinks, whether rightly or wrongly, that a declaration made by a Minister in the House of Lords is material to the position of the House of Commons, it is, I do not say his duty to refer to that declaration as having been made in the House of Lords, but it is his duty to get at that declaration in any manner he can, and make it part of the subject-matter of discussion in this House. So again, if a Member thinks, whether rightly or wrongly, but in good faith, that remarks have been made in the House of Lords disparaging to this House, he would be fulfilling his duty, rather than doing a thing calling for any apology, in referring to them. I do not conceive that any reference ought to be made to the House of Lords except in those two cases; but I must add that I have heard many speeches in the House of Lords which consisted simply of replies to the arguments of Members of this House. With respect to the rescinding of this Rule Her Majesty's Government will, no doubt, have their own opinion upon that; but I conceive this Rule, like every other Rule of the House, must be applied with discretion. There is no rule more rigidly observed amongst us, than that no Member should speak more than once; but it constantly happens—sometimes in the case of a Minister, sometimes in the case of a Member who has been attacked—that the House by a just instinct relaxes the rule in his favour on grounds of public convenience, and he is not only allowed, but encouraged, to infringe the rule. These are customs which are a good deal more honoured in the observance than in the breach in ordinary circumstances; but peculiar circumstances will arise from time to time, and the good sense of the House may be trusted to discern the cases in which it is better to allow the custom to be broken through. But now, with regard to the hon. Gentleman, I wish to return his animadversions upon himself for one word which he used in the course of his observations. He spoke as if you, Sir, only enforced this Rule against private Members. I am not sure that I know the definition of a private Member; but if there be a definition strictly applicable to that word, it includes all persons, except Mr. Speaker himself and the Gentlemen who are Officers under the Crown. I am sure the hon. Gentleman will admit that it is impossible to apply these Rules in a more equal or impartial manner than is now done in the conduct of Public Business and the regulation of our proceedings.

Mr. DISRAELI said, he hoped the House would always support that Rule; because he thought it prevented controversies and recriminations between the two Houses, while it had a tendency to promote mutual courtesy and softened the manners of a popular assembly, which required some restriction of that kind. He trusted, therefore, that the House would not sanction the criticism of the hon. Member nor the object to which it would lead. As to any observation which might seem to impugn the impartiality of Mr. Speaker, he could only say, speaking for those who sat on that (the Ministerial) side, that there existed only one feeling—that Mr. Speaker exercised his functions with an impartial discrimination towards both sides of the House.

Mr. DARBY GRIFFITH disclaimed

any intention to impugn the Speaker's impartiality, and said he would withdraw his Motion.

Amendment, by leave, *withdrawn.*

COAL MINES.—QUESTION.

MR. GREENE said, he would beg to ask the Secretary of State for the Home Department, The intention of the Government on the Committee on Coal Mines? With respect to accidents in coal mines he was satisfied, from conversations which he had had with the owners of these mines, that the number of them might be greatly reduced, and he thought the House ought to give its calm and dispassionate consideration to that important subject. He desired to impress upon the House that the inspectors did not visit the mines in such a manner as to be of any practical use in the prevention of accidents. He thought that much good might be effected by the appointment of educated and practical men to act under the present inspectors of mines. He knew it was a disputed question whether by the appointment of official inspectors the responsibility of the owners of mines might not be weakened; but he was himself convinced that active and competent officers, carrying out an efficient system of inspecting mines from time to time, would do much practical good in preventing these most deplorable casualties. They had had a Report presented to that House from a Committee appointed to inquire into this subject, but no action whatever had been taken upon that Report. He regretted that a question which involved the lives and health and comfort of so large a class of the industrial population should attract so little interest in the House. He had been asked why he took up the question, and his reply was that he might be regarded as impartial on the question, because he had no interest in coal mines and did not represent a coal country. His own opinion was that any inquiry into this subject should be entrusted to a Commission composed of eminent scientific men. They all knew that in time of battle a man valued his life at very little; but that in time of peace he valued it greatly. If he should be a Member of the Reformed Parliament he would endeavour to attract its attention to this subject, and he would not leave it till he had seen a fair and honest attempt made to grapple with it. He would just say that he did not wish to interfere with any arrangement between masters and men.

MR. AYRTON said, the hon. Member had misunderstood his relations with the House if he imagined that there was the other evening the least indisposition on the part of the House to entertain this question. The fact was the hon. Member brought it forward at a most inopportune moment. He received an intimation to that effect from the House; and there was a feeling that he did not do justice to the gravity of the subject; for the hon. Member introduced it as a new one, as if he had suddenly discovered that something ought to be done, while, in fact, the House had thirty years ago, and upon many occasions since, devoted much attention to it, and Parliament had passed an Act to prevent accidents in coal mines. Since the passing of the Act the House had appointed a Committee to make inquiries into the subject, and that Committee, which was presided over by his hon. Friend the Member for Oxford (Mr. Neate), had sat during three Sessions, and had received a considerable amount of scientific evidence from persons practically acquainted with the working of mines. After the conclusion of the inquiry his hon. Friend prepared an elaborate Report, which was presented to the House at the close of last Session. At the beginning of this Session his hon. Friend asked him (Mr. Ayrton) what course he should take, and his answer was that the Government ought to be allowed a certain time to carry out the recommendations in the Report; and that if they failed to do their duty then it would be his duty to bring the Report under the consideration of the House, and to urge the Government to do something upon it. Whilst that point was under consideration they were surprised to find that the hon. Member had placed a Motion on the Paper for the appointment of a Royal Commission. Now, if that Notice meant anything it could only have a tendency to disparage the labours of that Committee, and to re-open the whole inquiry. [Mr. GREENE: Hear, hear!] If that was the object of the hon. Member he would put it to the House whether he had done any useful service to the mining population of the country? The result had been that the hon. Member, from his want of knowledge, perhaps, had himself practically obstructed the progress of the question more than anyone. [Mr. GREENE: No!] But he did do so. He had illustrated the old adage, "Most haste, worst speed." If he, instead of suddenly rushing into this question had taken the trouble to inform himself correctly of what had been done during the past thirty years—[Mr. GREENE: I had done so.]—he would have rendered more service than by plunging into it, and in bringing it under the consideration of the House in the manner in which he had done. If the hon. Member had informed himself, he had not done so with the advantage which might have been expected. The fact was, through the course he had taken he had prevented the Chairman of the Committee from bringing the Report under the notice of the House. Nothing would be more useless than appointing a roving Commission, to take what was called scientific evidence. Having taken part in the labours of the Committee he trusted their Report would receive the attention of the Government, and that the Home Secretary would intimate that evening what course the Government proposed to adopt for the purpose of giving effect to their recommendations.

LORD ELCHO said, he was very glad that his hon. and learned Friend the Member for the Tower Hamlets (Mr. Ayrton) had justified the House from the aspersions cast upon them by the hon. Member for Bury St. Edmunds (Mr. Greene), because the hon. Member would have led the country, and the miners in particular, to imagine that there was an indifference felt in that House to protect the lives and interests of the working population of this country, of whom the miners were as good specimens as could be found; while from his own knowledge there had been an earnest desire to endeavour to legislate practically upon it in order that the lives of Her Majesty's subjects might be preserved. He thought the Motion of the hon. Member was unnecessary. What was wanted was practical legislation, and not further inquiry; and this was confirmed by Mr. M'Donnell, the President of the Miners' Union, who, indeed, had stated that if the Act already passed were put into force, protection could be given to the miners. There were ample powers under the Mines Inspection Act, if properly and judiciously exercised, to establish a healthy state of ventilation in mines, if the Secretary of State for the Home Department would only put them in operation. There was also power to fence off places suspected to contain explosive gases; but to use these powers effectively it was necessary there should be proper inspection; the present inspection was deficient in quantity. There were twelve inspectors of mines, and some of these gentlemen had 600 mines to inspect, a matter physically impossible. The two greatest accidents in recent years were those at the Oaks and the Ferndale Collieries, and it was alleged that the Oaks pit had not been inspected for five years. The only question between the Committee and the miners was this: the Committee recommended the appointment of more inspectors, the present system of inspection being inefficient; and the miners recommended the appointment of men of their own class as sub-inspectors. They said that the class of men who filled the position of overmen and viewers were sufficiently scientific for the purpose of inspection. If it should be objected that these gentlemen recommended themselves for the position, his answer would be that it would be well that they should have something to look forward to, and that a position of trust was a proper object for the ambition of those men who raised themselves above their fellow-workmen. The miners proposed that the sub-inspectors should have power to enter the pits at all times, but that they should not interfere with the working of them, nor say one word to the men; but if they should see any reason for increased ventilation, they should report to that effect to one of the head Inspectors, and he should go and inspect the mine himself; and they further said that, with a proper system of inspection, accidents would be minimized, and that such an accident as the one at the Oaks Colliery would not occur. He could not help thinking that if it had not been for the great Irish question, which had put a stop to all practical legislation for this Session, the Government would have been prepared to bring in a Bill to carry out the views of the Select Committee. There was a great anxiety throughout the whole mining population of the country that something should be done, and should the present Government remain in Office, he hoped they would be prepared to deal with the subject.

MR. NEWDEGATE said, he did not think blame ought to be attached to the hon. Member for Bury St. Edmunds (Mr. Greene) for having brought this question again under the consideration of the House. On the last occasion when the subject was before them a count out took place; and such an occurrence was calculated to lead the miners to suppose that their interests were neglected in this House. Under the guidance of the Home Secretary, he had no doubt improvements might be made in the present mode of inspection. There were some districts in which novel experiments were tried with a view to cheapen the price of obtaining the mineral, and it was in such cases that more stringent regulations as regarded inspection were required. He would not express an opinion as to whether a Royal Commission ought to be issued or not, but this he would say—if additional legislation were needed, he knew no one more likely to carry that legislation into effect than the present Home Secretary.

MR. WHALLEY said, he was personally connected with mines as an owner, and he was convinced that, though the appointment of inspectors might have had a good effect here and there, still, on the whole, it was not equal to the supervision on the part of the owners of mines and persons interested in them which it had superseded. A good medium course was now open to the Government—to bring to the aid of the paid inspectors the opinions of those personally interested in the mines.

RIOTS AT ASHTON, STALEY BRIDGE, BIRMINGHAM, &c.—QUESTION.

MR. WHALLEY proceeded to call atattention to the recent Roman Catholic riots at Ashton, Rochdale, Stalybridge, Bury, and other places in the county of Lancaster, and at Birmingham, Wolverhampton, Stone, Hanley, and other places in the counties of Warwick and Stafford; and to move for a Committee to inquire and report to the House as to the origin and nature of such riots, and what, if any, measures are requisite to secure to persons engaged in the delivery of lectures or speeches on the subject of Protestantism, and to the public, better protection. He must, he said, in the first place, express his surprise at the Answer which the Secretary of State for the Home Department returned to him at an earlier period of the evening. The right hon. Gentleman generally met every difficulty in a straightforward and manly manner, and did not, as a rule, seek to make excuses, more or less frivolous, in order to avoid responsibility. To-night, however, he had adopted a course very different to the one usually pursued by him; and, in answer to his (Mr. Whalley's) Question respecting these riots, he had said that pending legal proceedings he could not reply to it.

LORD EDWARD HOWARD said, he rose to Order. The House a few minutes ago was engaged in the discussion of a most important subject — namely, coal mines, and the safety of those engaged in them. That subject was not yet disposed of; but the hon. Member for Peterborough had risen, and introduced something upon an entirely different matter, which had nothing whatever to do with mines. It would, therefore, be well to know whether he was in Order or not.

MR. SPEAKER: The Question now before the House is, "That I do leave the Chair," in order to the House going into Committee of Supply. That being so, I have not any power to prevent the hon. Gentleman from pursuing his observations.

MR. WHALLEY said, he had not intended to thrust his Motion before the House; but he was under the impression that the former question had been disposed of. He ventured to express his earnest belief that the right hon. Gentleman the Secretary of State for the Home Department had, by the casual Answer which he gave to his Question, struck a blow at liberty of speech in this country. What was the position of matters after the Answer which had been made by the Home Secretary. When the local authorities thought that a breach of the peace was about to be committed, they might, in total disregard of liberty of speech, interpose and prevent the delivery of these lectures. Now, it was the fact that Mr. Murphy, one of the lecturers, whose lectures had been disturbed by rioting, only did that which for a considerable time had been done by the opposite party. Dr. Manning had perambulated the country giving lectures, in which he denounced Her Majesty as a heretic, and in which he turned English history altogether topsy-turvy; and monks and friars in full canonicals had gone about from place to place, and had visited the borough with which he was connected, delivering similar lectures. Mr. Murphy was engaged merely to reply to such lectures, and he assumed that he and his colleagues had done nothing to disentitle them to the protection of the law. They were engaged in carrying out what they firmly believed to be right. But as the matter now stood, wherever Mr. Murphy or his colleagues intended to give lectures, any one who had an objection to such lectures might go to the magistrates and swear an information, and have them stopped. That principle, if carried out, would put an end to the whole system of lectures and public speaking, whenever there were any persons who were disinclined to have such lectures delivered. No doubt Dr. Manning and others, who had travestied our history after their own fashion, would desire that the other side should not be heard in reply. The Roman Catholic who manifested so great a sensitiveness to Orange colour, to the declaration of facts connected with the confessional, and to many other things which had been said, or might be said, had only to go and swear before a magistrate with that remarkable facility for getting all affidavits which was observable on that side, and no lecture would be permitted in exposition of Protestant doctrines, or in reply to the lecture of Dr. Manning. That was the law now laid down by the high authority of the Home Secretary. The Home Secretary had said that he would not answer his Question until certain legal proceedings were over; but look what was going on in the meantime. Not only Murphy, but others, had been prevented by the magistrates from lecturing, on the ground that it would disturb the peace of the town. But how was that known? Because both men and women were organized and drilled in their schools for the express purpose of getting up these riots and preventing the lectures. If ever there was an instance in which a Minister of the Crown had—he trusted unintentionally—struck a vital blow at the liberty of speech in this country, it was in the course which the right hon. Gentleman opposite appeared to be ready to take in connection with this matter. In a letter from one of the men who had been delivering lectures in the country, Mr. Houston, a tradesman, of Birkenhead, it was said—

> "When we have arranged for a lecture, the priests go to the magistrates, who induce the owners of the halls we have engaged to break the contract made with us after it has been signed, the money paid, and the object and character of our lectures fully explained. I have been before the magistrates at Blackburn, Warrington, and Rochdale, and asked them to protect me, and they would give me no answer, though the request was made in the most civil and courteous manner. Our opponents are thereby led to believe that we and our supporters are outlaws, as it were, and consequently they make murderous assaults upon us, and get up riots to frighten the authorities into putting us down. I have been lecturing for seventeen years, and there has never been a riot, or an attempt to riot, at any of my meetings, except when the magistrates—at the bidding of the priests—interfered, at Warrington and Rochdale. We cannot afford to pay for halls, and to have our money kept and our meetings stopped, and we cannot bear the expense of legal proceedings. What is our liberty worth? I fear we shall have to take our stand in the open air, for we will not give up our right to speak."

He (Mr. Whalley) entirely concurred with the writer of that letter, and was willing to surrender all he possessed for the purpose of sharing with those persons the dangers and penalties consequent upon the assertion of their right to speak. He wished to mention that he had had nothing to do with these meetings or lectures for more than nine months; but, on the last occasion when he attended one at Birmingham, he was very near being blown up. He afterwards examined the ammunition which had been placed in the meeting for the purpose, and which was fortunately discovered by a policeman. He laid no stress on that; but he wished to show that the people would not give up their right to speak, whatever might be the penalty. It was asked by Mr. Houston and his friends why, if Dr. Livingstone carried arms to protect himself against the African savages, he and his friends should not be permitted to arm themselves with a view to resisting the attacks of the Papists? He would remind the House that two years ago he had asked for a Committee to inquire into the circumstances connected with the Fenian outbreak; and he now asserted that if his Motion had been acceded to, many lives, enormous cost, and much national degradation would have been spared, and the real nature of the conspiracy would have been fully exposed. That conspiracy was never more thoroughly organized or more ready for action than at the present moment. That statement might be treated with contempt; but he fearlessly made it, and the responsibility of accepting or disregarding it rested upon the Government which had charge of the interests of the country. Nothing they could do with the Irish Church or with the establishing of a Roman Catholic University could touch Fenianism in the slightest degree. The conspiracy was co-extensive with the Roman Catholic population, and co-ordinate with the doctrines preached from Sunday to Sunday, and the principles taught and believed in by the Roman Catholics. All this he could prove if he had the opportunity. He had been very reticent upon the subject for the last two years. He might have referred to it upon many occasions, and especially in connection with the Clerkenwell outrage and the attempt to assassinate the Duke of Edinburgh. But the hon. Member for Cork (Mr. Maguire) had now challenged investigation into the causes of the recent riots, and that challenge he was willing to accept. It should be remembered, in fairness, that Mr. Murphy had simply been sent upon the track of Dr. Manning, who had gone forth on a mission organized by monks and friars, and with all their paraphernalia and devices, and with the rhetoric which the country paid so dearly to provide them with. This Roman Catholic mission was undisturbed. At Birmingham, where the Queen was denounced as a heretic, the use of the Town Hall was granted to Doctor Manning, and it was also allowed for the purpose of a Roman Catholic bazaar; but when 2,000 Protestant ratepayers of the place presented a requisition to the Mayor (Mr. Dixon), now one of the hon. Members for Birmingham, asking him to grant the use of it, in order that Mr. Murphy might reply to Dr. Manning, not only was the request refused, but the police were sent round to all other suitable places, to warn the managers against letting them to Mr. Murphy. To meet the difficulty thus raised by the authorities, a building was specially erected, and after the roof of it had been twice or thrice pulled down during the night time, they succeeded in making it suitable for the purpose for which it was wanted. On that occasion — it was the first of Mr. Murphy's appearances in Birmingham —the house of the father of a young man who was secretary to a Protestant Association was wrecked before Mr. Murphy had opened his mouth in Birmingham; and before the meeting, or rather service—for it was on a Sunday — had commenced, three men, in what was believed to be a dying state, were brought into the meeting, the victims of the violence inflicted on them by the bands outside. The public, who were afterwards confirmed by the chief superintendent of police, attributed the outrage to the Roman Catholic priests, who adopted the most unusual course of closing their chapels that afternoon, thus setting their people free to employ their energies elsewhere. The representations in the newspapers respecting Mr. Murphy, and attributing to him the riots, were wholly unfounded. Mr. Murphy had played the part of the lamb, and the wolfish proceedings of the other side were not his fault. It was true that on that occasion, when those three men were carried past him, dead or dying, Mr. Murphy told the audience that he would prove that the Roman Catholic priests were cannibals, murderers, and liars; and these expressions had been paraded through the whole country, and had been held sufficient to fix upon him the responsibility for the atrocities committed. Thereupon he (Mr. Whalley) went down to Birmingham, and for the first and last time heard Mr. Murphy, who repeated these words and explained them clearly and distinctly, in a manner that was considered unobjectionable by a Roman Catholic gentleman present, who volunteered his satisfaction; and though he (Mr. Whalley) did not defend them, it was fair to remember that some of the mysteries of the Roman Catholic faith might be, in the heat of the moment, represented under the type of cannibalism, and that, according to certain passages in the "Confessional," murder committed for the glory of God and of the Church might be justified; and Mr. Murphy, it was stated, had seen his own father stoned to death at the instigation of the priests, because the family had been converted from Romanism. ["Oh, oh!"] So much as regarded Birmingham. At Wolverhampton the police, he believed, were in a conspiracy with the Roman Catholics, and encouraged the riot there in June last; and in other places the police were not to be relied on for protecting the Protestant lecturers. That was one of the things he would undertake to prove if the Committee for which he asked was granted. More than one Irish priest, disguised as a workman, was among the rioters, hounding them on. The Rev. Dr. Armstrong, a clergyman of high standing, in a letter to him, complained strongly of the conduct of the stipendiary magistrate, who attempted to throw the blame of the riot upon him. No doubt the accounts in the public journals put a very different complexion on these transactions; but the English Press was not free to speak the truth. Orders issued in 1836 by the Roman Catholic hierarchy had controlled the liberty of the Press; and he believed that there was scarcely a newspaper in the Kingdom that could with impunity give full utterance to what might come to its knowledge respecting the proceedings of the Catholics; and thus the House could not get full information of what transpired. It might be asked what was the use of these meetings? and to such a question he should reply that they were of the greatest use in protecting the people of this country, including the Roman Catholics themselves, against the tyranny of the priests. What he had stated was merely a specimen of what had occurred at all the towns mentioned in his Notice. What was the remedy for this state of things? The remedy that appeared to the hon. Member for Birmingham (Mr. Dixon) to be the proper one was to get rid of the lecturer; but that was no remedy, because the matter was still smouldering. Lecturers hired a hall, and then informations of apprehended riot were sworn, but no effort was made to prevent the riot; the lecturer was sent away instead. Now nothing was more unworthy of Englishmen invested with local authority than such conduct as this; for they thus placed every town at the mercy of any mob which chose to prevent free discussion, on any given subject, by threats of riot. If a Committee were granted, he should be able to show that the local authorities had wholly neglected their duty by not affording the requisite security to these lecturers. Mr. Murphy and those associated with him had never done anything to disentitle them to the protection which Dr. Manning had received in delivering his lectures. He believed the local authorities had become involved in the vortex of party feeling. The proper step to take, in order to prevent a breach of the peace, was to afford the lecturer protection. The delivery of lectures and exposing the doctrines of the Papacy was the only means of protecting the people against the priesthood. In the time of Elizabeth persons were actually commissioned to go through the country to make known the doctrines of Romanism. To stop such lecturers as Murphy would be to strike a blow against Protestantism. One of the colleagues of Mr. Murphy had been tried for firing off a pistol and wounding a policeman during one of these disturbances, and the jury had found him guilty, but had earnestly recommended him to mercy on the ground that he had acted without any premeditation and under the influence of a feeling of great excitement. The remarks of the Judge who had conducted the trial were still well-remembered in that district, and had given rise to considerable dissatisfaction. The Court of Queen's Bench itself had lately delivered a judgment which he knew was challenged by the opinion of a large portion of Westminster Hall. That Court had decided that the book entitled *The Confessional Unmasked* was an obscene book, and had refused to take into account the intention of the publishers of the work, whose object was the suppression, and not the encouragement, of obscenity. That decision was founded on Lord Campbell's Act, but it was opposed to the ancient maxim of our law, that it was the intention which constituted a crime; and it was received with a murmur in Westminster Hall. He thought that the only way to meet this matter was by the appointment of a Committee, which would decide whether it was not expedient to amend Lord Campbell's Act in respect to such a matter, and to enact that, as in all other cases, the intention should constitute the crime. He thanked the House for having heard him, but would not make any Motion.

MR. GATHORNE HARDY: Sir, I trust the hon. Member for Bury St. Edmunds (Mr. Greene) will forgive me if for a time I am carried away from the subject he brought so ably before the House by the very numerous charges which the hon. Member who has just sat down brought against myself and various other persons. The hon Member has concluded without moving for a Committee of Inquiry; but he brought under the notice of the House a very extraordinary collection of accusations. He first accused me of having stated in this House, on the occasion of a Question addressed to me a few nights ago, what certainly I never did state. Then he accused various authorities throughout the country of conniving at illegality; he charged a stipendiary magistrate with not doing his duty; and he concluded by extending this latter charge to the Court of Queen's Bench. [Mr. WHALLEY: No!] As I understood it, this Committee was to inquire into a decision of the Court of Queen's Bench; which, of course, is not a question for a Committee or for this House, but one for a higher tribunal.

MR. WHALLEY: What I stated was that the decision of the Court of Queen's Bench with respect to a recent Act of Parliament was a proper subject for inquiry, in order that this House should consider whether that Act ought to be continued.

MR. GATHORNE HARDY: The hon. Member said that the decision of the Court of Queen's Bench had caused—I think a "shudder" was his expression, in Westminster Hall. [Mr. WHALLEY: No; a murmur.] Very well; a "murmur," which if it implied anything, implied that the Bar thought the decision was a wrong one. But if that were the opinion of lawyers, the proper mode of dealing with the decision would be to bring it before a higher tribunal. When an hon. Gentleman makes so many extravagant charges as have been put forward by the hon. Member for Peterborough, though some part of his subject might be worthy of consideration if brought forward in another form, the effect of those charges is to throw doubt upon every part of the statement. Indeed, one allegation made by the hon. Member was so strong and so offensive to many Members of this House that I almost expected you, Sir, would feel bound to interpose, on the ground that his language was un-Parliamentary. I think that language was beyond the bounds of what should be used either in this House or out of it. The hon. Member said that Fenianism was co-extensive with Roman Catholicism—that in every case Roman Catholicity was tainted with Fenianism. Now, differing in religious matters as widely from the professors of the Roman Catholic faith as the hon. Gentleman can do, and being, I trust, as strongly attached to my religion as he is, I must still say that, in my opinion, that charge is an unfounded one. In my official capacity, I have had much to do with the measures taken by the authorities in consequence of the Fenian conspiracy, and I must say that, in my dealings with Roman Catholics, I have found in the great majority of them a loyal attachment to the Throne, and an absence of any desire to further the interests of Fenianism. The hon. Gentleman said that, on a former occasion, the Government would give him no answer, because legal proceedings were pending. I am in the recollection of the House when I assert that my statement on the occasion referred to by the hon. Member was that it was not the intention of the Government to originate an inquiry while legal proceedings were pending, because we thought it probable that during those proceedings the facts to the elucidation of which an inquiry would be directed, if one were to be made, would be better elicited in a Court of Justice, on oath, than through an examination conducted by a Commissioner sent down for the special purpose of such an inquiry. With regard to the second part of the hon. Gentleman's Question—namely, as to whether the Government intended to make any better provision in favour of the persons to whom he referred—I stated that that was entirely for the local authorities; every one, so long as he did not commit a breach of the peace, being entitled to the protection of the law. As regards controversy, no one would protect its freedom in religion and politics more thoroughly than I would do so. I think every man has a right to put forward his own creed, and to support it with such arguments as he may think proper; but I do not think it advisable to put forth inflammatory placards containing language calculated to provoke a breach of the peace—language insulting, and, no doubt, in many instances, meant to be insulting, to people professing other creeds. But in connection with this case that question was not brought before me, for it could not properly be brought before me. If a stipendiary magistrate does not receive informations which the parties tendering them think he ought to receive, their course is to go to the Court of Queen's Bench and apply to it for a *mandamus* to compel him to take those informations—this course has recently been adopted in the case of ex-Governor Eyre; but parties have no right to come to this House and complain that a stipendiary magistrate has refused to receive informations. Then the hon. Gentleman complains that there has been a breach of contract on the part of persons who had engaged to let places for lectures to be delivered in, and he follows that up by another complaint directed against the Government—namely, that we do not interfere to enforce the performance of private contracts. The hon. Gentleman appears to believe that it is the duty of the Government to enforce civil contracts—there are Courts of Law open for that purpose. Really I am anxious that this discussion should close. I do not think it would be of advantage to the House that a discussion so commenced should be continued. I do not think that the speech of the hon. Member was of such a character as to lay the foundation for a useful discussion. I believe that however strong the feelings of some hon. Gentlemen may be on certain of the topics introduced by the hon. Gentleman, they will be of opinion that a speech in which such extraordinary charges have been brought against every one from the highest to the lowest is not one on which it would be well to raise a debate on those topics.

With regard to the very important subject in which the hon. Member for Bury St. Edmund's (Mr. Greene) has taken such a zealous interest, and of which he has spared no pains to make himself thoroughly master, I can assure the House that it has received our earnest consideration; but it is absolutely impossible for me to undertake legislation on the matter this Session. My hon. Friend who assists me at the Home Office with such assiduity and zeal received deputations on the subject from time to time when I was too much engaged with other duties to permit of my doing so. I had hoped to take steps with a view to legislate before this; but other events have so disorganized the Session that I have not been able to do so. The point of inspection is one that will require very careful consideration. I think it may be desirable to increase the number of inspectors to a certain extent, but if this be done it must be done with great care. Though an addition to the number of inspectors would increase the patronage of the Home Office, it would at the same time impose upon it a troublesome duty. The suggestion for the appointment of sub-inspectors was negatived by the Committee after careful inquiry. The matter will need a very delicate handling; because there is the danger of too much inspection, which would make owners less sensible of the responsibility which properly attaches to them, and would render the workpeople even less careful than they are at present. I believe there will be other opportunities of discussing this subject during the present Session, because I perceive that my right hon. Friend the Member for Merthyr (Mr. Bruce) has this evening given Notice that he proposes to call attention to it, and my hon. Friend the Member for Glamorganshire (Mr. Vivian) is to bring under the notice of the House a proposition for dividing mines into compartments. This would involve considerable expense to owners; but it is a proposition well deserving that consideration which I am sure it will receive when treated by my hon. Friend the Member for Glamorganshire. As I see my hon. Friend the Member for Cornwall present, I shall say a word with respect to that class of mines in which he is particularly interested. There had been a Commission on those mines. Questions had arisen as to the health of the people employed in them; but still greater difficulties were experienced as to how they should be dealt with. Those mines are not worked like coal mines. You do not get large galleries, as you do in coal mines, but you have to follow the ore into small places—in fact, wherever you can find it—and great difficulties in the way of ventilation have arisen in consequence. On that subject I have been requested by Lord Kinnaird to see whether some scientific provisions could not be introduced by which the mines might be worked with greater safety. But there are questions of expenses in this case as well as in the other; it is difficult to work the mines at a profit, and the wages of miners are lower than at any former period, and there would be great risk in any rash interference. But I do assure the House that the subject is under consideration, and that if we should have an opportunity we shall be ready to deal with it in a fair and reasonable manner.

Mr. O'BEIRNE said, he had never risen in that House with more reluctance than upon this occasion, and he felt extreme regret at being forced to join in a discussion which was so unworthy in its tone; and, indeed, if he was not unwilling to use language which might not be of a Parliamentary character, he would describe the manner, and the remarks of the hon. Member for Peterborough (Mr. Whalley) in much stronger words. What was the course taken by the hon. Gentleman after scattering broad-cast around him, for upwards of an hour, observations and charges which were not only unjustifiable, but wholly unfounded. After demanding apparently with earnestness an inquiry into those charges which he had the temerity to make, he had shrunk from moving his Resolution for the appointment of a Committee, under the pretence of which only he could have attempted to occupy the attention of the House.

Mr. WHALLEY said, he rose to Order. The hon. Gentleman charged him with having shrunk from an inquiry, whereas, as he had already explained, he had relied on the hon. Member for Cork (Mr. Maguire) to second his Motion.

Mr. SPEAKER said, that the hon. Member for Peterborough was out of Order. He was not explaining, but repeating a statement which he had previously made.

Mr. O'BEIRNE said, he had no other desire than to state accurately what had taken place. He doubtless did so in warm language, as he felt that such proceedings should be put a stop to. The hon. Member had taken the liberty of using his name more than once recently in his erratic observations, and he (Mr. O'Beirne) desired to set himself right with the House, and out-of-doors, as he did not believe it was of advantage to be in any manner connected with or appealed to, by the hon. Member. He (Mr. O'Beirne) was satisfied the House would sympathize with him if he had spoken severely, as it demanded more than ordinary patience for a Roman Catholic Member, or indeed any other Member of the House to listen to such a speech as had been just delivered by the hon. Member for Peterborough, which was, as he had said, utterly unjustifiable. But with the permission of the House he (Mr. O'Beirne) would proceed to make the explanation, for which purpose only he had risen. The circumstances were these, and they had been so frequently alluded to by the hon. Member, and in a shape so well calculated to mislead the House and the public, that he (Mr. O'Beirne) desired simply to refresh the memory of hon. Members by repeating on the authority of *Hansard*, what really did take place. In the month of May, 1866, when he was very little experienced in this House, and was unaccustomed to the singular wanderings of the hon. Member, he was startled by a charge made by him, that the war then unhappily prevailing in New Zealand, had originated in a conspiracy got up and encouraged by the Roman Catholic priests. He (Mr. O'Beirne), with the ill-timed zeal of a new and inexperienced Member, felt such a charge acutely, and challenged the hon. Member to move for a Committee and to prove his charge if he could. Other hon. Members, Friends of his (Mr. O'Beirne's), more accustomed to the eccentricities of the hon. Member for Peterborough, only laughed at such folly; but he (Mr. O'Beirne) charged him with uttering language which must have been, as he then described it, "the fruit of a fevered brain." The hon. Member did upon a later occasion move for a Committee; when, after a long and continuous expression of disapprobation from the House, and an attempt to count the House out, upon an appeal from the Chair —a course most unusual and seldom called for—the hon. Member yielded to the marked expression of disapprobation on the part of the House, and resumed his seat. The hon. Member had since then frequently remarked upon the fact, that he (Mr. O'Beirne) did not support him in seeking for that inquiry. That was perfectly true. He (Mr. O'Beirne) had, however, in nothing that had ever fallen from him, justified the hon. Member in supposing he could have any support on any subject from him, and his frequent allusions and appeals to him (Mr. O'Beirne) were as groundless, and as unfounded, as were the wild and incoherent statements upon which he had sought to obtain an inquiry upon this occasion. He hoped, although perhaps, against hope, that there would now be an end of this sort of irritating and highly unsatisfactory mode of proceeding.

MR. BAZLEY thanked the right hon. Gentleman the Secretary of State for the Home Department for his very judicious and temperate reply to the hon. Member for Peterborough (Mr. Whalley). He regretted that he had no influence with the hon. Member. If he had he would have used it for the purpose of inducing the hon. Member to withdraw his sanction from these proceedings which, in the manufacturing districts, were endangering the lives of Her Majesty's subjects, and imperilling a great amount of property. It was but an act of justice to state that when himself a large employer of labour many of his workpeople were Irish, and that they showed the same fidelity as others, while with regard to the care for the labouring class shown by the ministers of all denominations, the Roman Catholic clergy were as devoted as any. He feared that serious disasters would ensue unless measures were taken for the preservation of order and for the suppression of exciting topics.

DECLARATION AGAINST TRANSUBSTANTIATION.

MOTION FOR A PAPER.

SIR COLMAN O'LOGHLEN said, he rose to move "That there be laid before this House, a Copy of the Declaration against Transubstantiation, &c., taken by the Sovereign of this Realm at his first Parliament, or at his Coronation, whichever shall first happen after his Accession." In doing so, he wished to make a brief explanation with reference to a Notice of Motion which he had placed upon the Paper, and which had been very much misrepresented both in that House and out-of-doors. That Notice of Motion had received a good deal of publicity in consequence of the kindness of some association which was acting in the interests of Her Majesty's Government. It had moreover been misrepresented by the Press, and the public mind had been disturbed and confused upon the subject. A noble Lord (Lord Elcho), in the course of a debate a few nights ago, had animadverted upon that Motion without having given him (Sir Colman O'Loghlen) any intimation of his intention to do so. The noble Lord said that the clause—which he (Sir Colman O'Loghlen) had given Notice to move to introduce into the Promissory Oaths Bill—was an attempt, in the first place, to interfere with the Coronation Oath; in the second, to open the Throne to Roman Catholics; and, in the third place, that it was a Motion made in connivance with the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone), who was said to be endeavouring to upset and do away with the Protestantism of this country. As to this last notion it was too absurd for notice. The fact was that he had had no communication with the right hon. Gentleman on the subject, the proposal being made on his own sole responsibility; and not a single Member, as he believed, having had any knowledge of it until it was placed on the table. The allegations that he proposed to tamper with the Coronation Oath and open the Throne to Roman Catholics were equally unfounded. The Protestantism of the Sovereign was secured by express provisions in the Act of Settlement and in the Bill of Rights. The 9th section of the Bill of Rights declared that any person professing the Popish religion or marrying a Papist should be incapable of inheriting or possessing the Crown; the people in any such case being absolved from their allegiance and the Crown descending to the nearest Protestant heir. That Act was followed by the Act of Settlement, passed in the same reign, which repealed the provisions contained in the former Act, and further required that whoever came to the Throne should join in communion with the Church of England as by law established. He need only refer to the provisions of those Acts to show that the Notice which he had put upon the Paper had nothing to do directly or indirectly with the Protestantism or Protestant succession to the Crown; of these realms, as falsely represented in placards which had been extensively distributed. But it might be said, if this were so, what was the meaning of the Notice which he had given?

Mr. SPEAKER: The hon. Member gave Notice of a Motion relating to this Declaration. I think he cannot enter at the length which he is now doing upon a subject that stands for future consideration.

Sir COLMAN O'LOGHLEN said, he would not discuss the matter at any length, but in moving for the copy of the Declaration he did not think he was out of Order in alluding to the Motion for which he wanted it. The object of his Motion was simply to get rid of the particular Declaration, a copy of which he now moved for, and which was established in this kingdom in the reign of Charles II., at a time when Protestant feeling was strongly aroused in consequence of the excitement connected with the Popish plot. The Declaration which was required to be taken by all persons holding office was framed expressly for the purpose of excluding persons who, though nominally Protestants, were not relied upon as such; and hence the Declaration was one of a most offensive character. He would not read the whole of it, but would merely give the substance. [The hon. and learned Baronet read passages from the Declaration denouncing the belief in the doctrine of Transubstantiation, the adoration of the Virgin Mary, and the sacrifice of the Mass.] The Declaration was framed in the most offensive and insulting manner to Catholics. It was a relic of that temple of intolerance which had been reared by our ancestors long ago. From the time he first entered the House he had endeavoured to erase that offensive Declaration from the statute book, and on his introducing a Bill for that purpose the right hon. Gentleman the Member for Cambridge University (Mr. Walpole), with the feelings of a Gentleman and a Christian, stated, on behalf of the Conservative party, that he should offer no objection to the removal of this Declaration. The Bill passed through the House of Commons, but, as they were all aware, it was not the custom in "another place" to pass a Bill of the kind the first time it was sent up to them; and accordingly the application was repeated in 1867, when he was happy to say that it became the law of the land, and now every person under the Crown was relieved from the necessity of taking that Declaration. It was formerly required to be taken by the clergy in Ireland; but a Royal Commission appointed in 1865, unanimously declared that it ought to be abolished even as to the clergy. The Report of the Oaths Commission described the Declaration as "painful and irritating in its nature," and also as "needless and mischievous." At the time he first introduced the Bill he carried last Session, he did not know that the Sovereign was required to take the Declaration; but afterwards it came to his knowledge that such was the case. It was too late then to put any provision into the Bill; but this year, especially after the Report of the Commissioners had been published, he had felt that advantage ought to be taken of the Promissory Oaths Bill being before the House to relieve the Sovereign from the necessity of making a Declaration which was no longer required from any of her subjects. It was with that object he had put upon the Paper a Notice for abolishing the Declaration. It was quite possible to frame a Declaration that would be effectual for the purpose without containing in it words that were almost indecent in their condemnation of doctrines believed in by nearly one-half of Europe, and by many millions of Her Majesty's subjects. He certainly had ventured to hope that a Parliament which—though it was called a moribund Parliament—had done so much for the cause of religious liberty, and in adopting the Resolutions relating to the Irish Church had shown its zeal for religious equality, would be anxious, before it passed away, to complete the noble work it had undertaken. He felt it right to make this short explanation for the purpose of explaining that the Motion was entirely his own, that it had nothing whatever to do with the Protestantism of the Crown, or the alteration of the Coronation Oath, and that its object was simply to get rid of a foolish and offensive Declaration, as the Motion was much misrepresented out-of-doors, and the misrepresentation, if uncontradicted, was calculated to do much harm by aiding the Protestant cry which Her Majesty's Ministers had attempted to raise in view of a General Election.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, a Copy of the Declaration against Transubstantiation, &c. taken by the Sovereign of this Realm at his first Parliament or at his Coronation, whichever shall first happen after his Accession,"—(*Sir Colman OLoghlen,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. NEWDEGATE said, the hon. and learned Baronet had been very anxious to disclaim any intention of interfering with the Act of Settlement; but he must admit that the Declaration to which he so strongly objected was required to be taken not only by the Act of Settlement, but by the Bill of Rights. Hence it was not surprising that the people of this country should think the hon. and learned Baronet intended to repeal a part of the Act of Settlement, inasmuch as he proposed to strike out of that Act the provisions requiring this Declaration to be taken by the Sovereign. It was he who had called the attention of the hon. and learned Baronet to the fact that if his Bill of last year became law the Sovereign would remain the only person compelled to make this Declaration. Its terms were complained of as offensive; but its offence lay in the fact that it distinctly and plainly repudiated those cardinal doctrines of the Church of Rome, which mainly constituted the difference between that Church and the Church of England. It was unnecessary to repeat the origin of this Declaration; but there was a time in the history of this country when the religion of the aspirants to the Throne was doubtful. It was thought that the Duke of York, afterwards James II., was a Roman Catholic, and it was determined that in some explicit manner the Sovereign should make a Declaration on this leading doctrine of the Church, and should assert his identification of belief with the Reformed Church of this country. He admitted that the language of the Declaration was plain-spoken, and he consulted the present Lord Chancellor, then Sir Hugh Cairns, and Mr. Whiteside on the subject. Their opinion was that by substituting a declaration of adherence and acceptance of the 27th and 28th Articles of Religion of the Church of England all the offensive terms of the Declaration against Transubstantiation might be eliminated, and yet that the substance of the Oath might be retained. This proposal he submitted to the House in Committee on the Bill introduced by the hon. and learned Member for Clare (Sir Colman O'Loghlen). Was he satisfied with this honest attempt to eliminate the offensive terms? No, he aimed at the substance of the Declaration, and induced the Committee, by a small majority, to reject the Amendment. After that opinion, given by two of the most eminent lawyers in the kingdom, and confirmed by other lawyers, and the attempt he had made to carry it into effect, he could put no faith in the hon. Member's statement that he only desired to rid one portion of the Act of Settlement of the offensive terms contained in it. He believed that when the people out-of-doors saw an attempt made to tamper with the Act of Settlement, which, if there were any such, was the fundamental statute on which rested the rights of the Throne and the liberty of the subject—when they saw that this was done upon the plea that it was only an attempt to get rid of offensive words after an honest attempt had been made to sweep them away and retain the substance, it was not surprising if the proceedings of the hon. and learned Gentleman were regarded with great suspicion. They had heard from the hon. Member for Manchester something about the desirability of putting some limits to the right of free discussion. And at what period was this bold suggestion made? Just when repeated attacks were being made upon the Protestant Establishments of this country, and when an energetic Roman Catholic Member was attempting to tamper with a portion of the Act of Settlement. The experience of 200 years had shown that the terms and substance of this Declaration were necessary, and that it was requisite that the Sovereign should with his own lips declare his sincere attachment to the Protestant religion.

Sir COLMAN O'LOGHLEN rose to reply, but—

Mr. SPEAKER said, he had not thought it right to stop the hon. Member for North Warwickshire in replying to the speech made by the hon. and learned Member for Clare; but the hon. and learned Member had gone too far in the observations he had made, and the House ought not to be led now into further discussion.

Sir COLMAN O'LOGHLEN said, it was not his intention to proceed with his Motion.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

(1.) £66,314, to complete the sum for Law Charges and Criminal Prosecutions, Ireland.

(2.) £11,421, to complete the sum for Common Law Courts, Ireland.

Mr. Alderman LUSK asked how this Vote had increased £9,000?

The Earl of MAYO said, a large portion of the expense for which the Vote was now taken used to be borne by the Consolidated Fund. There was also an increase owing to the Act passed last year involving the payment of their salaries to a certain number of Masters, who had been deprived of their offices.

Mr. CHILDERS said, he had advised caution in respect to the Act of last year. There was an increase of nearly £2,000 apart from the special reasons assigned.

Colonel SYKES said, this increase was only a drop in the ocean of the entire Vote, and the total cost of our law was about £3,000,000, while the charge in France was only £1,334,221.

Mr. WHALLEY said, but for the hon. Member for Pontefract (Mr. Childers) the Votes would have been much higher this year.

The Earl of MAYO thought it right to say that, so far as the Government were concerned, they had done everything they could to reduce the expenditure of last year.

Vote *agreed to.*

(3.) £6,020, to complete the sum for Miscellaneous Legal Charges, Ireland.

(4.) £6,000, to complete the sum for County Prisons, Ireland.

Mr. WHALLEY asked the cost incurred in consequence of the Fenian prisoners?

The Earl of MAYO said, a portion of their expenses would be borne by the county prisons, and the charge for those who were sent to Mountjoy Prison would come under the head of the convict service. The legal expenses would come under this Vote.

Vote *agreed to.*

(5.) £47,484, to complete the sum for Criminal Proceedings, Scotland.

(6.) £33,378, to complete the sum for Courts of Law and Justice, Scotland.

(7.) £11,909, to complete the sum for Register House Departments, Edinburgh.

(8.) £8,705, to complete the sum for Admiralty Court Registry.

(9.) £49,979, to complete the sum for Probate Court.

(10.) £3,470, to complete the sum for Land Registry Office.

Mr. Alderman LUSK said, he thought the office ought to be self-supporting.

Mr. GOLDNEY reminded the Committee that this was one of the offices he had before referred to, which ought to be amalgamated with some other office, in order that it might be made to pay its own expenses.

Mr. SCLATER-BOOTH said, the attention of the Government had been directed to that office, which it had been hoped would prove self-supporting, but which had undoubtedly been a failure. The subject was now undergoing inquiry, the result of which would shortly be laid before the House.

Vote *agreed to.*

(11.) Motion made, and Question proposed,

"That a sum, not exceeding £160,332, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, of the Superintendence of Government Prisons in England and the Expenses of Transportation."

Mr. CHILDERS said, the number of convicts in Government prisons had most materially diminished, having fallen from 9,000 to 7,000, and therefore there was a considerable want of prisoners for carrying on the public works at Chatham and Portsmouth. The result was that those public works would cost the country £500,000 more than was anticipated in consequence of the short supply of convicts. It would be, of course, in other respects an advantage to the country if there were a decrease in the number of convicts; but he wished to ask why the Government were now proposing to take an additional Vote for conveying convicts to Gibraltar, as the convict establishment at Gibraltar had been universally condemned by every Department and was quite useless.

Mr. FLOYER said, in the Report of the Directors of Convict Prisons it was stated that there had been a decrease of charge for convicts during the last three or four years; but this year that decrease appeared to have come to an end. Indeed, there was an increase this year of £25,000. The estimated number of convicts for whom the proposed Vote was to be taken for the year 1868–9, was, according to the tabular statement and given in the Estimates, 7,750, as against 7,470 for the year 1867–8, showing an increase of 280 convict prisoners. He hoped they would receive an explanation on that point from the Secretary to the Treasury; for it was a grave matter for the country if the improvement which had been in progress for some years past had now, without any special cause that he was aware of, ceased, and if crime of a very serious description was again on the increase.

Mr. GOLDNEY pointed out that a great number of items of expenditure connected with the management of the convict establishments, and especially the pay of the officials, showed an increase over the previous year.

Colonel SYKES asked why the number of convicts who were to be provided for was not given in the Estimates each year? It was now the practice to give the number of troops and seamen in the Army and Navy Estimates.

Sir JAMES FERGUSSON said, that on the Report he should be able to give more complete information upon the point; but from general information he could state that about 200 convicts were sent to Gibraltar about two months ago, in consequence of the demand from those in charge of the works there for additional labour. As long as Gibraltar was continued, it would be necessary that the works should go on there; but as transportation had ceased, there was now no other drain upon the supply of convict labour.

Mr. CHILDERS said, that the whole question of the Gibraltar establishment was gone into by a Committee three or four years ago, and it was certain that the employment of convicts there was unremunerative, while their employment at home was highly remunerative. Gibraltar did not relieve the country permanently of any convicts, as they were all returned to this country. It was only an expensive penal establishment at home.

Mr. CANDLISH asked for an explanation of a certain increase of salaries which appeared in the Vote?

The CHANCELLOR of the EXCHEQUER said, that these salaries had been brought under the notice of the Treasury last year, and were revised and increased, some of them on the recommendation of the hon. Gentleman himself.

Mr. Alderman LUSK asked why, if convict labour was so remunerative, convicts were liberated before their term of servitude had expired?

Mr. LOCKE said, with reference to the Gibraltar establishment, it was most important that they should have the opportunity of sending criminals out of the country. Prisoners thought transportation a much more severe sentence than penal servitude at home with the prospect of a ticket-of-leave before long.

Mr. CHILDERS said, that whether a prisoner was sent to Gibraltar or kept at home, the sentence now passed was penal servitude, and the regulations respecting tickets-of-leave were the same.

SIR JAMES FERGUSSON said, that the rules respecting the remission of sentences were exceedingly rigid, and the present system of penal servitude was anything but inviting to convicts. Tickets-of-leave were granted upon very strict conditions; those who received them being placed under strict surveillance by the police, and being sent back to prison for the remainder of their term on the smallest infraction of the rules. The system of shortening the period of imprisonments by marks given for good conduct had had a most beneficial effect upon the convicts in insuring their good behaviour during their imprisonment, and there was no fear now of a convict getting released before a fixed period of his sentence had expired.

In answer to Colonel SYKES,

THE CHANCELLOR OF THE EXCHEQUER explained that the charge for bedding and clothing varied according to the stock in hand and the requirements of the establishments.

MR. SCLATER-BOOTH said, that there was this year a diminution in the charge for Gibraltar of £10,000.

MR. CANDLISH said, that the charge for salaries at Chatham increased, while for salaries at Dartmoor, a similar establishment, it did not. He moved the reduction of the Vote by £400.

Motion made, and Question proposed,

"That a snm, not exceeding £159,932, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, of the Superintendence of Government Prisons in England and the Expenses of Transportation."—(*Mr. Candlish.*)

MR. GATHORNE HARDY said, that Dartmoor stood upon an entirely different footing from Chatham.

MR. WHALLEY detailed the amounts paid to Roman Catholic chaplains in prisons, and asked upon what principle those salaries were fixed, because only 4 per cent of the prisoners asked for the ministration of Catholic priests?

SIR HENRY EDWARDS said, the abuse of Roman Catholics by the hon. Member for Peterborough (Mr. Whalley) had been going on *ad nauseam*; and he hoped the hon. Gentleman's constituents, when he met them next, would ask him what his religion really was, as he thought there was ground for grave doubt on the subject.

MR. SCLATER-BOOTH said, that the chaplains were paid according to the average number of the prisoners who declared themselves Roman Catholics on entering the prison.

MR. CANDLISH said, he would not press his Amendment.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(12.) £22,929, to complete the sum for Broadmoor Criminal Lunatic Asylum.

(13.) £16,267, to complete the sum for Prisons, Scotland.

(14.) £23,171, to complete the sum for Court of Chancery, Ireland.

(15.) £1,171, to complete the sum for Registry of Judgments, Ireland.

(16.) £9,200, to complete the sum for Registration of Deeds, Ireland.

(17.) £5,400, to complete the sum for Court of Bankruptcy and Insolvency, Ireland.

(18.) £6,272, to complete the sum for Court of Probate, Ireland.

(19.) £3,906, to complete the sum for Landed Estates Court, Ireland.

(20.) £50,488, to complete the sum for Metropolitan Police, Dublin.

(21.) £573,751, to complete the sum for Constabulary Force, Ireland.

(22.) £1,530, to complete the sum for Four Courts, Dublin.

(23.) £32,399, to complete the sum for Government Prisons and Reformatories, Ireland.

(24.) £2,376, to complete the sum for Dundrum Criminal Lunatic Asylum.

(25.) £1,200, to complete the sum for Admiralty Court Registry, Ireland.

House *resumed.*

Resolutions to be reported upon *Thursday* next.

Committee to sit again upon *Thursday* next.

COURTS OF LAW (SCOTLAND) [FEES, &C.] BILL.

Resolution *reported;*

"That it is expedient to make provision for the Collection, by means of Stamps, of Fees payable in the Supreme and Inferior Courts of Law in Scotland, and in the Offices belonging thereto; and to provide for Compensation, out of monies provided by Parliament, to any Officers whose Offices may be abolished by any Act of the present Session relating to the collection of Fees in the Superior and Inferior Courts of Law in Scotland."

Resolution *agreed to:*—Bill *ordered* to be brought in by Mr. DODSON, The LORD ADVOCATE, and Sir GRAHAM MONTGOMERY.

PIER AND HARBOUR ORDERS CONFIRMATION (NO. 2) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for confirming certain Provisional Orders made by the Board of Trade, under "The General Pier and Harbour Act, 1861," relating to Carlingford Lough, Elgin and Lossiemouth, Greenock, Hunstanton, Tenby, and Torquay.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. DODSON, Mr. STEPHEN CAVE, and Mr. SCLATER-BOOTH.

Bill *presented,* and read the first time. [Bill 148.]

TURNPIKE ACTS CONTINUANCE, &C. BILL.

On Motion of Sir JAMES FERGUSSON, Bill to continue certain Turnpike Acts in Great Britain, and to repeal certain other Turnpike Acts, *ordered* to be brought in by Sir JAMES FERGUSSON and Mr. Secretary GATHORNE HARDY.

Bill *presented,* and read the first time. [Bill 149.]

House adjourned at One o'clock, till Thursday next.

HOUSE OF COMMONS,

Thursday, June 4, 1868.

MINUTES.] — NEW MEMBER SWORN — Hon. Charles George Lyttleton, *for* Worcester County (Eastern Division).

SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES—Class III.

Resolutions [May 29] *reported.*

PUBLIC BILLS—*First Reading*—Consecration of Churchyards Act (1867) Amendment * [152]; Alkali Act (1863) Perpetuation * [153].

Second Reading—Pier and Harbour Orders Confirmation (No. 2) * [148]; Endowed Schools * [143].

Committee—Lee River Conservancy (*re-comm.*) * [144]; Ecclesiastical Buildings and Glebes (Scotland) * [58]; Titles to Land Consolidation (Scotland) * [57].

Report—Lee River Conservancy (*re-comm.*) * [144]; Ecclesiastical Buildings and Glebes (Scotland) * [58-150]; Titles to Land Consolidation (Scotland) * [57-151].

INDIA—POSTAL COMMUNICATION WITH PENANG.—QUESTION.

MR. T. BARING said, he wished to ask the Secretary to the Treasury, Whether the Post Office Department contemplates the renewal of the direct Postal Communication by Steam Packets with Penang, which that Settlement has enjoyed for the last twenty-two years; and, if so, what are the measures to be adopted?

MR. SCLATER-BOOTH, in reply, said, this subject had been for some time under the consideration of the Post Office authorities; but he was unable to state that they had arrived at any decision on the subject. The matter was still under their consideration, and perhaps his hon. Friend would repeat his Question on a future day.

MR. GLADSTONE AND THE EAST WORCESTERSHIRE ELECTION.

QUESTION.

SIR THOMAS BATESON: Being opposed to the endowment of the Church of Rome in any form, I wish to put a Question to the First Minister of the Crown, and I trust he will be able to give a clear and explicit Answer. ["Order."] Well, I will ask him if he can give a clear and explicit Answer; and also, if he is aware that the sympathies of many hon. Members on this side of the House depend upon the Answer he will give? I wish to ask, Whether his attention has been directed to a Letter purporting to be written by the right hon. Gentleman the Member for South Lancashire on the 26th May, with reference to the East Worcestershire Election, in which it is stated that Her Majesty's Government proposed during the present Session to endow the Roman Catholic Church in Ireland, and also to create a Roman Catholic University, paying its expenses out of the taxes of the country; and how far such statement is correct?

MR. DISRAELI: Sir, I am afraid my hon. Friend has fallen into a trap which I evaded. My attention was certainly called —as it is called to most things—to a letter purporting to be written by the right hon. Gentleman the Member for South Lancashire on the 26th of May. I believed it to be, and still believe it to be, one of those effusions which, in election language, are sometimes called squibs and sometimes hoaxes. It appeared to me to be a gross caricature of the right hon. Gentleman's least happy style, and as it contained assertions which could not be proved, and which nothing but the excitement of an election would justify, I really have given no further consideration to it.

MR. GLADSTONE, who rose amid cries of "Order," said: I only wish to give notice to my hon. Friend opposite that I think his Question calls for comment from me. But as I do not wish to interrupt the Business of the House, I will take an opportunity of making such comment on the Question that the House go into Committee of Supply.

ARMY—TRANSPORT OF TROOPS TO INDIA.—QUESTION.

SIR GEORGE STUCLEY said, he would beg to ask the Secretary of State for War, Whether it is conducive to the health and discipline of officers and men to send them from their depôts in England so that they shall arrive in India during the months of April or May; thus spending their summer, exposed to the heat at Kurrachee or elsewhere, away from the Commanding Officers of their own regiments, or occupied in travelling during the intense heat of summer to join their regiments in the North-West Provinces?

SIR JOHN PAKINGTON said, in reply, that last year, in consequence of the system of sending troops overland to India, some of them did arrive somewhat later than they should have done; but with regard to the transport of troops in the approaching season, he hoped none of them would arrive in India later than the month of February.

ARMY—CAVALRY UNIFORMS.

QUESTION.

SIR GEORGE STUCLEY said, he would beg to ask the Secretary of State for War, Whether his attention has been called to the statement made by Captain Hozier, in Vol. II. of *The Seven Weeks' War*, that the 3rd Regiment of Prussian Dragoons, at the Battle of Königgratz, in an attack against the Austrian Cuirassiers, lost very many men and horses, victims to the terrible sword cuts which, coming down upon the shoulder, cut clean through the shoulder blade, and often deep down into the body; that the swords of the same heavy Austrian Cavalry were shivered upon the brass plates of the Uhlans, who marked their track with heaps of dead, dying, and wounded; and, whether, after such experience, it may not be desirable to place some metal protection upon the shoulders of the British soldier?

SIR JOHN PAKINGTON: Sir, I cannot pretend to offer any opinion upon a Question of this technical character; and my answer must be that this question of the uniform of the British troops is entirely one for the Executive Departments of the army. All I have to do is to report the Question, and I shall certainly do so, to the Commander-in-Chief.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE EAST WORCESTERSHIRE ELECTION.

OBSERVATIONS.

MR. GLADSTONE: I will trespass for a few minutes upon the courtesy of the House. I wish to comment upon the Question put by my hon. Friend opposite (Sir Thomas Bateson) to the First Lord of the Treasury. My hon. Friend asked the First Lord of the Treasury whether his attention had been drawn to a letter purporting to be written by me on the 26th of May, with reference to the East Worcestershire Election, which my hon. Friend says had a considerable effect upon the result of the election. Sir, that is a very great compliment to me; and if he is really correct in his supposition, which I am not vain enough to credit, I receive the statement with satisfaction. He has called the attention of the Head of the Government to that letter. Now, I wish to call the attention of my hon. Friend to the letter; because it seems to me that he has not attended to it, nor does he cite its purport accurately. I will not defend the style of the letter against the criticisms of the right hon. Gentleman, which are, perhaps, fair enough under the circumstances; but I own the authorship, and I abide by the assertions. I do not intend to recede from any portion of them. The mistake into which my hon. Friend has fallen is this—He says it is stated in my letter—

> "That Her Majesty's Government proposed during the present Session to endow the Roman Catholic Church in Ireland, and also to create a Roman Catholic University, paying its expenses out of the taxes of the country."

SIR THOMAS BATESON: I omitted from my Notice the words "during the present Session," after reading the letter more carefully.

MR. GLADSTONE: If I had stated that, it would have been an over-statement, because Her Majesty's Government did not propose to endow the Roman Catholic Church in Ireland during the present Session; nor, indeed did they make any proposal upon the subject; and I rather think I carefully refrained from saying that they had made any such proposal. I confined my assertion to the plans they submitted on the subject of the Roman Catholic

University. There was a declaration made by the noble Earl the Secretary for Ireland (the Earl of Mayo), which, however important, was not a proposal for the endowment of the Roman Catholic Church. I must also say that I was not guilty of that which the Question of my hon. Friend would seem to impute to me—though I have no doubt he had not the least intention of doing so—namely, of holding up the conduct of the Government to odium specially and singly on account of its being a proposal to endow the Roman Catholic Church in Ireland. I do not consider myself, or anyone sitting on the Opposition side of the House, in any manner responsible for the first importation of the odious elements of theological and sectarian strife into this great political controversy. How they were first imported, I will not now inquire; but they were not imported in consequence of anything said by me, or, I was going to add, by anyone on this side of the House; but probably if I were to say so much, the hon. Member for Peterborough (Mr. Whalley) might take some offence, and therefore I will make no further reference to it. My statement is in these terms—

> "This Government proclaimed ten weeks ago that they were friendly to religious equality in Ireland, provided it was brought about by endowing the other Churches, including the Roman, in Ireland, and not by disendowing the Protestant Church; and by way of earnest they proposed at once to create a Roman Catholic University, and pay its expenses out of the taxes of the country; whereas we take away the Establishment, which now exists, and make no more, in Ireland."

This, therefore, the plan of concurrent endowment, or general endowment, is what I exhibited as the policy of the Government, and not the plan of endowing the Roman Catholic Church in particular. The hon. Gentleman treated it as a charge against the Government; but, permit me to say, I have never treated it as a charge. The noble Earl the Chief Secretary for Ireland (the Earl of Mayo) stated the other night, and I think with perfect truth, that this plan of concurrent endowment is a plan which had the sanction of some of the greatest names in our history; and though I am not in favour of it, and think that the plan is in itself quite unsatisfactory, and also wholly unsuited to the circumstances and exigencies of the present day, yet far be it from me to presume to pronounce any condemnation either on the measure sanctioned by Mr. Pitt, Mr. Fox, and a long series of great statesmen whose names I revere, or by the noble Earl and the Gentlemen sitting near him, because I think that the time for the adoption of a plan of that nature has passed away. So much with respect to the assertion of my having brought a charge against the Government that they intended to proceed at once to the endowment of the Roman Catholic Church. With regard to the matter itself, to which the supposed charge would have related, it resolves itself into these two points. I stated that the Government saw no objection to bringing about religious equality in Ireland, provided it was done by endowing the other Churches, including the Roman Catholic—that is to say, substantially the Government were favourable to the endowment of the Roman Catholic and Presbyterian Churches, because these are the only ones of sufficient magnitude to require a large endowment; and if they were endowed, perhaps no one would object to any crumbs of endowment which might fall to the lot of other communions. Is that a just or an unjust charge? The noble Earl (the Earl of Mayo) stated with regard to the Presbyterians that they receive a grant miserable in amount, and wholly inadequate to their requirements. These words may not in themselves imply that the *Regium Donum* was to be augmented and the Presbyterian Church more largely endowed as a matter of necessity; but when taken in connection with other words used by the noble Earl, to the effect that religious equality was not objected to, if not effected by the process of levelling down; that the ecclesiastical arrangements of Ireland were to be re-cast, and to a great extent equalized; and that there was no objection to make all the Churches equal, but that result must be secured by elevation, and not by confiscation—it appears to me that what the noble Lord meant by "that result" is perfectly evident. And I must again point out that the noble Earl was not speaking on that occasion in his individual capacity. He was announcing on behalf of the Government their Irish policy, and it was not merely because, as Minister for Ireland, whatever he said on the subject of Ireland had a peculiar importance, but because it was a policy professed and promised beforehand by other Members of the Cabinet in "another place," as well as in this place, thereby identifying the Cabinet in the strongest manner with what fell from the noble Earl. But I am bound to say that noble Earl's language in no way went beyond the spirit and the inevitable meaning of what fell from the right hon. Gentleman at the Head of the Government. The debates on this subject were not the first debates since the formation of the present Government on this important question. Last year, the subject of the Irish Church was introduced in this House, and the right hon. Gentleman was pressed for a declaration on the subject. The right hon. Gentleman declared in the summer of 1867 what he has again declared during the present year — namely, that the state of things in Ireland was unsatisfactory, but that the mode of rectifying that unsatisfactory state of things was the method of creating and not the method of destroying. But, more than that, he on a former occasion, much more remote, explained much more in detail what he thought on that subject; and he has, during the present Session, adopted what he called the "general historical spirit," or "historical sentiment," of his former declaration. Well, then, the only question that remains—the main question—is this—Do these declarations justify the statement which I have made, and which forms the subject of the Question addressed by my hon. Friend (Sir Thomas Bateson) to the Head of the Government. I own I have not met anyone who heard these declarations—these various declarations—in conformity with one another, corroborating one another, that has ever attempted to put on them a different construction from that I have put upon them. [Lord JOHN MANNERS dissented.] The noble Lord the First Commissioner of Works (Lord John Manners) did, indeed, state that he was not aware of this policy. [Lord JOHN MANNERS: I denied it altogether.] The noble Lord says he denied it altogether. Well, I was obliged to tell him on that occasion, what he seems not to know, that he was responsible for the declaration of his Colleagues. Does the noble Lord deny the sense which is affixed to the declarations I have quoted? [Lord JOHN MANNERS: I do.] Well, then, will the noble Lord tell me what is meant by the declaration that, to a great extent, the ecclesiastical arrangements of Ireland are unsatisfactory, and that there is no objection to make all the Churches equal, if the result be secured by elevation and not confiscation? These are words of the English language, and are liable to the ordinary rules of grammatical and rational construction. It is vain for the noble Lord to think that by means of his denials he will escape from the consequences of these declarations. At a time when these declarations have been found most inconvenient, then comes forward the noble Lord, who listened when the declarations were made, and protests that he knows nothing about this policy. Now, if the people of England know, as they do know, the nature of our Constitution, they will know that it is one of our first duties to decline to acquit any Member of the Cabinet of responsibility for the announced and declared policy of any other Member. We have even been told that these things have not been discussed in the Cabinet. With that we have nothing to do. The Cabinet is a unity in the face of the Constitution and the country, and if it ceases to be a unity one of the first principles of the Constitution is at an end. But I have to-day received a letter transmitted by telegraph from Ireland. I received it only about an hour before I came to this House, and if not genuine it easily admits of contradiction. It has a name appended to it, and there will be no difficulty in saying whether it is a genuine letter or not; but according to that letter it appears that as far as the Presbyterians are concerned it was part of the policy of the Government to initiate a plan of increased endowment. I now read this telegram—

> "The following letter was read in the Presbyterian General Assembly at Belfast yesterday:—
>
> '10, Downing Street, Whitehall,
> 'March 19, 1867.
>
> 'Sir,—I am directed by Lord Derby to acknowledge the receipt of your letter of the 16th inst. on the subject of an increase of the *Regium Donum*. His Lordship desires me to inform you that he regrets that, as the Estimates for 1867-8 have been completed, it is impossible for anything to be done this year; but the subject shall be borne in mind before the Estimates for next year are prepared.—I am, Sir, your obedient servant,
> 'J. WILSON.'"

The words "this year" were italicized in the original. Was that or was it not in perfect conformity with the declaration of the noble Lord (the Earl of Mayo)? Does it not indicate that as far as the Presbyterian body are concerned a promise was given by Lord Derby in reply to the application of the General Assembly for an increase of the grant? I apprehend that it will not be for any Gentleman on the opposite Bench to state that the policy of the Government was to alter the ecclesiastical arrangements of Ireland by augmenting the *Regium Donum* and putting the Presbyterians on a new footing, while they were to leave the great mass of the people of Ireland, with respect to those ecclesiastical arrangements, in that position of exclusion in which they now stand. Why, Sir, these things are in such a position that, having Parliamentary evidence before us, we require no other. But at the very time when the right hon. Gentleman at the Head of the Government was evoking his phantom of alliance between the Court of Rome and some religious party in this country opposed to him, at that very time an official newspaper in the City of Rome, published under the direct censorship, and therefore with the direct approval, of the Court of Rome was praising the policy of the right hon. Gentleman, condemning our rude interference with his plans, and stating that it was well-known that if he were only let alone he had already formed projects and arrangements by means of which he would indirectly, cautiously, and I suppose by what he calls an "educating" process, contrive that the Church of England should be got rid of. ["Oh, oh!"] Well, but that is a good answer to the charge proceeding from the head of the Government, and it is with respect to that charge that I adduce it. It is perfectly easy to go into details at any time hon. Gentlemen opposite may desire it. But what we stand on is Parliamentary evidence, which is not to be shaken or got rid of; and I maintain that the letter I wrote is the fair and inevitable construction put upon declarations as clear as have ever proceeded from the organs of the Government sitting in this House or elsewhere, and by the observations of that letter I abide. As to whether the Answer of the right hon. Gentleman to the Question of my hon. Friend is satisfactory or not, that is not a matter for me to interfere in. The criticisms of the right hon. Gentleman I do not think it is necessary for me particularly to notice. I am perfectly well able to stand under the fire of that kind of small shot. But by the substance of what I have asserted, and the terms, I stand implicitly and unconditionally, and I have no doubt that the matter is one which has sunk deep into the minds and memory of the people of the three kingdoms.

MR. DISRAELI: I must apologize to the right hon. Gentleman for having expressed a doubt as to the authenticity of the letter. It appears that the right hon. Gentleman did make the statement that Her Majesty's Government had proposed to Parliament a scheme for endowing the Roman Catholic Church in Ireland. ["No, no."] That is the statement, I believe.

MR. GLADSTONE: Here is the letter. Will the right hon. Gentleman look at it?

MR. DISRAELI: No. I do not want to see it.

MR. GLADSTONE: Then shall I read the words again? They are these—

> "Now, this Government proclaimed ten weeks ago that they were friendly to religious equality in Ireland, provided it was brought about by endowing the other Churches, including the Roman, in Ireland, and not by disendowing the Protestant Church; and by way of earnest they proposed at once to create a Roman Catholic University and pay its expenses out of the taxes of the country."

MR. DISRAELI: Well, Sir, I am not clouding my meaning in so many phrases; but I understand the meaning to be that the policy of the Government was to endow the Roman Catholic Church in Ireland. Well, what is the proof of it given by the right hon. Gentleman now that he is brought to book? Why that Her Majesty's Ministers intended to increase the *Regium Donum.* [*Laughter.*] That is really all his proof. ["No, no!"] His statement was couched in a great many rhetorical phrases, and a great many refinements of phraseology; but this is all his proof. ["No, no!"] I repeat again that is all his proof. Well, now, with regard to the letter of Lord Derby, for which I am in no way responsible, I can only say that I have myself received this year a deputation from the Presbytery of Ulster, the gentlemen who represented the body to whom that letter was communicated. The same request was made to the Government of which I am now the Head—namely, that we would increase the *Regium Donum*, and our answer was that it was totally impossible that we could accede to such a proposition; that we entirely agreed in the opinion held by many Gentlemen on both sides of the House, and often expressed by them for years past, without their being accused of a vast and complicated system of the endowment of all creeds, that the *Regium Donum* was a very poor pittance, and we should be glad to see it increased; but, that in the present temper of the House and the present state of public opinion, we could hold out no prospect whatever to the deputation that it would be increased. I think, therefore, that my answer to the deputation, which was published at the time, is quite as good as the answer which was written by the private secretary of

Lord Derby two years or one year ago. That, then, is my answer to the proof of the right hon. Gentleman that Her Majesty's Government had a policy of endowing all the Churches of Ireland, and, of course the Roman Catholic Church, the most important of the unendowed bodies—namely, that we entertained a measure which ever since I have been in Parliament has been more or less entertained or proposed in answer to frequent and annual deputations, urging the consideration of the case of the *Regium Donum.* The only difference with regard to the present Ministry is that we were obliged to tell those who waited upon us, that whatever our feeling upon the subject might be—a feeling, I think, shared by the majority of the House—that it was a very poor pittance, it was impossible, in our view, considering the present state of public opinion, to make any proposition to increase it. That is really the only proof which the right hon. Gentleman has brought forward. ["Oh!"] Well then, the right hon. Gentleman has gone back to the speech of my noble Friend the Chief Secretary for Ireland (the Earl of Mayo) and has asked "What did you mean by the equality of Churches?" Now, my noble Friend on a former occasion gave his explanation and interpretation of what he did say in the speech referred to. He told the House that we did not mean the endowment of the Roman Catholic Church; but that there were a great many modes—some of which he had supported, and others which he was prepared to support—which would effect a very considerable alteration in the status of the clergy of the Roman Catholic Church. He particularly referred to a variety of measures—some of which he had originated, and all of which he had supported—such as the introduction of chaplains into prisons and other arrangements of that kind, which may be treated lightly now, but which were passed with great difficulty, and but for our upholding them would never have been passed, which in his opinion did virtually give that equality. That is the explanation which my noble Friend gave, and that is the interpretation which has been accepted by the country. ["No!"] It may not have been accepted in electioneering squibs; but it has been accepted by the calm and candid opinion of the country. ["Oh!"] I repeat that, in the face of my distinct statement on the part of the Government that we on no consideration whatever would agree to the endowment of the Roman Catholic priesthood, these are frivolous charges, the worth of which is properly appreciated by the country.

MR. CARDWELL: However unimportant electioneering letters and electioneering squibs may be, one thing, at least, is most important, and that is that there should be no mistake and no misunderstanding about the declarations made in this House by Ministers of the Crown. There will be an end of Parliamentary government when there is an end of distinct understandings with regard to statements officially made by Ministers. Now, I shall be in the recollection of every Gentleman who was present, when I say that on the night when the right hon. Gentleman came down to the House to state that he had received Her Majesty's commands to form a Government, he told us it would be found that he had a truly Liberal policy for Ireland, and he referred us to the following Tuesday, when, he said, we should hear from the noble Earl the Chief Secretary for Ireland (the Earl of Mayo) what that Liberal policy was. Well, we heard that Liberal policy explained in a speech of great length and great ability—a speech worthy of the noble Earl and of the office he holds; and what did it tell us? It told us that there were questions that were of great interest in Ireland—the Church question, the land question, and the education question. It spoke of a Commission of Inquiry upon each of them, and there was only one practical proposal which was announced as the substance of that Liberal policy—namely, the granting of a charter to a Catholic University. We were distinctly told, and I am sure the noble Earl will not contradict it, that the expenses of that University were to be provided by the Votes of Parliament, and that the Colleges which were to be in connection with that University were to be postponed for the present. The noble Earl said—

> "Seeing that this University question has long been a matter of dispute in Ireland, we do offer a plan by which we believe it may be finally set at rest—a plan which will not in any way interfere with the vitality or strength of existing institutions, but will supply everything which has ever been demanded by those whose religious scruples prevented them from taking advantage of the present system. With regard to endowments it will be essential, of course, if Parliament agrees to the proposal, in the first instance, to provide for the necessary expenses of the University—that is to say, for the expenses of the officers and of the professors, and also to make some provision for a building; and I have no doubt if Parliament approves the schemes it will not be indisposed to

endow certain University scholarships. With regard to the endowment of Colleges, it is impossible we could make any proposal of that nature at present, until we know what kind the Colleges will be, and to that extent the question will be left open to future consideration."

Now, I think we had better have no Ministerial declarations at all; for Ministerial declarations will not be enlightening, but misleading, if we are to be told, after having acted for two months on such declarations, that they were not meant in their original spirit, and that the speech of the noble Earl referred to chaplains in the army and in the workhouses, and some other questions about which there is no controversy and no dispute, and to some past transactions about the *Regium Donum* and the Bill for the endowment of Maynooth.

THE EARL OF MAYO: I desire to say only a few words, for I thought that the explanation which I gave the other night was clear, frank, and explicit. The whole gist of my observations was this—that it was the intention of Her Majesty's Government, with regard to ecclesiastical arrangements in Ireland, to endeavour to maintain the policy which this House and this country has adopted towards Ireland in that respect for a great number of years. I stated that I believed that any changes that were indicated were indicated only in this spirit—namely, that the ecclesiastical arrangements of Ireland had been for a great number of years sanctioned by Parliament on a distinct line of policy, and that it was our intention to endeavour to maintain, and, if possible, to advance it. That was all I said, and all I intended to say. With regard to the University, I distinctly said that it was not the intention of the Government to propose an endowment for the Colleges connected with it. I stated that if Parliament sanctioned the establishment of the University, I thought they would be prepared to provide for the small expenses—which could not possibly exceed more than a few hundreds a year—for the remuneration of the few professors who would be necessary. One of the principal objections taken to the scheme by the Roman Catholic prelates was that no provision was made for a sufficient endowment; and therefore it is clear that they, at all events, thought our proposal on that point unsatisfactory. I must remind the right hon. Gentleman (Mr. Cardwell) that in his proposal for granting a charter of incorporation to a Roman Catholic College he proposed that Parliament should be asked to provide for the establishment of scholarships in connection with the University and with the Colleges which were to be affiliated to it. Thus, in point of fact, the proposal I made was substantially the same in spirit, except that whereas he proposed a University which should have the power of affiliating denominational Colleges, asking Parliament to contribute to the establishment of scholarships, we proposed a denominational University, and intended to ask Parliament to contribute the small sum necessary for the establishment of a few professorships that would be requisite. With regard to any intention on the part of the Government for a proposal to endow the Roman Catholic Church in Ireland, I beg to say that such a proposal was never entertained. I believe I am in the hearing of many Gentlemen to whom I have spoken very lately, and who have reminded me of expressions of opinion that I constantly made use of in their hearing, and which amounted to this—that no matter what the opinions of persons might be with regard to the endowment of the Roman Catholic Church in Ireland, I had always believed that no man in his senses would ever make such a proposal; that if such a project had ever been possible the time for it had long gone by; and that I believed no Minister would ever venture to make such a proposal. With that explanation I sit down, merely adding that it is extraordinary that such immense exertions should have been made by right hon. and hon. Gentlemen on the other side to attach an interpretation to words of mine which they were never meant to bear, and which no candid mind would attach to them.

SIR GEORGE GREY: I am sorry to be obliged again to correct a misstatement—no doubt an unintentional misstatement—made by the noble Earl as to the intention of the late Government on the subject of University education. The noble Earl has repeated what I was obliged to contradict on a previous occasion, that the late Government intended to found a new University, and to endow it with scholarships in connection with it. [The Earl of MAYO: I said "Colleges."] If the noble Earl meant Colleges and not a University, I utterly deny that any intention existed on the part of the late Government to found scholarships in connection with such Colleges.

THE EARL OF MAYO: I said that it was the intention of the late Government to endow new scholarships in connection with the Colleges which they proposed to affiliate to the University.

SIR GEORGE GREY: It was not intended by the late Government to establish a University, but only to extend the powers of the Queen's University; and there were scholarships to be endowed in connection with that University, but with this difference, that they were to be entirely undenominational and were to be open to students from all the Colleges affiliated, whereas the scholarships connected with an exclusive University, such as was contemplated by the present Government, must be exclusive scholarships.

MR. H. E. SURTEES said, that his hon. Friend (Sir Thomas Bateson) had made a great omission in not asking the right hon. Member for South Lancashire to explain his statement about the hon. Member for Athlone (Mr. Rearden). The right hon. Gentleman stated that the hon. Member was no supporter of his or of the Liberal party, and that he believed he had voted against him on most important occasions, except those connected with the Irish Church. Now, taking the Division Lists of those divisions in which the party "whips" had acted as tellers, he found that in no single case had the hon. Member for Athlone in 1868 voted against the right hon. Gentleman. In 1867 the hon. Member had voted against the right hon. Gentleman on the Representation of the People Bill, which, if carried, would have caused a dissolution. In 1866 the hon. Member for Athlone had voted against the right hon. Gentleman upon such matters as the Amendment of the hon. Member for Tralee (The O'Donoghue) on the Habeas Corpus Suspension Act, the Cattle Plague Bill, the Marine Mutiny Bill, and the Contagious Diseases Bill. And he had yet to learn that the fact of the hon. Member for Athlone voting against the right hon. Gentleman on such measures as the Contagious Diseases Bill, &c., disqualified him from being considered a supporter of the Leader of the Opposition. He was also informed that the hon. Member for Athlone received the missives of the right hon. Gentleman's "whips," and he should now have asked the hon. Member for Athlone a Question of which he had given him Notice, only that he did not see the hon. Member in the House—namely, whether the statement made by the right hon. Gentleman, that the hon. Member was no supporter of the Leader of the Opposition, was correct.

ARMY—CLERKS IN THE ENGINEER DEPARTMENT.—OBSERVATIONS.

QUESTION.

GENERAL DUNNE, in rising to call attention to the position of the Clerks in the Engineer Department, said, that he received from the Under Secretary for War in 1866 an assurance that the case of these clerks should be referred to a Committee then sitting. Formerly they had the privilege of rising to places of trust and great emolument—even as much as £800 a year—but in 1858 a change was made, and now they could not rise to salaries of upwards of £270, with very slow promotion. Besides the officers he had mentioned, there were others, such as purveyors, keepers of stores, and others who are called civil officers, and upon whom, by a Warrant issued in the present year, was conferred what was called relative rank. This was a mischievous course to be taken, one which had in no single case produced good, but had in very many instances tended to bring about confusion. Then, further, all the civil officers were, or were supposed to be, entitled to certain allowances, which, indeed, were actually granted to all such officers except those engaged as clerks of works and clerks in Engineering Departments. The latter received these allowances when they went abroad; but when they returned to this country they were deprived of them. There was no reason why these allowances should be given to one class of civil officers and denied to others. All other civil officers, moreover, were entitled to pensions for their widows and orphans; but he held in his hand a list of several of these officers who had died abroad from the climate, and it was hard that their widows should receive no pensions. It might be said that they were entitled to superannuations under the Superannuation Act; but considering that they could hardly expect to arrive at salaries of £270 a year, their superannuation allowances would be exceedingly trifling. These officers were not only employed in distant and unhealthy countries, but they were sometimes under fire. It was strange that when the Committee on Army Organization sat it did not consider their case. In March, 1863, a Warrant was issued from the War Department actually granting these allowances, and they were even paid; but two months afterwards the order was cancelled and these gentlemen were made to refund the money. Some learned authorities held that under the circumstances they had a legal right to that allowance; but certainly they had a moral title to it. The number of these officers was lessening every day, from the circumstance of the War Department preferring to take the clerks from the military profession; but as long as any of them remained justice ought to be done to them; and he trusted that a favourable answer would be given to his question, Why they are refused certain allowances which they claim under a Warrant, and the right of pensions for their widows granted to other Civil Officers of the Department?

MR. P. WYKEHAM-MARTIN said, that previous to the time when these officers were made liable to service abroad there might have been some reason in not giving their widows pensions; but since they had been employed in every part of the globe the case was very different, because even where they had insured their lives the insurance companies would not allow them to keep up their insurances when they went to unhealthy climates. In one case one of these gentlemen, having been sent to Cape Coast Castle, the insurance company refused to renew his life policy, and he died from the climate, leaving a widow and five children, who thus lost every farthing of the insurance money. When the matter was represented to the War Office, the Department said there was no special provision for such cases, and nothing could be done for the widow. In another instance one of these officers died in the West Indies through having been ordered to remain at a station from which the troops were removed on account of its unhealthiness, and his life insurance was forfeited in consequence. If the right hon. Gentleman (Sir John Pakington) looked into the merits of that question, and did not suffer himself to be misled by the permanent officials of his Department, no doubt he would favourably entertain the claims of these unfortunate men.

MR. M. CHAMBERS considered that these officers were in the same position and exposed to the same dangers as army surgeons and other non-combatants, and that it was but fair that their widows should be placed precisely upon the same footing as the widows of non-combatants or regular military officers.

SIR JOHN PAKINGTON said, he was not disposed to admit that these clerks in the Engineer department ought to be regarded as soldiers; but he could not deny that there was a great deal of force in what had been urged as to the dangers of climate to which they were undoubtedly exposed. His hon. and gallant Friend (General Dunne) stated in the first place that these officers were refused certain allowances which they claimed under warrant; and next he complained that the right to pensions for their widows was not conceded to them. With regard to the first point, the fact was that those appointments were civil appointments, to which, therefore, the Superannuation Act did not apply, and the Treasury had clearly decided that under the existing law the War Department were not authorized in giving pensions to the widows of those who held them. He admitted, however, that hardship arose, and a case recently came under his observation in which one of those men, in the prime of life, was sent on duty to the coast of Africa, and died there, leaving his widow in a position of great distress. Under the existing law it was not in his power to award a pension to that widow. He agreed with what had been said that evening to this extent—that the state of affairs should be re-considered, for the purpose of seeing whether the Government ought not to be empowered to grant pensions under certain conditions. With respect to the claim to certain allowances, however, he did not think that that stood on the same footing. The allowances were claimed by Engineer clerks under a Royal Warrant of March, 1863; but in May, 1863, that Warrant was cancelled, and the previous system, under which these clerks had no claim to the allowances, was reverted to. His predecessor in the War Office was pressed on this subject, and the whole question was referred by his right hon. and gallant Friend (General Peel) to a Committee. The result was that the Committee came to a distinct decision that these officers had really no claim to come within the system of military allowances.

SUPPLY—THE DISSOLUTION.

QUESTION.

MR. CHILDERS said, he wished, before the House went into Committee of Supply, to put a Question of some importance to the Chancellor of the Exchequer with respect to the Estimates which were about to be submitted. The Government were defeated at the end of April or the beginning of May upon a question which, under ordinary circumstances, would have been followed by an immediate dissolution. In consequence of the peculiar state of the law with regard to the representation of the people the Government were not able to advise the Queen at once to dissolve the Parliament; but they advised that it should be dissolved as soon as the Scotch and Irish Reform Bills should have been passed; and they stated that they hoped to bring in a Bill to shorten the period of the registration, so that the elections might occur in the autumn. However, they added that, as the scheme was placed before them in an imperfect state, they were not then able to specify when the elections would occur. That statement having been made and Government having desired time for full consideration, no immediate action was taken with respect to the amount of Estimates which would be required before the dissolution; but the Government were asked once or twice last month whether they had arrived at a decision as to the time of the elections. The answer given by the Government was that the matter was still under consideration; but to-night the right hon. Gentleman the Secretary of State for the Home Department had given notice of a Bill to shorten the period of the registration during the present year. The House must, therefore, conclude that the Government had decided when the elections would occur; and this would be doubtless stated when the Home Secretary introduced the Bill. Under these circumstances, it might naturally be asked how much Supply the Government were going to ask the House to vote, for, in accordance with all precedent, neither the Government, after experiencing a hostile vote, would ask the House to grant nor would the House consent to give more Supply than was necessary to cover the period which would elapse until the earliest time when Parliament might meet again. In 1841, when Lord Melbourne's Administration was defeated by a majority of 1 upon a Vote of Want of Confidence, Lord Russell stated a day or two afterwards that Lord Melbourne had advised the Queen to dissolve Parliament, and the question arose for how long a time Supply should be granted to the Government. The position of things was almost the same then as at present, for some of the Estimates had been passed. Indeed, almost the whole of the Army Estimates had been voted, the whole of the Navy Estimates were voted, but only a part of the Commissariat Estimates and a small part of the Civil Service Estimates had been passed. The Government were pressed by Sir Robert Peel to state distinctly the amount of Supply they would ask for, and a debate having ensued, Lord Russell said—

> "In regard to the Miscellaneous Estimates, they would take the same course which was pursued in 1830, on the death of George IV. They proposed to take a sum on account for six months from the 1st of April last, sufficient to supply the immediate wants of the Budget and prevent inconvenience to individual and public officers."—[3 *Hansard*, lviii. 1264.]

That occurred on June 7, the Vote of Want of Confidence having been carried on the 4th. Therefore, the view taken by the Government then was that only sufficient Supply should be taken to cover such brief period as must elapse before Parliament could meet again. A question was raised whether the Government were not asking too much, and Sir Robert Peel used these words—

> "The Chancellor of the Exchequer proposes to take the whole of the remaining Estimates for six months. That appeared to him to be a material departure from the usual course. . . Not only ought the act of dissolution to be as soon as it could take place consistently with the manifest demands of the public service; but the new Parliament should be convoked immediately. If the noble Lord took a Vote for the various remaining Estimates for six months, that would clearly enable His Majesty's Government to defer the meeting of Parliament till October or November. He would submit to the House that taking a Vote on the Estimates for three months would be amply sufficient. Still, if the Chancellor of the Exchequer would say that there were certain Votes for which a grant of three months would not suffice, he would grant the additional sum."—[3 *Hansard*, lviii. 1270.]

A distinct engagement was then given that Parliament should be dissolved so as to meet not later than the month of September. His right hon. Friend near him reminded him that the Parliament met again on the 19th of August. However, sufficient Supply was taken to cover the intervening period until the re-assembling of the new Parliament. He (Mr. Childers) had referred carefully to the Appropriation Act of 1841, and he found that that understanding was carried out in the spirit and the letter. All the Votes passed before these explanations were included in full in the Appropriation Act; but all the Votes not previously taken were granted for six months only, and this was stated distinctly in the Appropriation Act. Assuming, then, that the Government would not think of doing otherwise than following the precedent of 1841—based, as that was, on the precedent of 1830—he would now ask the Chancellor of the Exchequer, For how many months from the present moment the Government would ask the House to grant the remaining Estimates? and he hoped the answer which the right hon. Gentleman would give would be so precise as to enable the Committee of Supply to proceed with the Education and other Votes, the Government undertaking to ask for only such an amount as would be sufficient for that period.

THE CHANCELLOR OF THE EXCHEQUER said, it was somewhat inconvenient that a Question of this kind should be put without Notice. He thought the cases referred to by his hon. Friend (Mr. Childers) were not parallel with the existing position of things. At present a Reform Bill was passed for England; but the Boundary Bill was not passed, and the Reform Bills for Scotland and Ireland were not passed. Therefore, it was utterly impossible to say at present when there could be a dissolution. He hoped that there was no misapprehension as to the desire of the Government to bring about a dissolution as speedily as possible; and when the hon. Gentleman suggested that Supply should, in order to insure an early dissolution, only be granted for a limited time, he could assure the House that it was unnecessary for such a course to be taken, as it was the intention of the Government to bring about a dissolution as soon as possible. The period for which the Supplies would be taken must depend on the time when a dissolution was possible. At the present moment it was almost impossible to say when there could be a dissolution. Under these circumstances the House would hardly expect the Government to say for what period they would ask the Supplies; but if the hon. Gentleman would repeat his Question to-morrow he should be happy to give him an answer.

MR. LOWE asked when the Report of Supply would be taken?

THE CHANCELLOR OF THE EXCHEQUER said, there being no Resolutions passed as yet he was unable to say when they would be reported. It was usual that Resolutions passed in Committee of Supply one evening should be reported the next. Perhaps it would be more convenient to take the Report on Monday than to-morrow.

MR. CHILDERS thought this not a party question but a constitutional question of great importance, and he wished to know whether, in the event of Resolutions being taken to-night, the right hon. Gentleman would be prepared to say on Monday for what period the Supplies would be taken—for the whole year or only for a certain number of months?

THE CHANCELLOR OF THE EXCHEQUER said, he had already said so.

PARLIAMENT—PUBLIC BUSINESS.

QUESTION.

MR. TORRENS inquired as to the course of proceeding on Monday?

MR. DISRAELI said the Cattle Market Bill would not be taken on Monday. They would proceed with the Committee on the Scotch Reform Bill, and he hoped afterwards to go on with the Boundary Bill.

SLAVE BOUNTIES.—OBSERVATIONS.

QUESTION.

COLONEL SYKES rose to call attention to the sums paid by the Treasury as bounties for the capture of Slaves, and for their support, &c., after capture, yearly from 1863 to 1867, inclusive, and Estimate for 1868-9; also, the amount paid for the support of the Mixed Slave Commission in the West Indies. In 1863 the tonnage bounties, &c., paid amounted to £44,454; in 1864, to £45,592; in 1865, to £16,955; in 1866, to £4,857; in 1867, to £24,738: the number of slaves captured in those years being in 1863, 1,395; in 1864, 6; in 1865, 0; in 1866, 3; in 1867, 0; in 1868, 0. The sums paid for support and conveyance of captured negroes in those years were—1863, £26,059; 1864, £26,528; 1865, £23,787; 1866, £36,280; 1867, £4,840; and the Estimate for the present year was £28,656. The cost of the Mixed Slave Commission was in 1863, £10,650; in 1864, £10,950; in 1865, £7,550; in 1866, £10,650; in 1867, £10,450; and this year it was estimated at £9,450. The tonnage bounties, therefore, for the five years 1863 to 1867, amounted to £136,596, and the expense for the conveyance and support of slaves for those years to £117,494. The Mixed Slave Commission, in the West Indies, cost £50,250, add to these sums the pay of the squadron for those five years on the West Coast of Africa, £366,590, and we have the formidable sum of £670,930, for the capture of 1,404 slaves on the West Coast of Africa, or at the rate of nearly £478 per head, and this was independent of the pay of ships on the East Coast of Africa; the number of slaves captured on that coast not being stated in the Returns.

The hon. and gallant Member complained of the want of distinctness in keeping the Treasury accounts, although he did not at all assert that the money had not been properly disposed of; but it was impossible to determine from the Treasury accounts what portion of the outlay applied to slaves on the West Coast, and what portion to the East Coast of Africa. In looking over the ships to which the bounties had been given for several years he had not found, except in two or three instances, that they had been on the Western Coast of Africa, where slavery had altogether ceased. On the Eastern Coast, slavery was of a domestic character, and its outlet was confined to the Arabian peninsula. It was quite right we should endeavour to put it down; but that should be done at as little cost as possible to the country. He was glad to know that the Admiralty had reduced the number of vessels employed on the West Coast, considering the melancholy waste of life and health; but he thought, instead of fourteen five or six vessels would be sufficient for that service; and he hoped they would go on diminishing the force. He wished to know whether the Secretary to the Treasury could not lay on the table a more distinct account of the manner in which the slave bounties were distributed, and whether the captures had not been confined to one coast?

Mr. SCLATER-BOOTH said, he did not think it any part of his duty to follow the hon. and gallant Member into details as to the policy of the suppression of the slave trade or the possibility of making further reduction in the West Coast squadron. He should confine himself to answering the Question put to him; and, in a great degree, the hon. and gallant Member had himself anticipated the answer he had to give. The greater portion of the slaves had been captured on the Eastern, not on the Western, Coast of Africa. The majority of the slaves captured on the West Coast were taken, not by Her Majesty's ships, but by coasting vessels. District officers captured, in 1863, 50 slaves; in 1864, 39, out of a total of 45 seized; and in 1865, 35 slaves. The following were the relative numbers of slaves captured on the East and West Coasts:—In 1863, on the East Coast 383, on the West 1,475; in 1864, on the East Coast 110, on the West 45; in 1865, on the East Coast 645, on the West 35; in 1866, on the East Coast 831, on the West none; and in 1867, on the East Coast 382, and none on the West. The slaves who were captured on the East Coast were disposed of in a very convenient manner, and at no cost to this country, by being sent to either Zanzibar, the Seychelles islands, or Aden, where they easily found employment. The sums expended upon tonnage bounties were as follows:—£5 per ton where slaves were captured; £4 per ton where no slaves were captured, but where no doubt existed as to the character of the vessel; and 30*s.* per ton in the event of the ship being broken up and not being available for conversion into money. The whole of the money was expended in conformity with the terms of the Act of Parliament. The expense under this head was a diminishing expenditure on the whole, and for this reason—that the mixed Commission applied only to those parties who were of approved nationality. The policy of the slavers was to throw their papers overboard, and thus hide their liability. The cost was diminishing because the establishment at St. Helena was broken up, and the Mixed Commission at New York might not be continued. He readily admitted that the Returns which had been quoted by the hon. and gallant Member were calculated to mislead, and he would take care that if moved another year that they should be more clearly set out.

Motion, "That Mr. Speaker do now leave the Chair," *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

(1.) £7,800, to complete the sum for Grants to Learned Societies, Great Britain.

Sir GEORGE BOWYER asked for an explanation as to the withdrawal of the grant of £500 to the Royal Academy of Music?

Mr. SCLATER-BOOTH said, that as it would have required four times the amount of the grant—namely, £2,000, to keep the Academy in a satisfactory condition, and as other societies were pressing their claims for support, it was thought advisable to withdraw the grant. He hoped, however, that an extended plan for imparting a good musical education would sooner or later be brought before Parliament.

Mr. Alderman LUSK inquired what result had been obtained by the inquiries conducted by these learned societies?

MR. SCLATER-BOOTH said, he would remind the hon. Member opposite (Mr. Alderman Lusk) that on the death of Admiral FitzRoy, who had conducted certain meteorological experiments for many years, and who received a certain sum for that purpose, a Committee was appointed jointly by the Board of Trade, the Admiralty, and the Royal Society, for the purpose of taking into consideration the advisability of continuing those experiments. That Committee, by their Report in 1866, recommended that a Committee should be appointed to administer a sum of £10,000, to be appropriated in continuation of the efforts made by Admiral FitzRoy to obtain something like a uniformity of statistics with reference to the weather throughout the country, so as to enable people to forecast, if possible, the probability of storms approaching our coasts. The Treasury assented to that proposal, and the whole of the management of those experiments was undertaken by a Committee of the Royal Society, it being understood that under no circumstances was any further demand to be made upon the public Revenue for this purpose.

COLONEL SYKES remarked that the Reports of Admiral FitzRoy had proved of great interest and utility; and, no doubt, the labours of the Committee of the Royal Society would be equally so. His chief objection to the present system was that the experiments were conducted by a body of gentlemen who were not responsible to either that House or to the Board of Trade. There was a body of Fellows of the Royal Society who received, as a Committee, £10,000 per annum of the public money for the conducting of meteorological research experiments. He did not insinuate for a moment that any misapplication had occurred, or would occur; but he objected to the total absence of responsibility. As regarded the Geographical Society, he should regrett hat any objection should be taken to that grant, the advantage to the public resulting from it being obvious.

Vote *agreed to.*

(2.) £1,580. Dr. Petrie's Antiquarian Collection.

MR. ALDERMAN LUSK said, he had a great respect for antiquities, but would be glad to learn if the country had obtained full value for the money which it was proposed to vote.

THE EARL OF MAYO said, that Dr. Petrie at his death had expressed a wish that his collection, to which he had devoted the whole of his life, might become the property of the nation. The Government had selected three eminent antiquarians—the Bishop of Limerick, Dr. Reeves, and Mr. Franks—who, with a view to ascertain the value of the collection, had closely examined it and had made a Report to the Treasury. That Report which, if necessary, could be produced, would show that the collection had been purchased for a smaller sum of money than it is supposed it would have fetched if it had been offered in the public market.

Vote *agreed to.*

(3.) £2,265, to complete the sum for the Queen's Colleges, Ireland.

(4.) £1,784, Royal Irish Academy.

(5.) £1,050, to complete the sum for Theological Professors and General Assembly's College, Belfast.

(6.) £11,949, to complete the sum for Grants to Scottish Universities.

MR. CHILDERS objected to the charge for repairs.

THE CHANCELLOR OF THE EXCHEQUER said, that it was thought that if a sum were fixed upon, the application of which was left to the local authorities, the money would go the farthest, and a vote of £500 had therefore been proposed.

Vote *agreed to.*

(7.) £2,200, to complete the sum for Board of Manufacturers, Scotland, &c., *agreed to.*

(8.) £511,324, to complete the sum for Public Education, Great Britain.

LORD ROBERT MONTAGU entered into an explanation of the causes by which the Vote had been reduced from the original Estimate of £842,554 to the sum proposed. The Estimate had been founded upon the supposition that the Education Bill introduced by the Government into the other House of Parliament would be carried. But the abandonment of that Bill had, of course, led to the withdrawal of those sums which were founded upon it. Now, in that Bill it was proposed to omit Clause 8 of the Revised Code, by which schools receiving State aid were compelled to be in connection with some religious body, or to make a practice of having the Bible read daily during school hours. Had that clause been omitted, the Congregationalists, who now objected to receiving assistance from the State, would have applied for grants. The increased sum that would be necessary for that purpose had been estimated at £8,192; and that sum would, of course, be cut off from the Vote now asked for. A sum of £1,250 for the Congregational Training College had also been cut off. Then there was another clause in the Bill, which gave peculiar facilities and increased grants for the building of schools. By the withdrawal of the Bill they had cut off £15,000 for the services under that head. The Bill also provided for taking an educational Census, wherever the President of the Council should think that step necessary, and a sum of £3,000 was set aside for the purpose; but this sum would not now be taken. Another clause of the Bill was to exempt small schools from the necessity of having certificated teachers. A great many schools would have been brought under the system by that clause, because in very many cases the managers saw they could not afford to pay for certificated teachers. Under this head there would be a reduction of £14,768 in the Estimate. It had also been proposed that the managers of every school which sent up a pupil teacher to a Normal College should receive £20, instead of £10, the sum now given; but as that proposition was not to be carried out, there would be a further reduction of the Estimate by a sum of £6,000. There would be a reduction of some other items, owing to the previous Estimate having been taken rather wide. It had been estimated that a great number of schools would come in under the Workshops Act, and a sum of £21,000 had been proposed to meet the additional expenditure which would thereby be incurred; but that Estimate had since been cut down by a sum of £10,000, so that only £11,000 was now asked. From grants to Scotland a sum of £1,000 had been struck off. Under the proposed Bill a number of additional inspectors would have been required. Many of these had been appointed; but three of them had not been and would not be appointed. This enabled the Department to reduce the Estimate by a further sum of £1,740. Only one assistant inspector had been appointed, and a sum of £280 would be saved by the non-appointment of two assistant inspectors whom it had been proposed to appoint. The total of the reductions amounted to a sum of £61,230. This made the net increase on last year's Estimate £75,459, instead of £136,689. Of the increase of £75,459, which would be found on the Estimate as it now stood, £39,770 was due to the working of the Minute of February 20, 1867, and which was generally known as Mr. Corry's Minute. The remaining £35,689 was due to the ordinary increase in the number of schools, and to the £11,000 which was taken for the schools which would come in under the Workshops Act. Having explained the reduction which had been made in the Estimates, he would now proceed to the Estimates themselves. First, he would refer to the expenditure of last year as compared with the Estimate for the coming year. Last year the grants for building, enlarging, and improving schools expended from January 1st to December 31st amounted to £21,656. The reduced Estimate under this head for the year 1868-9 showed an increase, being £30,000. The amount which was thereby elicited in the form of voluntary contributions for that purpose last year was £86,784. Last year the grants for the maintenance of elementary schools amounted—for day schools, to £416,584, and for night schools to £15,018, making a total sum of £431,602. The voluntary contributions to elementary schools of both classes of schools amounted, up to the 31st of August, 1867—the date up to which the account had been brought —to £358,296, and the endowments during the year amounted to £36,776. In the present Estimates it was proposed to take £492,661 for the day schools, and £18,018 for the night schools. Last year the grants to 31 normal schools amounted to £69,886. In the Estimates for the coming year it was proposed to take a sum of £73,000 for grants to those schools. The cost of administration and inspection was last year £80,978. This year it was proposed to take £88,565 for that purpose. On last year's account there was a balance of £25,427 to be surrendered. Having now gone through the cost of means, that was the expenditure of last year, it was his duty to show what work had been done in return for that expenditure. The number of new schools built up to the 31st of August, 1867, was 73; the number enlarged, 60; and the number of teachers' residences built, 48. The day schools visited for annual grants, or for simple inspection—some few schools being visited merely for simple inspection—up to the 31st of August, 1866, was 8,753; but in 1867, up to the 31st of August, the number was 9,340, showing an increase of 587. He would now refer to the separate departments of schools under separate teachers. In 1866 the number of these separate departments visited was 12,130; in 1867 it was 12,901, showing an increase of 771. In 1886 the number of children for whom there was accommodation in the schools was 1,724,208; in 1867 it was 1,837,307, showing an increase of 113,099. In 1866 the number of scholars on the books was 1,510,871; in 1867 it was 1,592,912, showing an increase of 82,041. In 1866 the number of children present at inspections in the day schools was 1,264,829; and in 1867 it was 1,342,469, being an increase of 77,640. In 1866 the number of children present at inspection in the night schools was 32,399; in 1867 it was 45,837, showing an increase of 13,438. In 1866 the average attendance during the year was 1,039,183 children; in 1867 it was 1,098,742, being an increase of 59,559. He now came to the results obtained from the work done. In 1866, in the day schools, there were individually examined for annual grants 660,000 children; in 1867, the number so examined was 690,532, being an increase of 30,532. In 1866, in the night schools, there were individually examined for annual grants 31,481; in 1867, the number so examined was 40,572, being an increase of 9,091. In 1867, there passed in "the three R's"—reading, writing, and arithmetic—432,486, or 65 per cent; in 1867, the number that so passed was 462,799, or 67 per cent, being an increase of 30,313. From these figures the Committee would see that there had been an advance of 2 per cent in the number of children who passed in reading, writing, and arithmetic. In 1866, the percentage of those who passed in reading was 89·9; in 1867, it was 90·7. In 1866, the percentage of those who passed in writing was 86·33; in 1867, it was 87·59. In 1866, the percentage of those who passed in arithmetic was 75·31; in 1867, it was 76·28. It was to be noticed that the subject of arithmetic was still the one in which there occurred the greatest number of failures; and it was also, in the nature of things, the least mechanical of the three subjects. In the Minute of 1866-7, page xxi., there was this remark—

> "Throughout the schools the minimum which each child must learn in order to pass for a grant under Article 48 is apt to be of a mechanical character, and to efface that more intellectual aspect which, under the old system, struck a visitor looking at the best schools as a whole."

He had stated that an increase of £40,000 was taken for the Minute of Feb. 20, 1867. Since the passing of the Revised Code in 1862, the number of pupil teachers in England had been steadily decreasing; but this year, for the first time, the tide had turned. The increase during the past year had been in England and Wales 551, or, taking Great Britain, 715. That increase he attributed to the operation of the Minute of 1867. The expenditure under that Minute during the past year had, however, been only £5,382 6*s.* 7*d.* The schools last year were not in a position to take advantage of that Minute; the staff of pupil teachers had everywhere been reduced to the minimum necessary to meet the conditions under which alone it was possible to obtain grants under the Revised Code; and the higher subjects had been disregarded, the attention of the teachers being concentrated upon the "paying subjects"—namely, reading, writing, and arithmetic. Now, things were different; many schools were beginning to devote attention to higher subjects, and education, under the operation of that Minute, was becoming somewhat more intellectual and less mechanical, for schools were now qualifying to obtain the increased grants held out to them by that Minute. The greatest difficulty felt at present was in getting candidates for the training Colleges. To obviate that difficulty, it had been proposed to give to the managers who sent up a pupil teacher who had completed his term of service a sum of £20, instead of £10 as heretofore. The male training College was built to hold 1,669 students, which was considered at that time to be the lowest number required to supply the different schools with teachers; it actually contained only 922 students—being a deficiency of 44·8 per cent. The female training College was not so badly off, the number for which it was built being 1,536, and the actual number of pupils 1,335, showing a deficiency of 13·1 per cent. There was but one other point he wished to bring under the notice of the Committee, and this was that, for whatever reason, there were a number of really good schools which did not come under the Privy Council system. He would not pretend to say with what truth or justice, but allegations had been made that the Government rules were too harsh, and that their operation, instead of improving the character of education, tended rather to degrade it. In Mr. Barry's Report, it was stated that of 300 parishes with schools in his district only 107 were under inspection. Mr. Meyrick represented that of 575 schools under his cognizance only 210 were under inspection; and Mr. Frazer wrote that of 171 schools in his district but 100 were inspected. Of the Reports of some inspectors, it might perhaps be alleged that they were new to the work and not entitled to equal weight; but the three Reports from which he had quoted were deserving of the highest respect.

Mr. BRUCE: These are all Church schools?

Lord ROBERT MONTAGU replied in the affirmative. There were therefore throughout the country a vast number of really good Church schools, the managers of which refused to receive aid and inspection, and of which, therefore, no account whatever was taken in our Reports. From the figures, however, which he had quoted, it must be perceived that the cause of education had made gradual but very steady advances; and, although there might still be realms of ignorance, yet the territory was day by day being conquered. On this point a good deal of misapprehension existed. What was, according to a careful estimate, the true state of the case? The population of Great Britain in 1861 was 23,271,965, and at the ordinary rate of increase, which in England and Wales was 12 per cent, and in Scotland 6 per cent, during ten years, the population of Great Britain in April, 1868, would be 25,092,168. Of that number the children between 3 and 15 years old would be 6,849,128; and, if each child were at school for the maximum period of six years, there should be at school at one time 3,424,564. Now, as to the number which were actually at school. The Commissioners, in their Report of 1862, page lxxx., divided schools into four classes—namely, Class I., schools of religious denominations; Class II., ragged, Birkbeck, factory, &c. schools; Class III., taxation schools; and Class IV., collegiate and upper-class schools. Let the Committee suppose that there was an increase due to the increase of the population under all these classes except Class III., the taxation schools — that is, pauper and criminal schools—for they would give the advantage to those who tried to make out a case of educational destitution. He would suppose that the relative amount of poverty and crime decreased in order to make out that education at the same time advanced, more slowly than it really advanced. They would therefore expect to find at present in Class I. 1,679,454 children; in Class II., 46,718; in Class III., 47,748; and in Class IV., 37,940; making the total number of children in public schools, inspected and uninspected, 1,811,860. To these must be added the number of children in private schools, which in 1858 was 860,304, and, for the purpose of the calculation, he would take it that this number had not increased. This was manifestly untrue; but he would still give the advantage to those who desired to make out a case for educational destitution. There must further be added for Scotland 418,367 children, the exact number in this case appearing from the Scotch Commissioners' Report (p. clxxiv.). The total number, therefore, of children actually at school in Great Britain in 1868 would be 3,091,531. The total number which they would expect to find at school, on the assumption that six years was the proper term of schooling for every child in Great Britain was, as he had already shown, 3,424,564, thus showing a deficiency of only 333,033 children in the United Kingdom who ought to be at school but were not. The calculation which he had made was taken in many respects most unfavourably. He had supposed, for instance, that the number of pupils at private schools had remained stationary, and he had not allowed for any increase commensurate with the increase of the population under Class III. Hence there would probably be deductions to be made from that maximum number of 333,033 children who were estimated as without schooling. The Estimate also was made throughout with reference to children of from 3 to 15 years old, whereas they knew that very few children went to school before six years old, or remained at school after 12. It was estimated that 46 per cent of the children who should be at school, but were not, were between the ages of 3 and 6. The Estimate which he had given to the Commitee had been most carefully framed by officers in whom he had every confidence, and he felt convinced of the accuracy of it. If by any means it were found possible partially to relax the rules so as to bring into connection with the system a number of very good schools that at present were not under it, he believed further advantages would be gained.

LORD HENLEY said, he was glad to hear that it was proposed to give additional aid to schools, more especially as he had feared at first, in consequence of the alteration in the Vote, that an actual decrease in the amount of aid was contemplated. He understood the noble Lord (Lord Robert Montagu) to say that it was intended to apply something like £75,000 for the purpose of increasing the efficiency of our schools, and that the diminutions which had been referred to were owing to the circumstances of the Bill which Government brought forward early in the Session having been dropped. For his own part, he did not much regret the abandonment of that measure, which, however, had the merit of avoiding two things that were highly objectionable—namely, raising the money for the promotion of education by a local rate on real property, and the forcing of education on the agricultural classes. The general taxpayer was quite as much interested, if not more so, in the education of the children of the poor as were the landowners, the farmers, or the owners of houses in towns. Every one practically acquainted with the working of education in rural parishes must acknowledge this. In his own neighbourhood he had noticed that the cleverest and best educated boys almost always left their native village in order to push their fortunes in the metropolis; and it must be obvious that the merchants and capitalists who employed these lads gained as much, if not more, by their education than those who paid the rate. It was only fair, therefore, that the general taxpayer should contribute something towards defraying the expense of education. The plan of supplementing voluntary efforts by public aid was, no doubt, an excellent one; but the great defect of the system was, that in some isolated parishes where subscriptions could not be raised the children of the poor were left without education at all. To those parishes where assistance was most required no single farthing of the money voted in that House was given. This case was one of a class which presented great difficulty to those who desired the spread of education; and he understood that hon. Gentleman below him proposed to get over the difficulty by dividing the country into rateable districts something like Poor Law unions, and levying a rate upon those districts. He did not like the idea of an enforced rate, but he saw no objection to forming the districts, and giving the management of the educational funds, to be supplemented by grants from Votes such as the one now under consideration, to a number of the wealthy and well-disposed persons living in those districts. He strongly hoped they were not going to vote any more local rates, believing as he did that the doing so would, by imposing enormous burdens on real property, reduce that class of property to the condition of an estate so deeply mortgaged that the owner has nothing left upon which to subsist. He was strongly opposed, also, to the establishing of a system of compulsory education in the agricultural districts. Such a system in the manufacturing districts was, in his opinion, stringent, and he might say tyrannical; but in the rural districts, where the labouring classes were very poor, and the schools far away, in many cases, from the dwellings of the people, its operation would be still more harsh and unjust. Further, as the Reform Bill of last year did not admit the agricultural labourers to the power of saying how the laws should be framed, he thought it would be additionally unjust to enact stringent laws for their government—laws against which he felt it his duty to protest. He would now say a few words on the educational system as it at present stood. It had been proposed by the abandoned Bill that a Secretary of State should be appointed to preside over the education of the country; and it was urged as a strong reason for this appointment that the business of the Education Department was already so extensive, and the correspondence so elaborate, that it was really necessary to have a Cabinet Minister at the head of the Department. Now, he considered that many of the Returns required from the schools were much more elaborate, and entailed much more expense, than was at all necessary. He thought it might be greatly simplified, so as to lighten the work of the Department to a great extent. He had the authority of one of the managers of a school for saying that the school in question was not put under Government inspection for the reason that the Government grant would not pay for the time the schoolmaster would have to devote to the making out of the Returns required by Government. Whilst he was in favour of Government inspection, he should like to see that inspection carried out in connection with a system much less burdensome and difficult than the present one. It seemed to him, some years ago, that the purse strings of the Government were opened rather too freely as regarded gifts to schools. It was found necessary to reduce those gifts; and the effect had been to make cheeseparing, which amounted almost to shabbiness, apparently the sole object of inspection. All sorts of trivial objections were taken, and one of them was to tiled floors, wooden floors being insisted upon, although the children were used to tiled floors at home. These trifling matters were very annoying to school managers. The effect was to dishearten the managers of schools already under Government inspection, and it prevented others from putting their schools under that inspection. They were, in fact, afraid of Government interference. Instead of suggesting improvements, and threatening to cut down the grants if they were not made, Government ought, in reality, to give a little more in order to have them carried out. In conclusion, he wished to remark upon the tone in which the Government Department addressed the managers of schools when corresponding with them. They were addressed as if they were *employés* and subordinates of the Department, instead of being, as they were, independent persons who voluntarily devoted their time and talents to the promotion of education. The tone as adopted was not harsh and severe, but peremptory and discouraging, and if persevered in would have the effect of causing the managers of some schools to withdraw the institutions with which they were connected from Government inspection—a result to be strongly deprecated.

MR. BRUCE said, the greater part of his noble Friend (Lord Henley's) speech had been devoted to two points which were not then before the Committee—namely, an education rate and compulsory attendance at school. His noble Friend had expressed a strong opinion against both; but he (Mr. Bruce) believed it was not the intention of the Government to adopt either. He would not then enter on a discussion of those points; but he believed there was no country in the world where a good system of education prevailed that did not depend upon local rating and local effort. No country in the world besides our own had attempted so utterly wild and impracticable a project as the education of the children of the nation by means of Imperial funds. Would the hon. Members for Scotland give up their system of rating in order to draw their educational supplies from the Imperial funds? ["No!"] There was not a Scotch Member who would not say that the sum raised by rating for schools in Scotland was the most valuable public expenditure in Scotland, and did more than anything else to keep down the poor rates. Any Scotch population would admit that it was education which kept down the poor rates. With a national system that was really popular, as the system in Scotland was, compulsion was practically unnecessary, because the people gladly sent their children to school; and it was only in England, where there were squires' schools and parsons' schools, which were not popular, that there existed any necessity for compulsion. He knew something of the Returns managers were required to make to the Privy Council, both as a Vice President of the Department and as a manager of a large school; and in the latter capacity, although he had been sometimes inclined to grumble at the minuteness of the details to be gone into, he never finished the Return without feeling thankful that the duty of making it had been imposed upon him. It compelled him at least once a year to make a careful investigation of the affairs of the school; and the benefit of such an inquiry was an advantage that ought not to be lost. As to unnecessary interference, it was perhaps inevitable that in a national system rules should be laid down which were not universally of useful application; but there was reason in the objection to brick and tiled floors, for children and teachers did not stand still upon them for hours together at home, as they did at school, where teachers, and female teachers especially, had through dampness of floors contracted diseases from which they never recovered. So much was imposed upon teachers that regard ought to be paid to the maintenance of their health. The statement of the noble Lord opposite (Lord Robert Montagu) showed that the present system, imperfect as it was, was working well within its limits; and he was sure the House had never shown the slightest disposition to stint illiberally the supplies for education when the demand was shown to be legitimate. The country was gratified to learn that the Congregationalists had agreed to avail themselves of the grant on condition of the withdrawal of the 8th Article, which made religious teaching a *sine qua non* of the State system. Their objection had been, not to State assistance, but to religious conditions; and to meet that objection the Government had agreed to withdraw the 8th Article. What possible objection could there be to its withdrawal? The number of secular schools in the country was inconsiderable; and even if there were more, the true position, and that which would now be generally maintained, was that, however desirable it might be to make religious instruction a portion of daily education, the province of the State was confined to the promotion of secular teaching only. He did not regret the omission from the Estimates of £3,000 for a school Census, which might show how many children were at school without distinguishing between good and worthless schools; but the rate of the building grant might be advantageously increased. It was once 6*s.* per square foot; it was reduced to 4*s.*, and then to 2*s.* 6*d.*; and the difference between 2*s.* 6*d.* or 4*s.* was a large one, and the increase proposed by the Government Bill would, in many instances, encourage the building of schools. The country was well supplied with schools in the richer districts; but the large and populous and poor districts in our great towns were inadequately provided; and the reduction of the rate of grant materially prevented their establishment in those districts. He did not see why those alterations and improvements that could be made by the mere alteration of the Revised Code could not be adopted, instead of waiting for special legislation. He regretted to see that £45,000 put down last year in order to meet the expected increase in the attendance at schools, in consequence of the passing of the Factory and the Workshop Regulation Acts, had been reduced to £10,000. The reduction showed that the introduction of these Acts into practical use would be a very slow and gradual operation. With regard to the payments to inspectors and their travelling expenses, which absorbed a large portion of the Education Grant, he thought the time had come when they might be satisfied with one class of inspectors only instead of three separate inspectors for Church, Roman Catholic, and British and Foreign schools. The present system was not only expensive, but it led to administrative difficulty, for, as each inspector had in his own mind a standard by which to pay for results, the more you multiplied inspectors the more you varied the standards. Then, as to the Conscience Clause, he believed that the rule should be laid down boldly and broadly that wherever public money was spent in school grants every child within reach of the school should have a right to a secular education, leaving it to the parent to decide whether he should have religious instruction or not. That principle was a just and right one; and if it were laid down those heart-burnings and disputes which had tended so much to delay the progress of education would be removed once and for ever. The noble Lord (Lord Robert Montagu) had stated that in round numbers the children who ought to be at school were 3,400,000, and those out of school 3,100,000, the exact difference being 333,000. But he distrusted these calculations. When you read that in Prussia 1,000,000 children were at school, you knew that there was an average attendance of 920,000. In England there was an average attendance of something like 926,000; and in order to secure that we were obliged to have at school 1,376,000 children. This showed how imperfect was our system. In Prussia no children were reckoned until they were five years old. Here we reckoned every child from the age of a year and a-half up to five; and in our State-aided schools there were some 240,000 children under five years of age who in Prussia would not be reckoned at all. Then there was the irregularity of attendance; and if that were so great in the State-aided schools, where regular attendance was one of the conditions of the grant, what must it be in the dame schools and others where no such influence operated? The figures which had been given were fallacious, and little could be learned from them. If you wanted the broad results of the present state of education it was necessary to look at the Reports of the Factory Inspectors, the Reports of Education Societies in the large northern towns, and the Registrars' Returns of persons who, on marriage, were unable to write their names. These showed, unhappily, that one-half of the working population of this country had not even the semblance of education. The work of National education was one in which slow progress was made; and it was only when generation after generation was properly taught that we should have that general appreciation of education which prevailed in Scotland and in Germany — countries which had enjoyed the blessings of education for many years. While admitting the great good which had been done of late in spreading education in this country, he felt that the time had come when it was the duty of Parliament to consider what steps should be taken to found a really national system of education. He would not enter into the subject now; probably there would be another opportunity for discussing it; but, while gladly allowing the good points which were presented in this year's statement, he entered his strong protest against the notion that we should be satisfied with things as they were.

Mr. SCOURFIELD said, he was not surprised that the right hon. Gentleman (Mr. Bruce) who was strongly imbued with official ideas, should not have relished the remarks of the noble Lord the Member for Northampton (Lord Henley), which, however, he believed would meet with a cordial response throughout the country. The Privy Council treated school managers as if they were supplicants for alms, rather than what they were, persons who made considerable sacrifices for the cause of education. He quite agreed with those who thought that the compulsory system would be a most dangerous one to try in this country. What induced the House to adopt this principle in the Factory Acts was a well-grounded fear that otherwise the health of the children who worked in those factories would suffer, but there need be no such fear in the rural districts. His experience was that the children who were educated in our schools in the rural districts did not remain there, their ambition being to get into the Excise and Customs. For his own part he did not credit the charges of gross ignorance which were made against the working population of this country. Ignorant they might be in one sense; but then the question was, what constituted ignorance? Some thought that others were ignorant because they did not know what the former knew or come up to their standard. Now the definition he would venture on was that every man was an ignorant man who did not know the business he contracted to perform, and that you had no right to call a man ignorant who did know his business, even though he might not know other things. He had a suggestion to make to all the friends of education who attempted to promote it by delivering lectures and addresses throughout the country—namely, that they would contribute immensely to the success of the cause if, as a general rule, they would make themselves a little less disagreeable than they were. They ought to remember that, in a free country like this, a great deal was expected from co-operation, and that the persons who subscribed to the schools often made much greater sacrifices than official people.

Mr. M'LAREN said, he had taken the trouble to inquire about the Bills on national education which had been brought into that House for the last twenty years, and he could say, with reference to them and to the meetings held in Scotland on the subject, that a single instance would not be found in which a rate was not contemplated as part of the plan. He felt strongly convinced that they would never get a good system of education for the poor until they made it in the interest of the ratepayers to see in what manner their money was expended. The right hon. Gentleman (Mr. Bruce) had ascribed much more importance and merit to the Scotch schools than, he feared, they deserved. Two, three, or four schools were often required now where one was sufficient before, and though much had been done by voluntary efforts there was still a great deficiency. With respect to quoting figures showing the large attendance at schools nothing could be more fallacious. For instance, in the Report issued within the last few days by the Education Commissioners for Ireland it was stated that 913,198 children, or about one-sixth of the present population of Ireland, were at school. He did not think they would get a country in Europe where so large a proportion were really at school. But a few lines further on it appeared that the daily average attendance was only 321,515. If the larger number could have been supposed to be in regular attendance, Ireland would be a much better educated country than either England or Scotland, whereas there was a far greater proportion in Ireland of persons who could not sign their names there than in any other part of the United Kingdom. It was a startling fact that this was the 34th Report of the Irish Commissioners. That showed that those schools had been in existence thirty-four years, and that all the young persons married in Ireland within the last few years had an opportunity of attending a national school, and yet the result was that not more than one-half the people of Ireland who had recently been married could sign their names.

Mr. POWELL remarked that the hon. Gentleman who had last spoken (Mr. M'Laren) had fallen into an inaccuracy when he stated that the people of Ireland had enjoyed the advantage of the National schools for thirty-four years. That was only the beginning of the system, which had been growing up from the time the Commissioners made their first annual Report to the present, and therefore, neither the average attendance nor the attainments of the people during thirty-four years could be taken as a fair test of the system. It was true that the system in Great Britain had of late years received considerable expansion; but he could not regard it as satisfactory, either in relation to the ignorance which still existed or the increase of the population from year to year. He was afraid the right hon. Member for Merthyr (Mr. Bruce) was rather sanguine in what he expected from a system of undenominational inspection. The Roman Catholics would be extremely reluctant to submit their schools to inspection by members of another creed, and he had no doubt that undenominational inspection would lead to disappointment. He would suggest that in future years the Estimate should not be prepared until the annual Report was produced, as it was but right that they should have the benefit of the light afforded by the Report in preparing and discussing the Estimate. With regard to the abolition of certificates, he hoped this country would never take so retrograde a step. They might say that in parishes of a certain size certificates should not be required; but if they were to say that they should not be required in schools of a certain size, then the result would be a multiplication of small schools, coming into competition with larger and more expensively-conducted schools. He hoped the Government would re-consider their determination, and that they should hear no more of the absence of certificates in schools below a certain size. It was not in England alone that certificates were required, but in all countries in which education had made progress. They were required in France, in Germany, and, after a certain measure, in America; and in America they were accompanied by much more severe conditions, because there was a much more ample power of withdrawing the certificate in cases where the teacher became inefficient. With respect to building requirements he trusted that the Government, though not fastidious in regard to architecture, would be strict in all matters relating to comfort and health, and particularly with respect to flooring. At home the children might have brick floors, but then they were continually moving about, and where they had to sit long mats were generally put under their feet. Schoolrooms could not have large mats, and therefore, as the next best thing, wooden floors were insisted upon. As to the effect of the Workshops Regulation Act, he was of opinion that no reliable estimate could be formed of the number of children who would thereby receive education. He hoped the unsettled state of the education question would not lead for a moment to the arrestment of its progress. He believed the friends of education need not be discouraged by the apprehension that their schemes, if founded on sound principles, would be defeated by any opposition in that House. The days of cold official obstructiveness were past, and when they observed the amount of ignorance existing they could not but feel that additional exertions were requisite to overcome it. He would venture to express an earnest hope that proposals for the amendment of our educational system would be received in a friendly spirit, and discussed with a desire to arrive at the best mode of diffusing education among the people of this country.

MR. W. E. FORSTER said, he agreed with the hon. and learned Member for Cambridge (Mr. Powell) that this Vote should not be proposed so early in the Session, or else that the Report should be issued sooner. With regard to the small schools, he believed that to relax the demand for certificates on account of the size of a school would be unwise. The districts which urgently required assistance, owing to the absence or the illiberality of wealthy residents, no doubt deserved consideration; but he thought their claims should be met by an arrangement based on the condition of the district, and not on the size of the school. He believed the inspectors would agree with him that inspection as at present carried on could not be relied on as the sole guarantee for the efficiency of a school. To make it such the number of inspectors would have to be increased and their visits lengthened, this requiring an increased expenditure, at which the Committee would probably be surprised, so that as things stood the guarantee of the good training of the master must be retained as well as that of inspection. As to the Workshops Act, he hoped too sanguine expectations of its results would not be indulged in. He rejoiced at its passing, since it was a recognition of the duty of the employers of labour in workshops; but the little experience there had yet been of its working justified the belief that the appointment of inspectors or of a public prosecutor was essential to its efficiency. If the matter were left to local authorities the influences against its efficiency were so strong that little result could be expected, and information he had received from the straw-plaiting districts, where the operation of the Act was particularly required, had confirmed him in this opinion. He wished he could concur in the hopeful view taken by the noble Lord (Lord Robert Montagu). If his figures were trustworthy we should stand almost first, educationally, among civilized nations; but he (Mr. W. E. Forster) confessed he had not the slightest faith in them, because, whenever these figures were tested by actual examination, education was found to be the reverse of what it was represented to be. The most recent test with which he was acquainted was supplied by the first annual Report of the Birmingham Education Society. Some gentlemen had made a careful educational survey of Birmingham, and 273 of the 1,027 streets being chiefly inhabited by the upper and middle classes they had thoroughly canvassed the remaining 754. They made inquiries as to 45,056 children between the ages of 3 and 15, but assuming that the youngest of these might receive education afterwards, he would only quote the Returns as to children between 11 and 15 years of age. Of the 13,130 children of that age, 2,019, or 5 per cent, had never been to school at all and probably never would go. What was the education possessed by the remainder, who had been to school? It was this — 4,701 could neither read nor write, and 1,818 could only read; thus 50 per cent of the whole number of children between 11 and 15 could not read nor write. These figures erred if at all on the favourable side, for the visitors took the word of the parents, though believing that they in many cases overrated their children's attainments. Of 3,801 children between 14 and 15, an age at which, if they were to receive education at all they would have received it, the proportion unable to read or write was rather larger, being 1,487, or 39 per cent, while 573, or 15 per cent, could only read, so that it was a mere delusion to quote the figures the noble Lord had quoted to show that education in the country was in a sound condition. In an examination of 908 young people of both sexes — 529 males and 399 females—employed in 26 establishments and between the ages of 13 and 21, the result was that only 36 per cent could read, only 27 per cent could write, and only about 1 in 20 possessed any proficiency in what was called "general knowledge." The examination was in what was called the fourth standard, which was a very low one. Birmingham was generally considered to represent a comparatively favourable condition of general education; and if these were the results in Birmingham, it was easy to conclude what must be the state of other parts of the country. The fact was, that in our great cities a large population were growing up which had got beyond the present provision for education, and the voluntary system was quite unable to cope with the deficiency. The noble Lord (Lord Henley) had spoken of the burdens upon real property, and hoped they would not be increased. But the present state of things entailed tremendous burdens upon real property in the shape of poor rates and prison rates. It would be a wise expenditure of money to put on a little more in the shape of a school rate, in order to take it off the other rates. He looked forward to a payment of one-third of the school expenditure out of the Consolidated Fund, one-third by the children of the parents, and one-third out of the local rates. It was necessary that the responsibility for the evil of neglected ignorance should be fastened somewhere, and upon whom could it more fitly devolve than upon the inhabitants of the district? The greatest kindness the Legislature could do to a district was to insist upon the inhabitants taking measures to prevent the evil from coming back to them in rates for paupers and prisons. Complaints had been made of the interference with school managers exercised by the Privy Council; but with a system of rate-supported schools this interference must necessarily diminish. He regretted that the state of public business prevented the Government Education Bill from coming down to that House. The noble Duke at the head of the Education Department (the Duke of Marlborough) did not probably regard that measure as sufficient to meet the wants of education, though he supposed he thought that it was all the Government could attempt at the present time. Almost everything in the Bill, however, was a step in the right direction; but, in the present transition state of education, he entirely objected to the proposal to turn the Revised Code into an Act of Parliament. The proposal to appoint a Minister of Education had his entire approval; for he had long considered it to be extremely unfortunate that the head of the Education Department was always a Member of the other House. General experience proved that the regulation with regard to secular schools was perfectly useless. It caused a great deal of dissatisfaction. Its object, he believed, was to secure a religious education in all schools. Even if it was the place of the Government to secure that object, it could not be secured by that regulation. All that it required was that one or two verses of the Bible should be read in a school. Managers who wished to evade that provision could do so very easily. But, on the other hand, good schools connected with mechanics' institutes were unfairly excluded from the Government Grant. A large body of Dissenters objected to the regulation because they held that it was not right for the Government to interfere with regard to religious education. He thought that there should be only one set of inspectors whose duty it should be to report simply upon secular subjects. The Church of England really suffered by an interference in the management of the religious teaching of Church schools, because a clergyman of one school of religious thought objected to an inspector of another school of religious thought interfering in the management of his school.

MR. SHAW-LEFEVRE said, he rose merely to ask the noble Lord (Lord Robert Montagu) a Question with reference to the Conscience Clause. He wished to know whether it was the intention of the Government during the coming year, in the absence of any Bill on the subject of education, to carry out the Conscience Clause in the manner and in the form in which it had hitherto been carried out by the Privy Council, or whether it was intended only to apply it in the very limited and, as he he thought, very imperfect manner in which it was proposed to carry it out in the Education Bill which had been laid before the House of Lords? He regretted very much that the Education Bill, which had been introduced into the House of Lords by the Lord President (the Duke of Marlborough), after passing through several stages had been withdrawn; for though it might not have passed, in consequence of the pressure of business, it would have been very desirable to have it discussed. It would only be necessary, for instance, to have a fair discussion on the Conscience Clause, and all the difficulties in the way, not only of its limited application as proposed in the Bill, but of its universal application to all grants, would disappear. It was monstrous that children should be denied education in parishes where there was only one school, because they would not consent to attend to a religious instruction which their parents objected to. Another reason why he regretted that the Education Bill was not discussed was because the 8th Article of the Revised Minutes remained unrepealed, and therefore the Congregational Union would be deprived of the grant for another year. Indeed he could not see that an Act of Parliament was necessary for the repeal of that Article, and if the noble Lord (Lord Robert Montagu) would propose the grant he would meet with no opposition from that side of the House. He regarded the noble Lord's statement on the progress of education as very satisfactory; but he was satisfied that they must in the end come to local rating. The present system, though it had done a great amount of good, was imperfect, and not equal to the occasion.

COLONEL SYKES thought it must be admitted that the existing system had produced satisfactory results, though they might not be altogether commensurate with the amount of money expended. The inspectors reported from year to year that the numbers of scholars increased, and it appeared from the Reports of the Registrar General that the number of persons able to sign their names also increased from year to year. The difficulty was in getting children to go to school at all, as long as their parents found their labour profitable. The parochial system of education in Scotland was admirable in its results. Owing to the facilities which the sons of farmers and of small tradesmen enjoyed for going to the Scotch Universities, by the aid of trifling bursaries, many of them became distinguished in science, art, and literature, and took the degree of Master of Arts; and it was of such men that many of the class of parochial schoolmasters in Scotland was composed. He had himself presented a petition some years ago from seven schoolmasters in Aberdeenshire, four of whom were Masters of Arts, while their school salaries did not exceed £28 a year. Men so qualified did turn out scholars competent to go through the University curriculum.

He advocated the extension of evening schools in every direction, and was of opinion that no child should be allowed to enter a factory, or be apprenticed, until he was educated to a certain extent. Local rating would not, perhaps, do all that was expected of it; but it would give the ratepayers an interest in the schools, and induce them to see that the money they contributed was usefully employed.

MR. ALDERMAN LUSK complained of the elaborate system and the different classes of schools which the noble Lord (Lord Robert Montagu) had described. The people were puzzled to choose among so many, and they did not send their children anywhere. It was discreditable to the country that so many children never went to school, and he believed that the sooner they abolished the Conscience and such like clauses and adopted one simple non-denominational system, the better. He thought the plan pursued with regard to the payment of the police should be adopted in respect to education. One-third or one-fourth of the expense should be paid by the Consolidated Fund, and the other two-thirds or three-fourths thrown on the rates. Where there was a will there was a way, and they ought to make up their minds that elementary education should be compulsory.

MR. LOCKE said, he could not understand what the hon. Member for Finsbury (Mr. Alderman Lusk) meant. He would not have any Conscience Clause—he would not have this—he would not have that—it appeared he would not have anything. It was all very well to talk of "a simple system;" but what did a simple system mean? Discussions of that kind might go on all night long; there was no reason for their ever coming to an end. The best thing they could do was to vote some money for that which did exist. It was certainly better than nothing; and his hon. Friend did not point out anything that was better except nothing. He (Mr. Locke) was at a loss to know where they were. The hon. and gallant Member for Aberdeen (Colonel Sykes) told them of the number of Masters of Arts that were schoolmasters in Scotland. But he had always heard that Aberdeen Masters of Art were not to be relied on; and as for Aberdeen doctors, they were a mere joke, for in his early days any man who sent £10 to the Aberdeen University might be made a doctor. But what had all this to do with the question? If neither the hon. Member for Finsbury (Mr. Alderman Lusk) nor the hon. and gallant Member for Aberdeen (Colonel Sykes) could enlighten them as to what was best to be done in future they had better go on voting some money for what already existed.

LORD ROBERT MONTAGU would say a few words in answer to the remarks which had been made on this subject. The hon. and gallant Member for Aberdeen (Colonel Sykes) had complained of the apathy of parents in regard to education; and the hon. Member for Finsbury (Mr. Alderman Lusk), it appeared, had arrived at the conclusion that we must have compulsory education. Now, he did not think they could carry out a system of compulsory education in England. It might be done in Prussia, but could it be done in England? For in Prussia they were accustomed to rigorous laws, and minute police supervision. But in England persons liked to judge for themselves and to act without governmental interference. In England a man's house, be he poor or rich, was his castle. Suppose the police went to the house of a British labourer and insisted that his children should attend school, what would be the result? The policeman would quickly be ejected through the door. They were not accustomed to such interference. Beside this, a clause for compulsory registration was necessary as the very foundation of a compulsory system. There must be an accurate register of every child in a parish, and a register of every child in school; and these must day by day be compared, and the delinquents hunted up by the police. Yet the House has constantly refused to sanction any clause for the compulsory registration of births. Would they now sanction not only that, but also the machinery necessary for compulsory education also? Moreover, how was it possible to carry it out? How were they to enforce it? Suppose a labourer were summoned because his child did not attend school, and he pleaded poverty, saying he had a large family and small wages, and suppose that he asked why he should not make use of the labour of one of his boys to assist in the maintenance of the family, would the magistrate not be apt to let him off? Next day another labourer would appear with a case nearly but not quite so strong. He would also be acquitted. Then another; he would be discharged. Thus they might drive a coach and four through their Act of Parliament, and there would be an end of the compulsory system of education. Children did not attend school; but why was it? On account of the apathy of their parents? Get rid of that apathy and the children would attend school; but if they did not get rid of that apathy he defied them to carry out a compulsory system. Where education was valued, compulsory education was unnecessary; where it was not valued, compulsory education was impossible. The hon. Member for Bradford (Mr. W. E. Foster) had alluded to the proposal for the appointment of a Minister of Education, which he approved chiefly because that Minister would bring forward the Education Estimates in that House. The object was to give the power to the Crown to appoint a Minister of Education, without constraining the Crown to choose a commoner. The President of the Council had at present a multiplicity of duties to perform, and could not attend to educational matters; while the Minister who administered the system of national education should devote himself to that subject alone, and he would find plenty to do. He would have to administer a large sum of money — larger than either the Colonial or Home Secretary had to administer. Numerous duties would devolve upon him. He would have to concern himself with the education of the lower class and of the middle class in this country; with the Irish Education system, with science and art, and perhaps with Colleges and Universities. The right hon. Gentleman (Mr. Bruce) had said that in every country where there was good education, there they found local rating and local efforts; but he denied that they were necessarily combined. Local effort was not peculiar to rating, which was not the result of effort, but of compulsion. Local effort belonged much rather to voluntary subscriptions and voluntary labour. The right hon. Gentleman compared our system with that of other countries. Our system was a new one. This was the principle of it: that local effort should be assisted by the State. The State did not begin the work of education; it had not the initiative. It was only when local effort had given proof of local valuing of education that the State stepped in and gave its aid. Such a system had never been tried elsewhere. In this country it dated from 1842, or at furthest from 1839. It was unfair to compare that system with the system of other countries; that in America, beginning with the present century, or that of Scotland, which dated from 1660. But we had taken up our system a few short years ago; and yet we were surpassing the systems of education which had existed so long in other countries. The hon. Member for Finsbury said that ratepayers took greater interest in schools when local rates were imposed. But was that the case with other rates? Were not the London Boards of Guardians, for instance, complained of in all the newspapers? Were they not vilipended, and most justly censured? Rates were raised for the poor; and yet the ratepayers took no interest in the poor. They cared only to reduce the rates. And would not the same be the case in regard to education when supported by rates? A system of false economy would be introduced, and expenditure would be cut down till education itself would die out or become so degraded that no one would care for it. The hon. Member for Bradford (Mr. W. E. Forster) complained of putting the Revised Code into an Act of Parliament. But the managers of schools complained of the constant changes. They feared to undertake anything, lest some new Minute might damage their interests, and therefore it was thought desirable that the Revised Code, with many emendations in it, should be put into an Act of Parliament, in order that there might be a permanent system, instead of a changeable law. The hon. and learned Member for Reading (Mr. Shaw-Lefevre) asked how the Conscience Clause was to be administered. There was no change in that respect. He had stated to the House last year on May 3, the rule which would guide him; and he had never deviated from that rule. Many hon. Members had complained that the Government had not carried out their original intention of removing the 8th Article from the Code. But did not the Government propose in their Bill to omit that Article, in order to respect the scruples of those who objected to the restriction it imposed, and to permit them to come in without subjecting them to the pressure of which they complained? The Government showed their *animus* by introducing this relaxation in the Bill; they proved their generosity by withdrawing the Bill. For hon. Members asked why the Bill had been withdrawn? They said it would have been better to have gone on with the Bill, seeing that its provisions would not have been much disputed in that House. The simple answer to that remark was that it was done in generous deference to the wishes of the House. For it was said that the Government did not possess the confidence of the House, and therefore that they ought to drop all legislation except legislation of an absolutely necessary character, in order that there might be a speedy dissolution. In order to secure an early dissolution the Government had accordingly dropped the Bills they had framed with reference to this and to other subjects. The right hon. Member for Merthyr Tydfil (Mr. Bruce) asked whether it was the duty of the State to teach religion at all; while the hon. Member for Bradford (Mr. W. E. Forster) went further, or spoke with more courage; for he said that it was the duty of the State to provide secular education only. But what was their end? What was the object of education? Why should Government assist in promoting education? Let anyone make out a case in answer to that question. In granting funds for educational purposes the object of the Government was to make men better citizens and better men. If that was not the end in view, what other end was there? He would like to hear anyone attempt to defend a State education except on the ground that the Government should strive to make men become better. Or if the State was not to do it, what other body was to do it? A body, doubtless, of far higher authority; for this was the highest end in life. But if that object were to be attained it would not be sufficient merely to teach reading, writing, and arithmetic, or even to give a scientific education. Palmer, Rush, Smethurst, Townley, and numbers of others whom he could name were not deterred from committing murders by the education they had received. Were they good men? Were they good citizens? Therefore some other kind of education was necessary, besides secular education. That other kind was the most necessary; for its end was the end of life. But secular education was not necessary; for a tailor could make as many coats or a cobbler as many shoes without being able to read. The right hon. Gentleman had even gone a step further, and had contended that the different denominations of inspectors should be done away with, and that they should have only one class of inspectors. But that would be doing away with the denominational system altogether. That system rested upon the power of veto which had been given to the different denominations — a power which had been wrested from the Government by each denomination separately. Did he never hear of the controversy concerning the Management Clauses which raged for twelve years? Did he not know that each denomination fought the Government separately for three or four years; and that the trust deed, and the Management Clause it contained was the treaty of peace between that religious body and the Government; and that the power of veto upon the appointment of an Inspector was thereby secured for ever? And yet the right hon. Gentleman now called upon the Government to fight them all at once, and to tear up the treaties of peace which had been entered into with them by taking from them the veto they possessed upon the appointment of the inspectors. The right hon. Gentleman also said he would rather take the average attendance at schools as a datum than any other estimate of the numbers of the children.

Mr. BRUCE observed that what he said was that he preferred taking the average attendance at the schools as a datum rather than the numbers on the books.

Lord ROBERT MONTAGU said, that the average attendance did not fairly represent the numbers of children who attended the schools, seeing that 42 per cent attended less than 200 times in the year, so that a large number of the children would count as fractions in the average attendance, instead of units. It was for this reason that the average attendance was usually taken as representing only 75 per cent of those who attended school. The hon. Member for Bradford had alluded to the statistics contained in the Report of the Birmingham Educational Society; but it must not be forgotten that these societies were supported by the money they obtained by subscription; and that it was not unlikely that their paid secretaries and treasurers, whose income depended on the existence and amount of funds of the society, would set to work to collect facts respecting educational destitution in large towns, which, put together, would make up most harrowing tales, calculated to induce silly women and doating old gentlemen to subscribe to the funds of the societies. The truth was that no sane man would give implicit credence to the Reports of these institutions, for they obtain their money by making out a bad case. He believed he had now answered all the questions that had been put to him, and he begged in conclusion to thank the Committee for the attention with which they had listened to him.

Mr. W. E. FORSTER thought that the noble Lord (Lord Robert Montagu) had not dealt justly with the society to which he had referred in such strong language. The object of that society was not primarily to obtain information; it was to send those to school whose non-attendance was due to the apathy of their parents. In that object it had attained great success, and if the noble Lord had given the subject any consideration he felt certain that he would not have given expression to the opinions which had fallen from him that evening.

Mr. BRUCE said, he would remind the Committee that the noble Lord in saying that no education was worthy of the name unless it combined religious with secular instruction had in reality censured the policy of the Government, inasmuch as the Bill which the Government had introduced in the other House of Parliament during the present Session had proposed to admit secular schools to the benefits of State assistance, on precisely the same footing as was done at present in the case of schools combining religious with secular instruction.

Vote *agreed to.*

(9.) Motion made, and Question proposed,

"That a sum, not exceeding £141,690, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, of the Salaries and Expenses of the Department of Science and Art, and of the Establishments connected therewith."

Lord ROBERT MONTAGU said, it was proposed in the present Estimates to make several important reductions in this Vote. The sum expended in purchases for distribution would be reduced by £10,000; for examples, by £600; for the purchase of food, &c., by £250; photography, by £2,000; and books, by £500; The expenditure on the National Portrait Exhibition would be reduced by the whole amount, £3,000. In reality, the collection had been brought down to the reign of Queen Victoria, and might not be continued. At all events it might now be regarded as self-supporting, inasmuch as the money taken at the doors was very nearly sufficient, if it did not exceed, the sum required for current expenses. It was also proposed to make the important reduction of £3,000 in connection with the Royal Museum, Bethnal Green; £250 in the purchase of books for the Jermyn Street Museum, and £1,000 in the purchase of books for the Edinburgh Museum. These figures would give a total reduction on the Vote of £20,600. The working of the science schools could be shown without troubling the Committee with any lengthened statement. In 1867 there were 212 science schools, attended by 10,230 persons, of whom 4,920 were examined, and by whom 8,437 papers were worked. In May, 1868, there were 302 schools, attended by 14,677 pupils, and of these about 8,000 were examined, while 13,112 papers were worked. 194 teachers had received in 1867 sums varying from £1 to £220, the average being £41 per teacher. The total sum was £7,976, being at the rate of 15*s.* 7*d.* per pupil; last year the average was 14*s.* 6*d.* The examinations were held simultaneously in 167 centres. At present 98 schools of art were in operation, giving instruction to 17,341 students. There were 588 schools for the poor, in which 791,411 poor children had been taught drawing during the year. In 1866, night classes for drawing had been established for persons above twelve years of age: there are now 72 such classes. Last year there were 32. In the National Art Training School there were 28 students training to be masters of schools of art; 118 free students receiving tuition and 727 students paying fees. Several exhibitions and scholarships had been established, notably among which were 60 of £25 each, and 30 of £100, which had been founded by Mr. Whitworth.

Mr. DILLWYN commented upon the rapidity with which the Vote for this Department had of late years been increasing. In spite of the reduction of the original Estimate there was still an increase of over £8,000. For his own part there were several directions in which he would rather witness a reduction of the Vote than in the purchase of books. It was, however, of very little, if any use, for any Member to attempt a reduction, because his experience had shown him that an hon. Member in making such an attempt would be undertaking a thankless task, and one in which he had very little chance of being successful, especially when the reduction proposed was at all connected with the Science and Art Department. His attention was first directed to this subject in 1855, when he was entirely new to the ways of the House, and when the hon. Member for Birmingham (Mr. Bright)—then the hon. Member for Manchester—predicted, in language which at the time he regarded as overstrained, that which since had actually happened. It was at that time proposed to erect a building of some kind for the reception of works of art; and the hon. Member then warned the Committee that they were about to fall into a trap, because if they agreed to a proposed outlay, the time would soon come when the Committee would be assured that the building was discreditable to the nation and to so valuable a collection, and largely increased votes would therefore be required for it. The hon. Gentleman at the same time reminded the Committee that they were about to launch into an expenditure which would constantly increase, and which might last for fifty years. In 1857, the expenses of general management in London were £2,917; in 1868 they had grown to £8,507. The general Estimates for Science and Art had grown from £7,000 in 1857 to £40,000 in 1868. In 1860 there appeared an item of £17,000 for permanent buildings, which had grown to £32,500 in the present year. For general and local management of all schools the expenses had grown from £12,000 to £401,590. The total expense of buildings had been £187,000, and the entire expenditure presented a total of £701,555. He hoped these facts would arouse the attention of the House and the Government, to see whether we obtained any adequate return for this large outlay. The only results visible at present were not admitted by competent judges to offer evidence of good science and good art. There could be no doubt that we had embarked in a vast and increasing expenditure for a very questionable purpose.

Mr. BERESFORD HOPE believed that the hon. Member for Swansea had missed the true reason for the blunders in public taste which he had denounced. For his own part he maintained that until there was a real Department of Architecture, Science, and Art, there would always be an increase of expenditure and a paralysis of efficient administration. The true remedy for the evil would be found in dissolving the ill-assorted marriage between the Department of Practical Education represented at the Council Office, and the Department of Science and Art, charged as the former was with responsibilities for the conduct of elementary instruction of a totally distinct character from those of its artistic side, and in combining the latter with the more cognate Department of Public Works, under a strong Minister of Arts, Science, and Public Works. To this Committee the trustees of an enlarged

British Museum, responsible both for the Museum and the South Kensington Collections, ought to be responsible. The expenditure of £750,000, to which the hon. Member (Mr. Dillwyn) had alluded, though nominally incurred in London, had really been partly spent for the benefit of the provinces, in training masters and forming the collections which were afterwards to be sent round as models. For his part, having regard to the successful results which had been attained, and having had opportunities of judging of the excellent social and civilizing results of the science and art schools throughout the country, he felt astonished at the smallness of the outlay. No man probably had been engaged in more small squabbles than himself with the administration at South Kensington, or had more frequently spoken his mind roundly on particular points when he believed it to be in the wrong; but he felt it due to the authorities there to bear testimony to the great zeal and energy shown by the Department. Whatever might be the faults of Mr. Cole, or of other men with whom he was associated, want of a disposition to "go-ahead" could not be charged against them. They had organized a remarkable collection of works of art, which was an honour to the country, and it would be only cheeseparing to complain of the cost. Let there be one efficient Administration, and let it correspond directly with the British Museum as the one Executive Board for collecting purposes, and the complaints would be considerably silenced. The real defect lay in the paralysis of administration, resulting from the exercise of divided and often antagonistic authority. The Department at South Kensington was not to be blamed; but, on the contrary, it deserved credit for its achievements in the face of this palpable absurdity. He had listened with regret to the long list of retrenchments announced by his noble Friend (Lord Robert Montagu) fearing that some valuable interest must have suffered by those reductions.

Mr. GREGORY concurred with his hon. Friend who had last spoken (Mr. Beresford Hope) that institutions of science and art to be efficient must be supported with generosity by the nation, and he did not think the total amount totted up by the hon. Member for Swansea (Mr. Dillwyn) need alarm the House of Commons. It was of great importance, however, to have regularity and systematic exhibition in the Department, and it was still more important to have in the institution at South Kensington a museum to step in where the British Museum ended, starting with the Mediæval Collections and coming down to the present time. But, as long as things were in their present fluctuating condition, it was impossible for this to be done. He wished to see the Kensington Museum separated from the educational Departments. That museum might be made for mediæval art what the British Museum was for ancient art. Then he wanted to know who was responsible for the purchases made for the Kensington Museum. He understood there was no system in regard to the responsibility of those purchases. He heard that gentlemen at the British Museum had been applied to for their assistance in the matter, but had refused it; and he was further informed that the next application for advice was to tradesmen who dealt in articles of the character of those which it was proposed to purchase. He did not say that opinions ought not to be taken; but he did contend that some authority ought to be responsible for the purchases. The next point to which he had to refer was the removal of the iron buildings from South Kensington to Bethnal Green and the erection of a museum at the latter place. Last year a Vote of £5,000 was taken, and this year a further Vote of £10,000 was proposed to be taken for the removal of those buildings, and for other purposes in connection with the establishment of a museum at the East End of London. He presumed there were other purposes in view, because £15,000 could scarcely be required for the removal of the buildings. [Lord ROBERT MONTAGU: The buildings have to be erected also.] Now, in his opinion, this was a matter on which the opinion of the House of Commons ought to be distinctly taken; because if it was intended to scatter objects of art about London and to exhibit them in different museums, there was not a town in the kingdom which would not feel itself entitled to put in its claim for a museum of its own to be established at the public expense. Once more he protested against the publication of what was called the Universal Art Catalogue. He had done so when the Department proposed to publish that catalogue in the supplement of *The Times*. The reason given for that had been that *The Times* was read all over the world. The House, however, was opposed to this publication of the Art Catalogue in *The Times*. So, when that failed, the next step taken was to publish the catalogue in the supplement of *Notes and Queries*. It could not be said that the supplement of *Notes and Queries* was read all over the world. If it was intended to publish merely a small catalogue which would enable a person to refer to an object in a moment, he should not have objected to that; but to publish a universal art catalogue, apart from the catalogue of the British Museum, was as puerile a waste of money as had ever been undertaken. The original project was to make a catalogue of all works of art necessary for an art library; but now this project had expanded into the absurd scheme of making a catalogue which, as Mr. Quaritch showed in his excellent statement laid before the House last year, would embrace every work which had an illustration within it. If the noble Lord (Lord Robert Montagu) could not separate the item for this catalogue from the sum required for printing the catalogue of the British Museum, he should feel bound to take the sense of the Committee on the subject.

GENERAL DUNNE felt, with the hon. Member for Galway (Mr. Gregory), that every town in the country would have as good a right to apply for the establishment of local museums as well as a district of the metropolis. He thought it most preposterous that while the Science and Art Grant to the whole of Scotland was only £17,000, and in Ireland an amount incommensurate with her wants and the taxation she paid, one of the most unpromising districts in London got £15,000. The Geological Survey, if properly carried out, was a matter of considerable importance, especially in regard to coal, and he had on a former occasion wished to know whether the labours of the Commission were to extend to Ireland? The Secretary to the Treasury had promised to inquire and state the decision come to on this point, and he now wished to renew the question.

SIR PATRICK O'BRIEN said, he saw that the sum of £15,000 was to be appropriated to purchases made at the recent Paris Exhibition, and he should be glad to know what was the precise nature of those purchases?

MR. POWELL thought the House ought to be generous in dealing with any Government proposal for the cultivation of science and art. He wished, however, for some explanation of a charge of £3,000 for the preparation of papers, &c., for examination?

Mr. A. SEYMOUR remarked that the Vote had been reduced to the extent of £600 by the two Art Referees having been done away with; but, on the other hand, £300 had been added to the salary of the General Superintendent. He wished to be informed, therefore, whether that gentleman discharged the duties which formerly devolved upon the Art Referees? He thought that if a large sum of money was laid out on an institution like the Kensington Museum, it was advisable the House should see that the public got a *quid pro quo* for their money, and that mere rubbish of specimens were not purchased. He trusted the noble Lord would explain why so large a sum as £10,000 was put down for specimens?

Sir WILLIAM STIRLING-MAXWELL remarked that the reason assigned for the publication of the Art Catalogue was that the attention of persons interested in art would be directed to it, and that they would make corrections and additions as the work progressed. It would be satisfactory to know whether such a result had followed the publication of the catalogue, and also whether there had been any demand for the work on the part of the public.

Colonel SYKES thought no hon. Member ought to grudge the money that had been expended on the South Kensington Museum, which no person, of whatever age, could visit without bringing away a new idea in his mind, at least; he spoke for himself. Indeed, in his opinion, that Museum did as much for the instruction of the people, by the eye, as all the elementary schools in the country.

Mr. SCOURFIELD doubted whether these very large collections really promoted the circulation of a knowledge of science and art, and expressed his belief that in this respect a few well-chosen specimens were far more effective. A high authority on the subject had remarked that the contemplation of works of art without understanding them jaded the faculties and enslaved the intelligence.

Mr. Alderman LUSK said, he was anxious to know who were the parties responsible for the expenditure in the Department under discussion. He was of opinion that it would be much better to expend a large sum at once upon a suitable building than to be annually spending amounts of money in detail for the purpose of enlarging and improving the present edifice, which was by no means an ornament.

Mr. Powell

Lord ROBERT MONTAGU said, the hon. Member (Mr. A. Seymour) had proceeded on a wrong assumption with regard to the General Superintendent, who was not called upon to discharge the duties of an Art Referee. It was true, however, that £300 a year had been added to the salary of the gentleman in question—Mr. Cole; but this was by way of recognizing the great efforts he had made in establishing the Museum. Since the abolition of the permanent Art Referees, gentlemen skilled in different branches of science and art were consulted as to intended purchases, and were paid according to a set scale of fees. In each branch the best authority was selected, and the result was that the work was better done and done at a cheaper rate than under the old system. As to the Royal Museum at Bethnal Green, he might remark that it was no more a local institution because it was in Bethnal Green than the British Museum was a local institution from the circumstance of its being situated in Bloomsbury, or than Kew Botanical Gardens because they were in Kew. With reference to the publication of the Art Catalogue in *Notes and Queries*, it was through that medium circulated far and wide, and many corrections from correspondents had come in. Copies were sent abroad and they elicited the information required. It was originally contemplated that the Geological Survey should terminate in 1875-6, but Sir Roderick Murchison was anxious that it should be completed earlier, and the staff was increased last year in order that the survey might proceed more quickly. A report of the progress of the survey, accompanied by maps, was published every year. No steps were taken towards purchasing anything at the Paris Exhibition until the Committee appointed by the House had published its Report, and then three gentlemen were sent over to make the purchases recommended by the Committee. These might be seen at South Kensington Museum. The increase in the number of science and art schools necessitated the increase in the Estimate for the preparation of examination papers and diagrams, and if £1,600 was exceeded last year, £3,000 would not be more than sufficient this year. The exhibition of art specimens was not confined to London; they were sent all over the country. Many had been sent to the Exhibition at Leeds; a similar collection was to be sent next year to Bolton; and independently of special exhibitions, pictures and works of art were constantly circulating among the art schools, where the pupils had the opportunity of studying them and making copies, while the public had also the privilege of inspection. Doubtless a large collection kept at one place would not be favourable to the general advancement of art; but broken up for circulation the collection could no longer be regarded as a large one. The Lord President and himself were responsible for the expenditure, and of course could be called to account for it in the House; but the utmost care was exercised in the making of purchases, which were entertained only upon report, and not effected without further reference.

MR. DILLWYN protested against the principle of granting money to the Bethnal Green Museum, on the ground that it was to be a means of education to the people of the East End of London as distinct from those of the West. Were that principle thoroughly carried out, Liverpool or Swansea might advance claims for money upon the same ground. One of his objections to the South Kensington Museum was that it was a local museum scattered about in different places; and he always thought it would have been better if the large sum spent there had been expended on the British Museum. He insisted that there ought to be a collection of works of art and science in the metropolis worthy of the nation, and not a collection merely for the purpose of educating a locality in science and art. If collections were to be established in particular localities, where was the expenditure for such things to stop? If every locality was to have its collection, the expense would be gigantic. He suggested that the appointments, which were very good ones, in the national collection, should be held out as premiums to men who distinguished themselves in art and science.

LORD ROBERT MONTAGU denied that this was a local museum. It was in every way national, and the objects displayed there were sent by turns all over the kingdom. What was meant by the term "local museum?" Had hon. Members ever asked themselves what was meant by a national museum? Every museum must be in some place. Was it therefore local? The inhabitants of Bloomsbury and the rich who had carriages came from a distance to see the British Museum. Yet it was called a national museum. The working classes of Bethnal Green could not reach it; but they would flock to the Royal Museum there. Why should it not be a national museum. He was at a loss to know.

COLONEL SYKES said, the hon. Member for Swansea (Mr. Dillwyn) had asked where the expenditure was to stop, if museums were established at Liverpool and other places. The answer was simply this—Liverpool and other large towns were rich enough to supply themselves with museums; but Bethnal Green was poor, and a Vote of the Committee would enable them to get instruction which otherwise they could not get.

MR. LOCKE asked how the £20,000 set down for the "Auxiliary Museum in the East of London" was to be expended? He had understood that it was to be applied to the purchase of the land at Bethnal Green. Was it to be devoted to carting away the "Brompton boilers" to Bethnal Green?

MR. BENTINCK said, his noble Friend (Lord Robert Montagu) had made no allusion to the question of the permanent building. In 1866 an Estimate was laid before the House, showing that £420,000 was asked for by the Science and Art Department for the permanent building. The Treasury reduced the amount to £220,000. Last year the Estimate was brought on for discussion on the 9th of August, when nobody was present, and the result was that it passed without attracting public attention. What he wanted to know was whether the Government had agreed with the officials of the Science and Art Department to limit the expenditure to £195,000, and, if so, where were the plans to show how that sum was to be expended? He should be glad to learn whether the noble Lord was willing to guarantee that, after the £195,000 had been expended at the rate of £32,000 per annum, no further sum would be asked for.

MR. BRUCE desired to say a few words on this Vote, inasmuch as it was the late Government that was really responsible for the expenditure to which the hon. Gentleman (Mr. Bentinck) had just referred. The origin of this Vote had been alluded to by the hon. Member for Swansea (Mr. Dillwyn). In 1860 the right hon. Gentleman the Member for Calne (Mr. Lowe) moved the appointment of a Committee on the subject, and the Committee recommended that a plan for a permanent building should be adopted. The whole of the South Kensington Museum had been a matter of gradual growth. The production of a plan was insisted upon on the part of the Treasury by his hon. Friend the Member for Pontefract (Mr. Childers), and the expenditure was limited to £195,000, which was to be extended over six years. It was that plan which their successors had adopted, and when the £195,000 should be expended it would be for the House of Commons to decide whether the building should be in any way extended. He was also to some extent responsible for the system adopted with regard to Referees, for as one of a Commission of Inquiry upon the subject of the Department he had decided against the appointment of permanent Referees, and had approved the selection of gentlemen known to be qualified to judge of the particular matter on which a decision was required.

Mr. CANDLISH reminded the noble Lord (Lord Robert Montagu), that he had not informed the Committee how much of the Vote was to be expended on the Art Catalogue.

Lord ROBERT MONTAGU replied that the sum proposed to be expended in that direction was £1,000. In answer to the hon. Member for Southwark (Mr. Locke) he might say that the land required for the erection of the Bethnal Green Museum had been purchased.

Mr. GREGORY said, his criticism upon the Bethnal Green Museum had not been dictated by any feeling against that particular district. He should be glad to witness a more general extension of museums over the country; but he thought some definite and fixed principle ought to be laid down, so that persons in different localities might know what local exertion was necessary before they could expect to receive any State assistance. The Art Catalogue, however, to which the responsibility of the right hon. Gentleman the Member for Merthyr Tydfil (Mr. Bruce) also extended, was the subject to which he now particularly desired to allude. The opinions referred to by the noble Lord did not in the slightest degree justify the preparation of this enormous catalogue, in the first number of which thirty-five different editions of *Æsop* were quoted. Mr. Quaritch, the eminent bookseller, had distinctly stated that to carry out the idea of this catalogue it would be necessary to include every species of book containing illustrations. It might, and no doubt would, be well to make a thoroughly good catalogue of the existing library in South Kensington Museum; but such a catalogue as the one now in course of preparation involved a foolish and a useless waste of public money, and it was with a view to prevent this waste that he now moved that the Vote be reduced by the £1,000 intended to be devoted to the preparation of this catalogue.

Motion made, and Question put,

"That the Item of £2,500, for Preparation, Illustration, and Printing of Catalogues and Inventories of the Museum, and Universal Art Catalogue and Inventories, be reduced by the sum of £1,000."

The Committee *divided*:—Ayes 34; Noes 54: Majority 20.

Mr. BENTINCK complained of not having received a reply to his inquiry. He asked whether any plans of the building, which it was said was to cost £195,000, would be laid before the Committee?

Lord ROBERT MONTAGU said, the reason he had not replied to the Question of his hon. Friend was because the right hon. Gentleman the Member for Merthyr (Mr. Bruce) had given an answer a great deal better than he could have done. His hon. Friend had asked whether he would lay the plans to which he had referred before the House? All he could say was that the plans and the Correspondence had been laid before the House in July, 1866. The buildings in question would cost only £195,000, and the expenditure would be spread over a period of six years. If any further expenditure was to be incurred, it must be done with the sanction of the House. He could not prophesy what the House might think well to do at a future time.

Original Question put, and *agreed to.*

(10.) £6,063, to complete the sum for the University of London.

(11.) Motion made, and Question proposed,

"That a sum, not exceeding £10,992, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for the Salaries and Expenses of the National Gallery, including the purchase of Pictures."

Mr. BENTINCK expressed a hope that this Vote would not be pressed that night in the absence of many hon. Gentlemen who took an interest in it.

Mr. SCLATER-BOOTH said, he was sorry he could not accede to the request of the hon. Gentleman. He had already intimated his intention of bringing on the Vote.

Whereupon Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Bentinck*,)—put, and *negatived*.

Original Question put, and *agreed to.*

Vote *agreed to.*

(12.) £800, to complete the sum for the British Historical Portrait Gallery.

(13.) £235,195, to complete the sum for National Education in Ireland.

(14.) £730, Commissioners of Education in Ireland.

(15.) £2,155, to complete the sum for the Queen's University, Ireland.

(16.) £1,740, to complete the sum for the National Gallery, Ireland.

(17.) £5,083, to complete the sum for Miscellaneous Charitable and other Allowances, Great Britain.

(18.) £34,040, to complete the sum for Merchant Seamen's Fund, Pensions, &c.

(19.) £30,400, to complete the sum for Relief of distressed British Seamen.

(20.) £145,857, to complete the sum for Superannuation and Retired Allowances.

MR. ALDERMAN LUSK said, this Vote had increased by more than £8,000. He complained that offices were abolished and young officers pensioned, and new clerks appointed. The officers, instead of being pensioned, ought to be transferred to other Departments and utilized.

THE CHANCELLOR OF THE EXCHEQUER admitted that these allowances should be watched with great jealousy, and that it was undesirable to grant them to persons fit for service except on very special grounds. In the case of the Board of Trade the re-organization of the Department had necessitated the abolition of certain offices, some of which had been held for a very long time by men who could not well be now put to junior work. Allowances in these and other cases had been granted with great care.

MR. ALDERMAN LUSK said, the War Office had pensioned a number of clerks, some not very old, and at the same time the number of clerks had been increased.

Vote *agreed to.*

(21.) £13,134, to complete the sum for Hospitals and Infirmaries, Ireland.

(22.) £4,915, to complete the sum for Miscellaneous Charitable and other Allowances, Ireland.

(23.) £14,000, to complete the sum for Temporary Commissions.

(24.) £780, Malta and Alexandria Cable, and Balmoral Telegraph.

(25.) Motion made, and Question proposed,

> "That a sum, not exceeding £19,377, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for certain Miscellaneous Expenses."

SIR J. CLARKE JERVOISE objected to the enormous expense of the inspectors of cattle. He begged to move the reduction of the Vote by the sum of £11,058, being the amount charged for the Veterinary Department of the Privy Council.

Motion made, and Question proposed,

> "That the Item of £11,058 17*s.* 6*d.*, for the Veterinary Department of the Privy Council Office, Salaries and Expenses, be omitted from the proposed Vote."—(*Sir Jervoise Clarke Jervoise.*)

MR. SCLATER-BOOTH said, he hoped the hon. Baronet would not persevere in the Motion. The Vote was to provide for current expenses, many items of which had been incurred during the past year. At present there was a Treasury Commission investigating this head of expenditure, which would probably lead to considerable reductions.

Motion, by leave, *withdrawn.*

MR. CHILDERS asked for an explanation of the item of £6,070 for robes, collars, and badges for the Knights of the several Orders, the charge last year having been only £1,500?

MR. ALDERMAN LUSK complained of the item of £6,000 for robes, badges, and collars which had increased to that sum from £1,500, at which it stood last year. He thought such a sum unreasonable, and one that could not be justified. He moved that it be reduced to that amount, £1,500.

THE CHANCELLOR OF THE EXCHEQUER said, he had inquired into the matter when he was Secretary of the Treasury, and considered that they could not refuse to insert this item. If the Committee now passed this Vote he should be prepared to make a further explanation on the Report.

MR. DISRAELI explained that these honours were conferred by Her Majesty, and it was therefore obvious that the item ought to stand.

MR. ALDERMAN LUSK withdrew his Motion, but gave notice that he should move the reduction of the Vote by £4,500 on the Report.

Original Question put, and *agreed to.*

(26.) £31,599, to complete the sum for Local Dues on Shipping under Treaties of Reciprocity.

(27.) £2,000, for promoting the Cultivation of Flax in Ireland.

Mr. Alderman LUSK complained that the greater part of the Vote was really expended in travelling expenses—namely, £1,860, and he also condemned the principle of the Vote. Why should Irishmen be, as it were, bribed to do ther duty to themselves? The farmers of Ireland were intelligent men and could get on very well without it, if they were left alone. He moved the omission of the item.

The Earl of MAYO explained that the increase of the Grant was due to certain representations that had been made to the Government respecting the importance of proper instruction being given to the Irish people in the cultivation of flax by competent instructors. The Vote was not to be regarded as a permanent one.

Mr. CHILDERS pointed out how the Vote had increased, although it was to have been only temporary, and trusted it would speedily disappear altogether from the Estimates.

Mr. M'LAREN thought the Vote ought to be altogether omitted, as everybody seemed to have somebody else to watch him, and in that way £1,860 was spent in travelling.

Motion made, and Question put,

"That a sum, not exceeding £2,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for encouraging the Cultivation of Flax in the South and West of Ireland."

The Committee *divided:*—Ayes 43; Noes 18: Majority 25.

House *resumed.*

Resolutions to be reported upon *Monday* next.

Committee to sit again *To-morrow.*

SUPPLY—REPORT.

Resolutions [May 29] *reported.*

Res. 7. (Register House, Edinburgh).

Mr. WALDEGRAVE-LESLIE observed that a Committee in 1866 had unanimously reported that a salary should be attached to the responsible head of the important office of the Lord Clerk Register; and he wished to know whether the Government intended to adopt the recommendation of the Committee?

Sir WILLIAM STIRLING-MAXWELL said, that the powers of the Lord Clerk Register were already very great, and that both his powers and duties would be considerably increased by a Bill now before the House; it appeared to him neither expedient nor fair to confer powers or impose duties on an unsalaried officer.

Mr. M'LAREN contended that the office of Lord Clerk Register was a mere sinecure. It was held at one time by a Governor General of India (Lord Dalhousie), it was then abolished, it was then revived as an honorary office, and now it was proposed, without any increase of duties, to make it a salaried office.

Sir EDWARD COLEBROOKE was of opinion that the Scotch Members had a right to complain of the surplus fees being sent to the Treasury without adequate provision being made for the performance of official duties.

Mr. CRAUFURD agreed in the opinion that the office of Lord Clerk Register ought no longer to be a sinecure.

Mr. SCLATER-BOOTH said, it was true that in the case of Lord Dalhousie the office of the Lord Clerk Register was a sinecure. The duties were performed by a deputy, but Lord Dalhousie did not receive the salary. The salary had been abolished by Act of Parliament, and could only be revived by the same means. He certainly thought that the office ought not to be a sinecure; but as to the extent to which the office might require revision, and what the amount of salary ought to be, he was not prepared to give any opinion.

Resolution 11. (Government Prisons and Expenses of Transportation).

Mr. CHILDERS renewed the question he had put on a previous evening, as to the absrdity of sending the convicts to Gibraltar, when their labour would be of value in this country, and desired to know whether his hon. Friend (Sir James Fergusson) could give him an assurance that the present extravagant system should be altered?

Sir JAMES FERGUSSON said, the the fact was that the convict prisons in England were full. Formerly that was not the case, because 600 convicts were sent to Australia every year; but now, in consequence of transportation having been put an end to and from the fact that under sentences of penal servitude convicts were subjected to more lengthened detention, we had more convicts at home than we could well provide for. About 200 were consequently sent to Gibraltar a short time since; but no more would be sent this year because for the present we could provide for them in this country. In Gibraltar convict labour was of value, from the great difficulty, if not the absolute impossibility, of obtaining free labour. The works at Chatham might be pressed on with greater rapidity if more convict labour were employed; but to do this it would be necessary to construct barracks for them, and it was doubtful whether it would be advantageous to incur the expense. It should be remembered, too, that formerly a large number of convicts were housed in hulks, but that that system had been abandoned. He could therefore assure the hon. Gentleman that there was no intention of sending any convicts to Gibraltar if it was possible to accommodate them at home.

Resolutions *agreed to.*

House adjourned at a quarter before Two o'clock.

* * *

HOUSE OF COMMONS,

Friday, June 5, 1868.

MINUTES]—PUBLIC BILL—*Committee*—Established Church (Ireland) [117].
Report—Established Church (Ireland) [117].

METROPOLITAN FOREIGN CATTLE MARKET BILL.—MOTION.

MR. MILNER GIBSON moved that it be referred to the Examiners of Petitions for Private Bills, to inquire whether the Amendments which have been introduced in the Select Committee on the Metropolitan Foreign Cattle Market Bill involve any infraction of the Standing Orders. The right hon. Gentleman said that this Bill was introduced to the House in a most imperfect form, inasmuch as its main object was not indicated by any of its clauses. He made inquiry as to the reason of this, and, after some difficulty, he was told that the reason of this clause not being introduced was, that the Notices which had been given in the *Gazette* of the intention of the Government to bring in this Bill would not cover the ground, and that, therefore, if the clause had been introduced, the Bill might have fallen through when brought before the Committee of Standing Orders. This clause was, therefore, not introduced till after the second reading, when it was inserted by the Select Committee. That clause required that all foreign cattle should be taken to one particular place on the Lower Thames to be slaughtered, and this prohibited the use of a number of private wharves, where the cattle trade had hitherto been carried on. This, in point of fact, would be to take away the property of persons who were now conducting their business according to law. The clause had given rise to large claims for compensation; and, as it had been introduced by a Select Committee, as it interfered with private rights, and as it contemplated objects not within the original Notices, he thought that it ought to be referred back to the Examiners.

LORD ROBERT MONTAGU thought he had a little to complain of, as he did not get notice of this Motion.

MR. MILNER GIBSON said, the Notice was on the Paper, and he fixed it for to-day in order to escape the charge of delaying the Bill.

LORD ROBERT MONTAGU contended that this could not be regarded as a Private Bill, and should not be subject to the laws which applied to Bills of that description. A Private Bill was a Bill introduced for the particular benefit of certain persons. Their benefit was, of course, the injury of others. A Committee was therefore appointed by Parliament to adjust their conflicting interests—and Parliament acted in its judicial capacity. Then a surprise, or a point suddenly raised without due notice might cause considerable injury to one of the parties, and might prevent the Committee from judging justly. Hence, the Standing Order which applied to the case. But this was a Public Bill, as a reference to Sir Thomas May's book, at pages 627, 628, and 728 would show. This was a Bill for the benefit of the country at large. It stood among the Orders for Public Bills, and could not, in any way, be regarded as a Bill for the particular benefit of any individuals. Besides which, there had been no surprise, in the matter, because, in November last year, he himself gave Notice of the clause in question, and it had appeared on the Notice Paper every Saturday since. That Notice was quite in accordance with the Preamble of the Bill. The Preamble stated that it was expedient to make a market for the sale and slaughter of cattle, and if the slaughter of cattle was out of the Order of Reference, so was their sale. But he had had no opportunity of introducing the clause before it went to the Committee upstairs, because the right hon. Gentleman the Member for Ashton (Mr. Milner Gibson) rose on the second reading, and opposed the Bill on the very ground that compulsory slaughter at the waterside was not in accordance with the recommendations of his (the Trade in Animals) Committee. He then regarded compulsory slaughter as the very principle of the Bill. But the right hon. Gentleman then said that he would not divide the House if the Bill might be referred to a hybrid Committee. The clause was then put in manuscript into "the filled up Bill." which was sent to all the petitioners against the Bill, and laid before the Committee. Nay, more; every petitioner against the Bill had alleged this very point of compulsory slaughter as the special ground of objection against the Bill. The counsel for the promoters, in opening the case, read this very manuscript clause as the very point and essence of the Bill. Every witness who was called against the Bill endeavoured to prove that the Bill would be injurious, because of the compulsory slaughter; and the wharfingers and butchers and others claimed compensation on that very ground. The learned Counsel (Mr. Vernon Harcourt), when closing his case against the Bill, rested chiefly on this very clause; but never raised the objection that the clause was contrary to the Standing Orders. It was clear, therefore, that full notice had been given and received, that there was no surprise, and that the objection was merely technical, and was raised only for the sake of delay. But what would follow? If that clause were out of the Order of Reference, the Compensation Clause, which was inserted as a corollary to it, should also be struck out; and all the evidence of the opponents which referred to it, was also out of the Order of Reference, and could, therefore, not be received by the House. He would, however, not object to the matter being referred to the Examiners, on the honourable understanding that the Bill should not be in any way delayed.

Mr. MILNER GIBSON said, he had no intention of delaying the progress of the Bill; but the course he proposed would not occasion any delay, as the Bill was not to be proceeded with until Monday week, and during next week there would be ample time for the inquiry he proposed.

Lord Robert Montagu

Ordered, That it be referred to the Examiners of Petitions for Private Bills to inquire whether the Amendments which have been introduced in the Select Committee on the Metropolitan Foreign Cattle Market Bill involve any infraction of the Standing Orders.—(*Mr. Milner Gibson.*)

Mr. MILNER GIBSON then moved, in order that the persons interested might have full notice, and be able to send in their memorials to the Examiners, the addition to his first Motion of the following words—

"Memorials complaining of non-compliance with the Standing Orders be deposited in the Private Bill Office not later than Tuesday the 9th day of this instant June, and that the Examiner do give three clear days' notice of the sitting."

Motion made, and Question proposed,

"That Memorials complaining of non-compliance with the Standing Orders be deposited in the Private Bill Office not later than Tuesday the 9th day of this instant June, and that the Examiner do give three clear days' notice of the sitting."—(*Mr. Milner Gibson.*)

Mr. DODSON pointed out that such a Resolution was hardly necessary, as the Examiners were in the habit of giving two days' notice, and he thought it would be sufficient if the matter were left to them.

Motion, by leave, *withdrawn.*

POST OFFICE—THE CAPE MAIL.

QUESTION.

Mr. MORRISON said, he wished to ask the Secretary to the Treasury, Whether there is any objection to the bi-monthly, as well as the monthly Mail for the Cape of Good Hope, being embarked and disembarked in the port of Plymouth?

Mr. SCLATER-BOOTH: The bi-monthly as well as monthly Mail will be embarked and disembarked at Plymouth as soon as the new Contract is brought into operation.

ARMY—OFFICERS IN COMMAND OF DEPOTS.—QUESTION.

Colonel FRENCH said, he would beg to ask the Secretary of State for War, If the Circular relating to Officers in Command of Depôts, issued last year, is to extend to those Officers in Command before that Circular was issued from the Horse Guards?

Sir JOHN PAKINGTON: Sir, I find, on inquiry, that no circular of the nature referred to by the hon. and gallant Member, was issued last year; and I presume that the circular to which the Question refers was one issued in December, 1866. I hold a copy of the circular in my hand, and it does not appear to be open to the Question he put. It consists of three clauses, and the first begins thus—"The present Lieutenant Colonels of Depôt Battalions shall remain in undisturbed possession of their employment until removed by casualties." The last clause is this—"Officers appointed at any period hereafter shall hold the appointment for five years." No words can be more clear than these to show that the regulation is to have no retrospective action.

BOUNDARY COMMISSIONERS' REPORT.

QUESTION.

Mr. STOPFORD said, he would beg to ask the First Lord of the Treasury, Whether it is the intention of Her Majesty's Government to adopt the recommendation of the Select Committee as to the non-extension of the Boundaries of fifteen Boroughs, contrary to the Report of the Boundary Commissioners?

Mr. DISRAELI: Sir, we go into Committee on Monday next on the Boundary Bill, and then the Members of the Committee will have an opportunity of giving the reasons which induced them to adopt the recommendation which they have offered to the acceptance of the House, and I shall listen to those reasons with much interest.

ECCLESIASTICAL TITLES BILL.

QUESTION.

Mr. SCHREIBER said, he would beg to ask the hon. Member for Meath, Whether, at a recent meeting of Roman Catholic prelates, presided over by Archbishop Manning, it was decided that, in the present state of public feeling in this Country, it would be inexpedient to proceed with the Bill for the repeal of the Ecclesiastical Titles Act; and, whether, in consequence, he is now in a position to state what course he will pursue, with respect to the Bill in question?

Mr. MAC EVOY, in reply, said, except that inferentially, by means of the Notice of the hon. Member, he had no reason to think that any such meeting as that to which the hon. Gentleman referred had been held. If the hon. Member was correctly informed upon the subject, he must enjoy more of the confidence of the Roman Catholic prelates than he (Mr. Mac Evoy) could lay any claim to. With regard to the last part of the Question, he would remind the hon. Gentleman that, with the consent of the Government, a Committee had been appointed to inquire into the subject; and, in courtesy to that Committee, he had abstained from pressing the Bill, while they were prosecuting their investigations; but, as soon as their Report was presented, it was his intention to take the sense of the House on the second reading of the Bill.

ARMY—WAR DEPARTMENT.

QUESTION.

The Marquess of HARTINGTON said, he would beg to ask the Secretary of State for War, with reference to his promise that Vote 18 in the Army Estimates (Administration of the Army), should not be taken until a statement of the proposed changes in the organization of the War Department had been laid upon the Table of the House, When that statement will be submitted to Parliament; and, whether any statement of proposed alterations in the audit of Military Accounts will be laid before Parliament in sufficient time to enable the Committee of Public Accounts to consider them during the present Session?

Sir JOHN PAKINGTON said, in reply, that he did not recollect having made any such promise as that referred to in the Question of the noble Lord. When the Army Estimates were moved, he entered into a full statement of the changes which were intended in the War Department; but the details were not yet completed, and therefore he could not lay them upon the table of the House. As regarded the Audit Department, only one alteration had been made, and that was the transfer of the Department from the Assistant Under Secretary to the Parliamentary Under Secretary. The regulations, however, were not yet complete; but when they were, he would have no objection to lay them upon the table.

The Marquess of HARTINGTON said, he and others were under the impression that, in the course of a desultory conversation in Committee on the Army Estimates, the understanding that Vote 18 shall not be taken till the statement in question has been laid on the table of the House was arrived at. It is most important that the House shall have the statement before proceeding to the Vote.

Sir JOHN PAKINGTON said, he must repeat that he did not recollect having made any promise on the subject, but he would endeavour to meet the wishes of the noble Lord if he would communicate with him privately.

SUPPLY—METROPOLIS—BURLINGTON HOUSE.—OBSERVATIONS.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. BERESFORD HOPE wished to call the attention of the First Commissioner of Works to an advertisement which, to his great surprise he read in *The Times* of that morning. It announced a sale by auction of the "valuable materials of the colonnade, with Doric stone columns and frieze," of Burlington House. That handsome colonnade of Burlington House, which had been so much talked of in that House, and the gateway, an interesting specimen of the architecture of the last century, were, it appeared, to be knocked down to the highest bidder. This sale would bring a few miserable pounds to the credit of some Government Department; but it would either remove from the metropolis or utterly abolish a monument of archicture which, besides being of historical interest, possessed a considerable amount of architectural beauty. The Government might take power to re-erect this colonnade and portico in one of the public parks or gardens—at Kew, for instance, or South Kensington, or Kensington Gardens. If not the colonnade, they might, at least, put up the archway as an entrance to something. He must protest against the Vandalism which neglected these monuments of the art and history of this country. It was bad enough when such things were done by private individuals; but when the Government allowed such objects to go to the hammer it was time a protest should be made. He trusted that the noble Lord would give the House some assurance that these monuments should not be knocked down to the highest bidder; but that they should be re-erected somewhere, on ground belonging to the country, where they might remain as monuments of architecture of an interesting period in our history.

Lord JOHN MANNERS said, he should be very happy to treat privately with his hon. Friend with respect to the sale of this colonnade. He was already in communication with his hon. Friend the Member for Whitehaven (Mr. C. Bentinck) on the subject, and he should be glad to meet their views as to the re-erection of the colonnade and archway either in Bedgebury Park or elsewhere.

Mr. DARBY GRIFFITH said, he thought that the noble Lord ought to have given a more serious answer. He did not believe the intention of the Government to knock down to the highest bidder the colonnade of Burlington House had been stated in that House.

NAVY—GREENWICH HOSPITAL. OBSERVATIONS.

Mr. BAILLIE COCHRANE said, he rose to call the attention of the House to the circumstance that the daughters of Seamen killed or disabled in the service of the Country do not enjoy the privilege of maintenance and education at Greenwich Hospital.

Mr. CORRY said, in reply, that under the wording of the statutes the daughters of seamen and marines killed in action would appear to have an equal claim with their sons to share in the funds of the Hospital. It was not the intention of the Admiralty to re-establish a girls' school in connection with Greenwich Hospital, but they were disposed to think that a certain portion of the income of that institution might be appropriated to the purpose of aiding local institutions for the education of the daughters of seamen and marines in the various ports. The question was referred to in the Report of the Greenwich Hospital Committee which would be presented in a few days, when his hon. Friend would see what was proposed.

ESTABLISHED CHURCH (IRELAND) BILL.—QUESTION.

Lord CLAUD JOHN HAMILTON said, he rose to put a Question to the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) in reference to this Bill. He said the right hon. Gentleman had expressed a desire to respect all vested interests, and there were in Ireland a large and meritorious body of gentlemen—the vicars-general and registrars of different dioceses—who held their offices for life by patent; but whose incomes derived from fees for the registration of institutions and consecrations, would, if the Bill of the right hon. Gentleman became law—and he (Lord Claud John Hamilton) sincerely hoped it would not do so—be seriously affected. He wished to know, If it was the intention of the right hon. Gentleman to introduce a Clause in his Bill to compensate those gentlemen for the loss they would sustain?

MR. GLADSTONE: It is the fashion, sometimes, to complain of want of Notice. I think the noble Lord would have done better to have placed a Notice of his Question upon the Paper; and probably a better course still would be to raise the question in Committee; but, as at present advised, I may say that I apprehend the gentlemen in question are entitled to certain fees for the performance of certain duties. But I am not aware of any fact—no representation has been made to me to show that they have a right to require that certain things shall be done in order that they may receive fees for doing them.

NAVY—GREENWICH HOSPITAL.

QUESTION.

MR. SEELY said, he would beg to ask the First Lord of the Admiralty, When the Report of the Committee appointed to inquire into the present system of management of Greenwich Hospital and Schools (which was laid upon the Table of the House on the 19th of May last) will be in the hands of Members?

MR. CORRY said, in reply, that the Report of the Committee appointed to inquire into the present system of management of Greenwich Hospital and Schools, together with the Evidence, which was voluminous, would be in the hands of Members in a few days.

ESTABLISHED CHURCH (IRELAND) BILL.—[BILL 117.]

(*Mr. Gladstone, Sir George Grey, Mr. Lawson.*)

COMMITTEE.

Order for Committee read.

MR. AYTOUN rose to move an Instruction to the Committee—

> "That it be an Instruction to the Committee, that they have power to provide in the said Bill, that the tenure of every office connected with the College of Maynooth be subject to like conditions with those to which official tenures connected with the Established Church in Ireland will be subject after the passing of this Act, and that no money shall be payable under the Act 8 and 9 Vic. c. 25, to the Trustees of the College of Maynooth for or for the use of any senior student or other student to be admitted after the passing of this Act."

He said, that in addition to the three Resolutions of the right hon. Member for South Lancashire (Mr. Gladstone) which had been carried, laying the foundation for the disestablishment of the Episcopal Church in Ireland on the principle of religious equality, a fourth Resolution had been carried, affirming the necessity of discontinuing the grant to Maynooth and the *Regium Donum* as soon as the Episcopal Church in Ireland should be disestablished. The Bill upon which they were about to go into Committee had been brought in to give effect to the intentions expressed in the first three Resolutions; but in order to place all denominations on an equality in Ireland, it appeared to him to be necessary to treat the grant to Maynooth in exactly the same manner as they were about to treat the Established Church. The Bill enacted that when any archbishopric, bishopric, or other benefice became vacant, no successor should be appointed to it, but that its revenues should be paid into a fund to be placed in the hands of certain Commissioners; and by a subsequent clause, in the case where any congregation would be deprived of the religious services to which they had been accustomed through the non-appointment of a successor to their clergyman, temporary provision was to be made by the Commission for continuing the services of their church. It appeared to him it would be only fair and consistent that some step should be taken with regard to Maynooth analogous to that adopted by the Bill towards the Established Church. Accordingly, understanding that it was only by an Instruction to the Committee that could be done, he had placed on the Notice Paper the Motion with which he would conclude, referring to any vacancies which might occur in the professorships or other offices connected with the College of Maynooth, and also to a large number of studentships in that institution, for which sums were paid out of the Consolidated Fund. The Bill provided against any extension of the Established Church in Ireland, the 3rd section being to this effect—

> "It shall not be lawful for the Ecclesiastical Commissioners for Ireland to make any new grant for the building, re-building, or enlarging of any church or chapel, or for the building of any glebe house, or the augmentation of any benefice or the maintenance of any minister or the purchase of any house, land, or tithe-rent charge."

That clause, taken in connection with the 1st clause, clearly pointed to the conclusion that, while all rights of property and all interests of individuals were to be respected, no extension of the Established Church was to be permitted. Therefore, if they were to deal in the same manner with Maynooth College, it would be necessary to enact that no money should continue to be payable out of the Consolidated Fund to the Trustees of that institution for the maintenance of any senior or other students admitted after the passing of the Act. The principle of the Resolutions was that all Churches in Ireland should be equally deprived of any assistance from the State; and the Bill based upon them having for its object to prevent the creation of any new life-interests connected with the Established Church, he thought that, in all fairness, the same rule ought to be applied to appointments in the College of Maynooth. In order that that might be done, he now begged to move his Instruction.

After a brief pause, during which no hon. Member rose to second the Motion, Mr. DARBY GRIFFITH said, he would second it.

Motion made, and Question proposed,

"That it be an Instruction to the Committee, that they have power to provide in the said Bill, that the tenure of every office connected with the College of Maynooth be subject to like conditions with those to which official tenures connected with the Established Church in Ireland will be subject after the passing of this Act, and that no money shall be payable under the Act 8 and 9 Vic. c. 25, to the Trustees of the College of Maynooth for or for the use of any senior student or other student to be admitted after the passing of this Act."—(*Mr. Sinclair Aytoun.*)

COLONEL GREVILLE-NUGENT said, he considered this Instruction quite unnecessary, and quite irrelevant to the Bill before the House. The object of the Bill was not to disestablish the Irish Church, but to prevent the growth of new personal interests in it between the present time and the period when the new Parliament, to which that matter was to be relegated, would come to deal with it. The hon. Gentleman (Mr. Aytoun) desired to establish religious equality, but his proposal, if carried, would have a totally different result. It was a mistake to say that the Bill gave effect to the 1st Resolution of the right hon. Member for South Lancashire (Mr. Gladstone). That was remitted to the new Parliament. The Bill gave effect only to the 2nd Resolution, which was merely intended to prevent the growth of new vested interests in the interim. The hon. Member said he wished, by his Instruction, to carry out the 4th Resolution, but the 4th Resolution declared that when effect was given to the 1st by disestablishment of the Irish Church, then the grant to Maynooth and the *Regium Donum* should cease. But the hon. Gentleman proposed to prevent any students from entering the College of Maynooth between the present time and August, 1869; so that the operations of the College, as far as new students were concerned, would be immediately and entirely stopped. The hon. Member could not have understood the provisions of the Bill nor the explanation given of them by the right hon. Member for South Lancashire, who had said that those provisions, combined with the Church Temporalities Act and the general ecclesiastical law were sufficient to enable every function and operation of the Established Church in Ireland to go forward, in different hands, indeed, but as really and efficiently as if the Bill were not passed. If the proposed Instruction were agreed to the operations of Maynooth would not go on; while all that was contemplated by the Bill in respect of the Established Church was the prevention of the growth of any new interests, and the Church itself was left to be dealt with by the new Parliament. When they were going to establish religious equality he very much objected that they should take this small sum from the religion of the mass of the Irish people, while they allowed the Irish Church Establishment to be dealt with by the new Parliament. He thought nothing could be more unfair; and he would simply remark that the *Regium Donum* was left out of sight. He was quite satisfied with the assurance of the right hon. Member for South Lancashire that no more State funds should be applied to religious purposes, and if that were not sufficient for the hon. Member, let him look again at the 4th Resolution adopted by the House, which said that when the Church of Ireland had been disestablished the grant to Maynooth and the *Regium Donum* should be discontinued. It was therefore unnecessary to adopt the proposed Instruction. He would move as an Amendment, in the words of the 4th clause of the Bill, substituting Maynooth for the Established Church, that—

"Every person who shall be appointed to any office in the College of Maynooth, after the passing of this Act, shall hold the said office subject to the pleasure of Parliament."

Amendment proposed,

To leave out from the words "Bill, that" to the end of the Question, in order to add the words "every person who shall be appointed to any office in the College of Maynooth, after the passing of this Act, shall hold the said office subject to the pleasure of Parliament," — (*Colonel Greville-Nugent,*)

—instead thereof.

Mr. GLADSTONE: On a former evening when my hon. Friend behind me (Mr. Aytoun) made a Motion relating to this subject, before the Bill was introduced, we were necessarily led to enter upon questions by which deep feelings were likely to be excited, because religious differences and questions of principle were involved. But I am not aware that on the present occasion any topic of that kind can naturally or properly be introduced; because, in fact, on the former occasion we determined the principles on which we would proceed, and left for consideration nothing but questions, important indeed, but comparatively small, as to the mode in which effect was to be given to those principles. I wish just to point out to the hon. Gentleman that in my opinion he cannot consistently vote in favour of his own Instruction, because I am sure his intention is to adhere to the basis on which the House founded these proceedings, and his Instruction as it stands does not adhere to that principle. As the hon. Member for Longford (Colonel Greville-Nugent) has pointed out, there are two stages in the process which we on this side of the House contemplate. One is the final and entire disestablishment of the Church in Ireland, and the other the establishment of a provisional and intermediate state of things under which, as we consider, every spiritual and pastoral office of the Church is to go forward without difficulty and with sufficient provision made for it from the same sources as before, but no new vested interest is to be created. The House has adopted a Resolution to the effect that when legislative effect is given to the 1st Resolution about the disestablishment of the Irish Church, then the grants connected with Presbyterian and Roman Catholic purposes shall be wound up. I think my hon. Friend will see that he cannot possibly found his Instruction upon that Resolution. It is too much, and it is too little. It is too much, because the 4th Resolution points simply to the period of the disestablishment as the period at which certain measures are to be taken with regard to bodies other than the Established Church; while this Instruction would stop absolutely, so far as the admission of new students is concerned, the operations of the College at Maynooth. It is entirely beyond the scope of the 4th Resolution, which has really nothing to do with this intermediate period, and it is, as applying to the College of Maynooth, a measure and rule of procedure which we do not apply to any of the offices of the Established Church. Therefore the Instruction errs on the side of excess. But it also errs on the side of defect, because when the hon. Member makes that provision with regard to the College at Maynooth he takes no notice of the reference in the 4th Resolution to the *Regium Donum.* On the simple ground that this Instruction goes much beyond the rule that the Suspensory Bill proposes to apply to the Establishment in Ireland, I apprehend that it is totally impossible for the House with consistency or propriety to accede to it. But the hon. Member for Longford, basing his Amendment upon grounds which are perfectly just and intelligible as far as principle is concerned, does really raise the point which I think the House ought to consider, and which we may consider without prejudice from any controversial topic whatever. We who are friendly to the Bill are all agreed—and I do not think many of our opponents will differ from us in the opinion—that if the Irish Church be disestablished public grants should cease for other bodies; and not only so, but I think our agreement must extend one step further, and must go to this point, that if the Suspensory Bill be passed the two other bodies must be put substantially upon the same footing as the Established Church with reference to the operation of that Bill. That, I hope and believe, is the real object of my hon. Friend. Then comes the question as to the mode in which we can best give effect to that opinion. I quite agree that if the Suspensory Bill should become law, no person appointed to be a Presbyterian minister, or to be a professor or officer of Maynooth, or to be a student of Maynooth, ought to acquire any vested interest whatever in any shape. But ought we to legislate for that purpose? I do not think that is a matter in which any religious body, as such, has an interest. It is in my view a question for Parliamentary consideration, and it is a question on which I should be disposed to attach great weight to the opinion of the Government, who are the most natural and proper guardians of the privileges and powers of this House in these matters of form. My own opinion is that it would not be convenient to introduce into this Bill any provision on this subject. We are in the habit upon many occasions of barring by law the growth of new vested interests where those interests are derived from property; but I am not aware of any case in which we have by law barred vested interests where those interests had no other basis than the votes of this House or the provisions of an Act of Parliament. If any case can be produced it may materially alter my opinion. Last year from this side of the House it was proposed to relieve the Consolidated Fund, by repealing an Act of Parliament, from the grant which now supports certain Bishops and clergy in the West Indies. The Government did not think it convenient to do that by an Act which was to be passed last Session; but it was urged from this side that if the passing of an Act was postponed till the present Session, no Bishop or other dignitary or clergyman should take any vested interest if appointed in the meantime. We did not pass an Act of Parliament for that purpose, but if I remember right it was entrusted to the Executive Government to make sufficient provision through its officers to carry out the intention of Parliament, and to warn persons accepting offices not to expect that they would have any vested interests. That appears to me to be the proper course to follow on the present occasion. I entirely agree that these parties should be placed on the same footing, after the passing of the Suspensory Act, as the Members of the Established Church. The House is not bound to do that by the 4th Resolution; but I think they are bound to do it by the spirit of their proceedings. The only question I raise is as to the mode of doing it. There is another difficulty — namely, that if we were to legislate to the effect that no professor at Maynooth shall have a vested interest in his appointment after the passing of the Suspensory Act, the question would arise as to what course we should adopt with respect to the Presbyterian minister. You may say that he is paid by a vote of this House year by year, and that he has not the security which an Act of Parliament gives. But that is not the question. The question is whether a Presbyterian minister has that sort of vested interest which, though not recognized, this House is accustomed to respect. The 4th Resolution places the vested interests of the Presbyterians on the same footing as the Grant to Maynooth, for it declares that when legislative effect shall have been given to the 1st Resolution respecting the Established Church in Ireland it is right and necessary that the grant to Maynooth and the *Regium Donum* be discontinued, "due regard being had to all personal interests." The consequence is that the vested interests of the Presbyterians are to be respected. It would be unfair to prevent the growth of interests that are not regarded as legal interests at all, in the case of the Roman Catholics, and not in the case of the Presbyterians. It appears to me that the best method would be to look to the progress of this Bill; and when it becomes law that would be the period when the Executive Government, either of itself or on the Motion of this House, should convey to the parties interested a sufficiently distinct warning of the intentions of the House. I fear that what I have said may appear somewhat fastidious, but I do not wish to fetter the discretion of this House in the work of legislation; and I fear that if we pass a statute giving a legal form to vested interests which appear to be founded on a moral and equitable right, we may perhaps fetter the action of the House. I think we should pursue the wisest course if we were not now to attempt any measure of this kind, but at a later stage of the proceedings to revert to the subject. At the same time I, as an independent Member of this House, do not claim for myself any other than a secondary part in deciding a matter of this kind. I look to the Government as the natural guardians of the privileges of the House, and as the best advisers on that point; and any course I may take will be very much governed by the opinion which they may express.

Mr. NEWDEGATE said, he considered that the endowments of Maynooth would be placed by the Instruction on the same footing as those of the Established Church of Ireland under the Suspensory Act. The difference between the Resolution now proposed and the 4th Resolution adopted by the House was, that by this Resolution the action of the law would be simultaneous in reference to Maynooth with the action of the law in reference to the endowments of the Established Church. The endowment of Maynooth was a legislative creation. Prior to the Act of 1845, the provision for the officers of Maynooth, and also for the senior students, who were like the University scholars at Oxford, was voted from year to year in the Estimates. If it should be the pleasure of Parliament they might revert to the system in use before that year. He thought the hon. Member for Kirkcaldy (Mr. Aytoun) had done perfectly right in not including the provision for Presbyterian ministers, called the *Regium Donum,* in his Resolution, because that provision stood on a perfectly different footing, being made by an annual Vote of the House. When they heard so loudly proclaimed the intention of establishing religious equality, and were asked to pass with that view an Act suspending the functions of the Ecclesiastical Commission in Ireland, and suspending the permanent appointment of any clergyman of the Established Church, it seemed to him that the hon. Member for Kirkcaldy (Mr. Aytoun) was merely acting on the decision of the House, and preventing it from being betrayed by delay, in proposing the Resolution now placed in the Speaker's hands. Objecting to the whole Bill as anticipating the decision of a future Parliament he felt that if it was right to legislate at all it was as right to legislate with regard to Maynooth as with regard to the Established Church.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided* :—Ayes 109; Noes 185: Majority 76.

Question proposed,

"That the words 'every person who shall be appointed to any office in the College of Maynooth, after the passing of this Act, shall hold the said office subject to the pleasure of Parliament,'"

be added instead thereof.

Colonel GREVILLE-NUGENT said, he thought, after the exposition which had been given by his right hon. Friend below him (Mr. Gladstone), he should best consult the opinion of the House by asking leave to withdraw his Amendment. He should leave it to the new constituency to decide the question of the *Regium Donum* and Maynooth when the Irish Church had been disestablished.

Mr. SPEAKER asked whether it be the pleasure of the House that the hon. Member have leave to withdraw his Amendment? ["No, no!"]

Mr. GLADSTONE said, he would again appeal to the Government on the question which now opened for their consideration; it was one simply as to the mode of procedure usual in the House. Here was an Act charging on the Consolidated Fund a certain sum of money for the purpose of providing for the expenses of Maynooth; and the proposal before them was that any person to be appointed to an office in the College of Maynooth after the passing of this Act should hold the said office subject to the pleasure of Parliament. He had pointed out what happened last year. It was contemplated to pass an Act at a future period withdrawing the salaries of the West India Bishops, and it was likewise contemplated and intended by the House that any person who was appointed before that Act should pass should take no vested interest, and this was a transaction wholly in the hands and under the guidance of the Government. He therefore wanted to know whether they thought the same plan they pursued last year should be followed on this occasion, or whether they thought that, in this case, the right of parties arising under Act of Parliament, the House of Commons should, through a previous Act, warn the parties that they would have no right, in case of being appointed after that date, to anything in the nature of a vested interest. This was a question of considerable importance as one of Parliamentary procedure. He gave his opinion before on it; but he thought it a matter on which they might naturally look for guidance to those who had a general charge over the Business of the House; and he should be very glad to have the opinion of the Government upon it—not disguising his own opinion that the course taken last year was, on the whole, the right one; but being quite aware that when the suspensory measure passed some measures must be taken to convey to parties that notice which he believed was common in like cases—although passing a statute was without precedent in cases of this kind, however proper it might be where there was a real endowment, and where parties held their emoluments by some title quite distinct from and beyond that of mere vote.

Mr. GATHORNE HARDY: Sir, so far as I am concerned, I had no wish that any further interference should take place at this stage of the Bill; but it seems to me that in principle the proposal of the hon. Member for Kirkcaldy (Mr. Aytoun) and also that of the hon. Member for Longford (Colonel Greville-Nugent) is just in itself and in accordance with the provisions of the Bill of the right hon. Gentleman opposite (Mr. Gladstone). The mode of carrying out the object of this proposal appears to me to be comparatively immaterial as long as we give full notice to the persons who are to be affected by it. Upon that ground, therefore, I should not have objected to the proposal of either of the hon. Members, except upon the ground put by Mr. Speaker, that it would be inconvenient in a Bill of this kind to introduce a subject not absolutely kindred with it. But as the Instruction is before the House I cannot help saying that it seems to me to be in entire conformity with the principle of the Bill that those who take offices in Maynooth for the future should hold them subject to the pleasure of Parliament. Any probable case that might arise would be met by the Instruction moved by the hon. Member for Longford. I hope and believe that the Bill itself will not reach the stage which the right hon. Member for South Lancashire (Mr. Gladstone) contemplates; but, in the event of its becoming an Act of Parliament, the right hon. Gentleman says it would then become necessary to call the attention of Parliament to the question. But I think that by calling the attention of Parliament to it now we shall be giving due notice to those who are likely to be affected by the provisions of the Bill. Should the matter go to a division, I shall vote for the Instruction which has been moved by the hon. Member for Longford.

Sir GEORGE BOWYER said, he thought that the system of instructing Committees had been carried to too great a length. The House had agreed that it should be an Instruction to the Committee of the Whole House on the Scotch Reform Bill that certain English boroughs should be disfranchised, and now it was proposed that it should be an Instruction to the Committee of the Whole House upon a Bill relating to the Established Church that provisions should be introduced with regard to the College of Maynooth. There was no legal parity whatever between the benefices of the Irish Church, which were freeholds vested in the persons holding them, and the endowments of Maynooth, which were annuities created by Parliament, and therefore liable to be dealt with at the pleasure of Parliament. He did not understand why Her Majesty's Government, who were opposed to the suspension of appointments in the Established Church in Ireland should be in favour of the suspension of those in the College of Maynooth. He hoped that the House would reject this Instruction.

Mr. COGAN said, he hoped the House would not interpose to prevent the hon. Member for Longford (Colonel Greville-Nugent) withdrawing his Amendment. In such a case he should propose to his hon. and gallant Friend to vote against the Motion. He had witnessed with great surprise the course which had been taken by the Ministers of the Crown on the division which had just taken place. It was well the country should know the course the Government took, because then they would be all made acquainted with what the "truly Liberal policy" held out by the Government was, and what they meant by "religious equality," which the noble Lord the Chief Secretary for Ireland said was the policy they would pursue—although the Home Secretary repudiated the idea of religious equality. The Bill of the right hon. Member for South Lancashire would only suspend the creation of any further appointments in the Established Church for a year; whereas the Instruction of the hon. Member for Kirkcaldy (Mr. Aytoun) would be to put an end to the College of Maynooth for ever: for the Bill for suspending appointments in the Irish Church was merely a temporary measure, whereas the Instruction provided that no student shall be admitted to the College of Maynooth "after the passing of this Act." The Instruction did not say "during the continuance of the Act," but "after the passing of the Act." It was well that the country should know what course the Government took upon this question.

Colonel STUART KNOX said, he was glad that the Government had not, by giving advice, fallen into the trap which had been laid for them by the right hon. Gentleman opposite, who was entitled to the whole discredit which might attach to the Bill, which he (Colonel Stuart Knox) hoped would never become law.

Mr. AYTOUN, in reply to the hon. Member for Kildare (Mr. Cogan), said, that of course the clause introduced in accordance with the Instruction would only last for the same time as the Bill.

Sir GEORGE GREY observed that it was no use going to a division on a question on which there was no real difference of opinion. A division would very inadequately express the opinion of the House, and the only question was how the wish of the House was to be accomplished—that no new vested interests should be created in Maynooth or the *Regium Donnm*, pending the settlement of the question of the Irish Church. He thought his hon. and gallant Friend (Colonel Greville-Nugent) should persevere with his Motion, and he would propose as an Amendment to insert after the word "Maynooth," the following words "and likewise every Presbyterian minister hereafter to be appointed to receive a share of the *Regium Donum*."

Amendment proposed to the said proposed Amendment, by inserting after the word "Maynooth" the words—

"And likewise every Presbyterian Minister hereafter to be appointed to receive a share of the Regium Donum."—(*Sir George Grey.*)

Question, "That those words be there inserted," put, and *agreed to.*

Question,

"That the words 'every person who shall be appointed to any office in the College of Maynooth, and likewise every Presbyterian minister hereafter to be appointed to receive a share of the Regium Donum, after the passing of this Act, shall hold the said office subject to the pleasure of Parliament,' be added to the words 'Bill, that' in the Original Question,"

—put, and *agreed to.*

Main Question, as amended, put, and *agreed to.*

Ordered, That it be an Instruction to the Committee that they have power to provide in the said Bill, that every person who shall be appointed to any office in the College of Maynooth, and likewise every Presbyterian minister hereafter to be appointed to receive a share of the Regium Donum, after the passing of this Act, shall hold the said office subject to the pleasure of Parliament."

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. NEWDEGATE moved that this House will upon this day six months resolve itself into the said Committee. As it now appeared that the Government had given up all idea of endowing either the Roman Catholic University or the Church, and as their declaration on the subject was much more explicit than that of the right hon. Member for South Lancashire, he (Mr. Newdegate) thought that Protestants, including Protestant Dissenters and Voluntaries, were perfectly justified in taking the course of supporting the Government. However much the Government might have committed themselves to an unwise proposal, they had withdrawn it in terms much more distinct than any used by the right hon Gentleman the Member for South Lancashire, as to his intention not to endow the Roman Catholic Establishments, schools, or seminaries in Ireland with a portion of the revenues taken from the Established Church, though the right hon. Gentleman had been called upon to say that he would not apply any portion of the revenues of the Irish Church, or the equivalent of them, to the support of the Roman Catholic Church in Ireland; and after the declarations of Dr. Moriarty with reference to the anticipations of, at all events, a section of the Roman Catholic hierarchy, he (Mr. Newdegate) thought that some pledge should be given on the subject, and that it should be distinctly understood that neither glebes nor glebe houses should be furnished for the Roman Catholic clergy. He opposed the apportionment of the revenues of the Irish Church to any such purpose. As to the 1st Resolution, he altogether dissented from its declarations. On a former occasion he had gone at length into the grounds of his dissent, and he would not repeat them; but it was clear that the Bill before the House was based upon it, though ostensibly upon the 2nd or 3rd Resolution. The 1st Resolution declared that it seemed necessary to disestablish and disendow the Established Church. Why was this necessary? The *Dublin Review*, a publication patronized by the Papal hierarchy, assigned a reason, and that reason was the Fenian conspiracy. He admitted that the conspiracy was a formidable one, though he deemed it unbecoming that its influence should be omnipotent on a question of this kind. Since 1836 this *Review* had been considered as the organ of the Roman Catholic hierarchy of Ireland. In 1845 it was directly patronized by the late Dr., afterwards Cardinal, Wiseman; and it was now received everywhere as the exponent of the opinion of the Roman Catholic hierarchy; and, in the article in question, the writer boasted of the Fenian conspiracy as having been the means of bringing that House to its senses—meaning that they would lead the House to obey the wishes of His Holiness the Pope. The writer spoke of the superiority of Stephens to O'Brien or to Mitchell. He referred to the movements of Stephens in France and America, and stated that this conspiracy had completely convinced the right hon. Member for South Lancashire, and the majority of that House, of the necessity of accomplishing, if not that, at all events the carrying out the mandates of the Papal hierarchy. He (Mr. Newdegate) thought it was disgraceful that a majority of that House should be under such an imputation. He rejoiced at the opposition to this Bill on the part of the Government, since it showed that they would not allow themselves to be influenced by threats emanating from such a conspiracy, when one of its members had recently endeavoured to murder a member of the Royal Family. The hon. Member for Birmingham (Mr. Bright) had recently gone down amongst the Welsh people for the purpose of entreating them not to raise the cry of "No Popery." The hon. Gentleman no doubt thought that the Welsh were more accessible to such an application than the people of Birmingham would be. The people of Wales were a good deal isolated from the other inhabitants of Great Britain; but the hon. Member seemed to fear that the old spirit which characterized them would prevent them from looking with favour upon a measure which would indirectly carry out the Ultramontane principle; which proposed to sweep away the English Church from Ireland, and, as a consequence, to secure the existence of Papal establishments in that country. He would remind the House that they had a Bill before them—a Bill which had been introduced by the hon. Member for Meath (Mr. Mac Evoy), the object of which was to legalize the titles of the hierarchy of the Romish Church in Ireland. Well, then, what was their position? Whilst on the one hand they were asked by the measure of the right hon. Gentleman the Member for South Lancashire to abolish the Protestant Church as an Establishment in Ireland, on the other they were called upon by the Bill of the hon. Member for Meath to legalize the Papal Church in lieu thereof. There was a strong feeling in the country against both measures, and that feeling was becoming stronger every day. If the hon. Member for Birmingham had read the history of Wales he would have found that the people of that country from olden times had ever remained steadfast to their religious principles. When St. Augustin the Monk was sent over by the Pope, with forty other monks, to convert the people of England, he found that Christianity had been already established in Wales. He, however, proceeded there. Augustin vainly strove to induce the Welsh people to accept the Papal form of religion. They absolutely refused to do so. What happened? History much belied Monk Augustin if he did not compass the massacre of 1,200 Welshmen. ["Oh, oh!"] He (Mr. Newdegate) was aware of the tenderness of the Roman Catholic Members on subjects of ecclesiastical controversy. Dr. Manning, two years ago, rejoiced over the cessation of controversy, and proclaimed the satisfaction which he felt. The conclusion which he drew from that circumstance was the speedy conversion of England to the Romish Church. It appeared, then, according to Dr. Manning's view of the matter, that the avoidance of all controversy was the certain means of converting the English people to the Romish Church, and of securing their submission to the dictates of the Pope. Now, he was one of those persons who did not look forward with satisfaction to the prospect set before them. He was one of those who though probably considered by hon. Gentlemen opposite and the party with which they were connected as troublesome persons, nevertheless felt it to be his conscientious duty to raise his voice in defence of the national Church, and in tones of warning against the consequences that must follow its downfall. He sincerely wished that the House would leave this question to be dealt with by another Parliament. Having proclaimed its own inefficiency as a representative Assembly, he should have thought that it would at least have felt the propriety of leaving this subject to be decided by the country. Dr. Manning (Roman Catholic Archbishop) wrote a pamphlet lately full of accusations against the Established Church, and against the tenure of property in Ireland. In that pamphlet the writer agreed to the letter in the declaration of Bishop Moriarty that the Papacy recognized no prescription of right as claimed by the holders of land, either clerical or lay, which land had ever been in the hands of the Roman Catholic Church. Although they had been told that this measure had been framed at the solicitation of the people of Ireland, he denied that the people of Ireland had ever asked for it. The House, by agreeing to it, was yielding to the dictation of Cardinal Cullen and the Romish hierarchy. It was only four years ago when Cardinal Cullen first raised this question. He said, on arriving from Rome in this country, in 1849, that his mission was to care for education and the land question; but four years ago he added that he would never be satisfied so long as the Established Church existed in Ireland. Where, then, did this movement come from? It came directly from Rome. It was to the dictates of Rome they were now yielding, enforced, as it seemed to him, by the

Fenian conspiracy, which consisted entirely of Roman Catholics. He, for one, would never cease to lift his voice in the language of protest against this attempt to destroy the Irish branch of our National Church, especially under such dictation. This was nothing short of a conspiracy to undermine the Church in Ireland, with the view of establishing the Papal religion in its stead. The right hon. Gentleman the Member for South Lancashire, when he brought forward this question, seemed to go into history for facts to justify his conduct, and he attributed the discontent of Ireland to the existence of the Established Church. The right hon. Gentleman touched a little upon the Penal Laws. Why were the Penal Laws enacted? Was the enactment of those laws a gratuitous act of spite and malevolence on the part of the English Government and Parliament against the Catholics of Ireland? Now, no one knew better that the right hon. Gentleman the Member for South Lancashire that these Penal Laws were wrung from Parliament and the country by repeated rebellions which had always been fomented, nay, dictated from Rome. The right hon. Gentleman was very careful to omit all mention of these facts while he was denouncing the Penal Laws. He (Mr. Newdegate) did not wish to see those laws re-enacted; but he had no hesitation in saying that if this House by its conduct were to create an impression that it was yielding to terror upon this question, circumstances would probably arise to render necessary the re-enactment of those laws. Notwithstanding the boasted liberality of their concessions to the Irish Roman Catholics within the last few years, they had been obliged to suspend the Habeas Corpus Act over and over again. The Habeas Corpus Act was at the present moment suspended—the House were still afraid to restore the freedom which that Act conferred upon the Irish people. It seemed as though they were about to sweep away the Church Establishment of that country to propitiate the power which had rendered freedom impossible in Ireland. How could the conduct of that House in regard to this question be interpreted in any other way by the Roman Catholics of Ireland and their organs, than that it was yielding to Fenianism and intimidation in that country what it had denied to justice and their national good faith. It was his belief that those attacks upon the Established Church in Ireland had been influenced, not by a feeling that it had proved inefficient, but because it had become efficient and had succeeded in evangelizing many districts, particularly in the West of Ireland. It was well known that the Jesuits were now dominant in Rome. What had been their policy with respect to Ireland? It was to perpetuate Irish discontent. There was no better established fact than that. He would, with the leave of the House, quote an extract from the work of Cretineau Solly, an historian, who appeared to have been selected for the purpose of proving that the Jesuits had done no wrong. What, then, did he say in his *History of the Jesuits* (Volume VI. c. 2)? He was especially the advocate of the Jesuits—

> "In the beginning of the 18th century. . . Little by little they (the English Government) allowed these Penal Laws to fall into disuse, which had reduced to slavery the faithful of the three kingdoms. Jesuits were no longer pursued as if they were public malefactors. If the faith had not been deeply rooted in the heart of Great Britain this well-judged toleration, following political commotions, might have proved fatal to Catholicism. But it was not thus. Prosperity had not engendered apathy, and by a zeal as full of prudence as of activity, the fathers of the Institute (Jesuits) profited by the calm which was granted them to cultivate and foster in the souls around them, devotion to their religious duties."

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> "They (the Jesuits) felt the great disadvantages of that sort of cosmopolitan education which, by displacing children from their country in their youth, gives them less of patriotic feeling. Ireland, according to them, had a right to see her children reared upon her own proscribed soil, in order that, nourished in her misfortunes, they might at some future day, claim her emancipation with more energy. It was this thought that inspired Father Kenny with the project of forming a national College; and he did create one at Clougowes, not far from Dublin. The restoration of the Institute (in 1814) augmented its prosperity to such a degree, that in 1819 they had more than 250 pupils. In the same year the generosity of Mary O'Brien enabled them to build another in the district of King's County. It was necessary to raise the Irish from the state of moral debasement in which it had been the policy of England to keep them. To this people the great voice of Daniel O'Connell, a pupil of the Jesuits, first taught the meaning of liberty. It was necessary first to teach them their duties, and then their rights. The Company of Jesus undertook the first task, O'Connell fulfilled the second."

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> "The Fete Dieu was celebrated at Clougowes in 1822, in the midst of an enormous crowd."

He had also before him an extract from the work of Mr. Thomas Wyse, showing the origin and character of the Irish Catholic Association, and the object of that association was the same. He thought that that extract would be sufficient to prove to the House how little this Ultramontanism would allow England to do in the way of providing for the future prosperity of Ireland by such concessions as they were making. It was not the Jesuits' object that Ireland should be prosperous and contented, and when the House was now obviously yielding to its fears he asked hon. Members to read this history which was written by an able man who was one of the greatest ornaments of the House. Mr. Wyse said that it was the object of the Association, which was conducted by Mr. O'Connell and other Ultramontane leaders—

> "That without rendering its members amenable to the law it might make use of the free institutions of this country for every purpose of injury, that it could wield the Constitution against the Constitution, introduce a sullen, perpetual war into the bosom of peace; disturb every relation of society without violating a single enactment on which such relations repose, and finally produce such an order of things as to compel the Minister to choose between coercion and conciliation," &c.

From an authority of the Roman Catholics themselves then he felt he was fully justified in describing this measure as a most unwise concession made not to a sense of justice but to the dictates of fear. ["Divide, divide!"] He should not be silenced by clamour when feeling it necessary to raise his voice against such a measure, and to express the opinions of his constituents that the policy pursued by the right hon. Gentleman the Member for South Lancashire and his party upon this question was one that was highly detrimental to the true interests of their Protestant country.

COLONEL STUART KNOX, in seconding the Amendment, said, he wished to call attention to three proposals which had been made in the House in the course of the present Session, and which had electrified not the House only but the whole country. One of these proposals he would only refer to for the purpose of expressing his contempt for it. He regretted that it had come from an Irish Member. He might say that he had thought it his duty to give Notice to the hon. Gentleman, who was now in his place, and with whom it had originated, that it was his (Colonel Knox's) intention to allude to it, in order that that hon. Gentleman might have an opportunity of offering an explanation, if he deemed it necessary to do so.

MR. REARDEN rose to Order. He wished to know whether it was Parliamentary for an hon. Member to express his contempt for anything he (Mr. Rearden) had said or done?

MR. SPEAKER said, he did not hear the hon. and gallant Member say anything to justify this interruption.

MR. REARDEN: The hon. and gallant Gentleman said he should express his contempt for some remarks which, as implied, were made by me; for he pointedly referred to me. I want to know, Sir, whether that language of the hon. and gallant Member is Parliamentary?

MR. SPEAKER: I did not hear the expression referred to by the hon. Member, or I should have observed upon it at the moment.

COLONEL STUART KNOX said, the second proposal was that of his hon. and learned Friend the Member for Clare (Sir Colman O'Loghlen), relating to the Oath taken by the Queen at her coronation. He believed, however, that the hon. Baronet himself asserted that his proposal did not affect the Coronation Oath; but, at all events, the document which had been placed upon the table was entitled, "The Oath taken at Her Majesty's Coronation." This proposal, therefore, indicated to the country the intentions of the right hon. Gentleman's supporters, if not of the right hon. Gentleman himself. The third proposal was that now under discussion. On a former occasion the right hon. Gentleman had admonished him that if he read his book he would improve his mind. He had since acted on that advice; and the conclusion he arrived at was that the inspired author of that work could not have come forward with his present proposal except with a perfect conviction that he was in the right. At the same time, he was of opinion that he had a right to pick up and make use of the book which the right hon. Gentleman had thrown into the gutter. In the first place, then, he would ask the right hon. Gentleman what was the present state of affairs. In the right hon. Gentleman's own words—

> "Probably there never was a time in the history of this country when the connection between Church and State was threatened from quarters so manifold and various as at present. The infidel, with sagacious instinct, follows out all that tends to general diminution of religious influences. The Romanist (with some exceptions), in order to erect his own structure of faith and discipline, now seems to aim first at the demolition of every other, and to deem us so involved in fatal error that we must pass through the zero of national infidelity in order to arrive at truth. Some others of a different stamp are beginning to view the

connection between Church and State with an eye of indifference, or even suspicion."

Again I assert, in the words of the right hon. Gentleman, that—

> "The mass of the people remains firm in its adhesion to the ancient principles of the Constitution and the Church. It appears still to be their belief that the connection of Church and State is conformable to the will of God, essential to the permanent well-being of a community, and calculated to extend and establish the vital influences of Christianity. Upon us of this day has fallen, and we shrink not from it, a glorious and righteous duty—the defence of the Reformed Church in Ireland as the religious Establishment of the country."

These were the words of the right hon. Gentleman, and he believed they would find an echo in the minds of a majority of the English people of the present day. If the English Church was older and stronger than the Irish Church, the right hon. Gentleman should remember that though, by the law of primogeniture, the eldest got everything, the youngest was at least entitled to consideration and protection. He hoped the right hon. Gentleman would soon change his mind upon this subject, and go back to those opinions which he formerly held, and which he (Colonel Knox) trusted he should hold and maintain so long as he lived.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Newdegate,*)

—instead thereof.

CAPTAIN ARCHDALL said, as an independent Member of that House, sympathizing with those who held that Protestant ascendancy in Church and State had been the best work of civil and religious liberty in this country, and as representing a most important constituency, the great majority of whom were Church-going Protestants, and as officially representing 150,000 Orangemen, who felt strongly on this subject, and who were determined to defend the Established Church in Ireland, and to resist to the utmost any attempt to apply the resources of that Church to the purposes of the Roman Catholic religion, he protested against the legislation proposed by the right hon. Member for South Lancashire (Mr. Gladstone). It had been stated over and over again in that House, that the Roman Catholics of Ireland looked upon the Established Church there as a grievance, an injustice, and an insult. It was easy enough to make that assertion, but not so easy to prove it. He, on the other hand, denied that one Roman Catholic in a thousand looked upon the Established Church as a grievance, or that ten in a thousand had been persuaded by the right hon. Member for South Lancashire and his coadjutors to regard it as an insult and an injustice. The Roman Catholics paid nothing for supporting the Establishment, and only felt its presence through the kindness and charity which they received from its ministers. What were the reasons advanced for the revolutionary measure proposed by the right hon. Member for South Lancashire—a measure, which, if carried, must lead to the separation of the State from all religion, and to the release of all religious corporations from State control and supervision? The hon. Member for Birmingham (Mr. Bright) advocated the application of the voluntary principle to Ireland. Nothing could be more unjust, heartless, and ungenerous—unjust as depriving Protestants, without any fault, of property, which had been theirs for centuries, and which, if properly distributed, would not more than suffice to provide them with the ministrations of religion; and heartless and ungenerous, as partial and exceptional legislation, imposed by a powerful nation on a comparatively poor and struggling province. With regard to the utter failure of the Irish Church as a useful working institution as asserted by the right hon. Member for Calne (Mr. Lowe), in a speech where bitterness and misrepresentation culminated in the unhallowed, and, he might say, infidel cry, "Cut it down, why cumbereth it the ground!" very little inquiry, and slight acquaintance with facts, would prove that the assertion was altogether untrue—on the contrary, it was notorious that, within the last fifty years, Protestant churches and congregations had largely increased, and large sums had been expended for those purposes for which Church property was devised and intended. It was also admitted—and notably by the right hon. Member for South Lancashire—that the ministers of the Irish Church were distinguished for piety and zeal in their holy calling; in administering to the spiritual wants of those loyal Protestants upon whom England could surely rely in time of need, and in dispensing charity and extending civilization in parts of Ireland where they were probably the only resident gentry. But, if a reason were wanting why the Church in Ireland is entitled to the support of every true Protestant, it is this—that while the Church in England is distracted by internal divisions, scandalized by the abominations of the Confessional, and weakened by the advance of Ritualism, and the introduction of what Earl Russell calls "the mummeries of superstition," the Church in Ireland has remained sound in doctrine and pure in practice. The right hon. Member for South Lancashire had omitted no occasion during the debates on this question to put forward the disaffection of Ireland as a chief reason for the disestablishment of the Irish Church. Nothing, perhaps, had ever occurred in the history of our country more indiscreet, and unstatesmanlike, and expressly mischievous, both as to present effects and future consequences, than for an influential statesman, aspiring to the high honour of being England's Prime Minister, to advance such a reason for sudden and important changes in the Constitution and settled institutions of a nation. To rest the proposed legislation upon the disaffection of a portion, though a large portion of the people, was not like yielding to a steady constitutional agitation, or to popular wishes, strongly and peaceably expressed; but, under present circumstances, and after the speeches made on the other side of the House, it had the appearance, and should be received as due to the manner in which dissatisfaction has been exhibited—open rebellion, and setting the law at defiance in Ireland, and the bloodthirsty and indiscriminate spirit which has distinguished Fenianism in England. It would be regarded as the success of an appeal to arms, and as the reward of murder, assassination, and crime. Ireland wanted bread. The right hon. Member for South Lancashire would take from her the bread she had and give her a stone. He took from many and gave to none—not even a cup of cold water to those whom it was pretended to benefit and conciliate. She asked for peace, he gave her a scorpion. Insead of conferring a boon on Ireland, and sending that message of peace so much needed, this measure would throw in a firebrand, and let loose the bloodhounds of civil and religious strife. Irish Members who had been a much shorter time in the House of Commons than he had must have observed that Ireland could expect but little consideration when it suited professional statesmen to elect her as their battle-field, and to make her interests their bone of contention—powerless in their hands, she was tossed as a football between them; but her very helplessness gave her a claim on the fair play and generosity of the people of England; and he, for one, would not despair for the Irish Church until the country had given its verdict, "Aye" or "No," to the revolutionary policy of the right hon. Member for South Lancashire. Allusions had been made to the Oath taken by Her Majesty at her coronation. He contended that Parliament could not absolve the Queen from the obligations of that Oath. He was supported in this view by the authority of the Speaker, who had given his opinion that Roman Catholic Members who had taken the original Oath prescribed for Roman Catholics were bound by that Oath, notwithstanding its subsequent alteration. [The SPEAKER intimated that he had not given such an opinion.] He (Captain Archdall) would at once bow to the Chair; but, at the same time, he must assure Mr. Speaker that he was generally understood to have so expressed himself. Parliament might alter the Oath, or repeal it, as was practically proposed by his hon. and learned Friend the Member for Clare (Sir Colman O'Loghlen), but that could only apply to future Sovereigns; and, whatever might be the fate of the present measure, he sincerely trusted that no man in that House would live to see the day when the Protestant Sovereign of these realms would not rather vacate the Throne than sanction the monstrous scheme of spoliation proposed by the right hon. Member for South Lancashire.

MR. LEFROY said, he could not allow the opportunity to pass without offering a few remarks upon the subject, and at the same time he wished to address a question to the right hon. Gentleman the Member for South Lancashire. One of his great arguments in favour of this Bill was, that the Roman Catholic population of Ireland was so great that they were entitled to this boon; and what he wished to ask was, whether the right hon. Gentleman intended to carry out his view with regard to Wales (where there was a national Church, and services were performed in the Welsh language? ["Oh!" "Hear, hear!" *and* "Divide!"] He thought it was not unreasonable—when the hon. Member for Birmingham went into the country and stirred up almost a spirit of rebellion—to address a few observations to the House in defence of an institution so dear to himself and so important to the country. It was admitted that in Wales a majority of the inhabitants did not belong to the Established Church. Would the right hon. Gentleman disestablish and disendow the Church in Wales?

He wished to read a quotation or two in connection with this subject from one who was looked upon as a great authority. Mr. Burke, in his *Letter on the French Revolution*, said—

> "It is said numbers ought to prevail. True, if the Constitution of a kingdom be a problem of arithmetic, this sort of discourse does well enough for the lamp-post as its second. To men who may reason calmly it is ridiculous. The will of the many and their interest must very often differ, and great will be the difference when they make an evil choice."

Again, Mr. Burke, in his *Letter to his Son*, said—

> "I would say, in justice to my own sentiments, that not one of those zealots for a Protestant interest wishes more sincerely than I do, perhaps not half so sincerely, for the support of the Established Church in both these Kingdoms. It is a great link towards holding fast the connection of Religion with the State, and for keeping these two islands in a close connection of opinion and affection. I wish it well as the religion of the greater numbers of the land proprietors of the Kingdom, with whom all establishments of Church and State, for strong political reasons, ought, in my opinion, to be warmly connected. I wish it well because it is more closely combined than any other of the Church systems with the Crown, which is the stay of the mixed Constitution; because it is, as things now stand, the sole connecting political principle between the Constitutions of the two Kingdoms. I have another, and infinitely a stronger reason for wishing it well—it is that, at the present time, I consider it one of the main pillars of the Christian religion itself. . . . Its fall would leave a great void, which nothing else of which I can form any distinct idea might fill."

And, again, in the same *Letter*, speaking of the Established Church not being the religion of the major part of the inhabitants, he adds—

> "This is a state of things which no man in his senses can call perfectly happy. But it is the state of Ireland. Two hundred years of experiment show it to be unalterable. Many a fierce struggle has passed between the parties. The result is—you cannot make the people Protestant, and they cannot shake off a Protestant Government. This is what experience teaches, and what all men of sense, of all descriptions, know."

He believed the day would come when the right hon. Gentleman would feel that he had made a great mistake. He would remind the right hon. Gentleman that Lord Althorpe and others on the same side had borne testimony to the importance of an Established Church in Ireland, and to the excellence of the clergy. He lamented deeply and sincerely the course pursued by the right hon. Gentleman, who was the last from whom he should have expected such a proceeding. He had always looked up to the right hon. Gentleman as the great supporter of the Church and Constitution, and he much regretted that the blow should have come from him.

SIR JAMES STRONGE said, as representing one of the largest Protestant constituencies in Ulster, he felt bound to enter his humble protest against the measure brought forward by the right hon. Gentleman. Insinuations had been made against the loyalty of Orangemen.

MR. NEWDEGATE said, he rose to explain. What he said was, that there were hon. Members below the Bar creating a disturbance.

SIR JAMES STRONGE: The Protestants of Ulster were invited to settle in that country, and their rights were guaranteed to them by the most solemn contracts. Had they not performed their part of these contracts? The Irish Church had for 300 years been in uninterrupted possession, guaranteed by Acts of Parliament, of her endowments, and it was with alarm, and he might say disgust, that the Protestants of Ireland contemplated this revolutionary movement, which would shake all confidence in the security of property. It was alleged that the Roman Catholics of Ireland looked upon the Established Church as a badge of conquest. That he denied. He had resided in Ireland the greater part of his life; he had had many opportunities of knowing the sentiments of the people, and though he had often heard them speak of the repeal of the Union and the land question, he had never heard them utter a complaint on the subject of the Church Establishment. It should not be forgotten that nearly 300 years ago a great number of persons who professed the Reformed Faith had been induced to settle in Ireland on the faith that their rights would be protected. They had performed their part of the contract, and it was for this country to abide by hers. The measure of the right hon. Gentleman would not bring peace to Ireland; on the contrary, it would intensify those feelings of religious and political hostility which unhappily prevailed there. The principle of this measure, before many years had passed, would be applied to England and Scotland. He hoped that this great wrong would not be sanctioned by Parliament, that the feelings of the Protestants of Ireland, who were industrious, peaceable, and loyal, might be respected, and that those religious institutions to which they were so deeply attached might be left to them unimpaired.

MR. GLADSTONE: I will not detain the House for more than a very few moments; but I think it due to the deep respect which I feel for my hon. Friend the Member for the University of Dublin (Mr. Lefroy) to give a precise answer to the question he has put to me. That question, as I understand it, was whether I entertain the same views with respect to Wales, or rather, whether I think that my arguments with respect to the Church in Ireland do not extend to the Church in Wales. I must frankly say I do not. I will not enter into any detailed argument at this unseasonable moment on the case of Wales, because it is quite enough for me to refer to a speech made by my hon. Friend the Member for Cardiganshire (Sir Thomas Lloyd) in which he showed in a very satisfactory manner the very broad distinctions which prevailed between the two cases. So far as I am concerned, I hope I have answered my hon. Friend the Member for the University of Dublin explicitly. But I will go one step further, and ask my hon. Friend—what I know he may find it difficult to do—to believe me when I tell him that I am assured that the measure which we propose—I do not mean merely the Suspensory Bill—and which has been sanctioned in this House by such large majorities, is not in the nature of a blow and discouragement, but is truly and really for the benefit of the religion to which my hon. Friend is so much attached.

MR. NEWDEGATE said, that as the Head of the Government was not then in the House, he should withdraw his Amendment.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Preamble *postponed.*

Five clauses of the Bill *agreed to.*

COLONEL GREVILLE-NUGENT proposed an extra clause: that the right of any person to a share in the future Maynooth Grant or the *Regium Donum* should be subject to the pleasure of Parliament.

Clause *agreed to.*

Clause *added.*

Preamble *agreed to.*

House *resumed.*

Bill *reported:* as amended, to be considered upon *Wednesday* next.

Sir James Stronge

THAMES EMBANKMENT AND METROPOLIS IMPROVEMENT (LOANS) ACT AMENDMENT BILL—[BILL 133.]

(*Mr. Sclater Booth, Mr. Chancellor of the Exchequer.*)

SECOND READING.

Order for Second Reading read.

THE CHANCELLOR OF THE EXCHEQUER reminded the House that advances for metropolitan improvements had been sanctioned by three separate Acts — the first, in 1862, authorizing the Northern Embankment; the second, in 1863, authorizing the Southern Embankment; and the third, in the same year, having for its object the improvement of Mansion House Street. The original gross estimate for the first work was, in round numbers, £2,500,000; for the second, a little over £1,000,000; and for the third, £1,300,000 —the total being £4,935,000. A great part of that sum was expected to be recouped by the sale of lands; and in 1864 an Act was passed guaranteeing a loan to the amount of £2,480,000, the net sum which it was thought would be required. The responsibility for the estimate for the first work rested with the Office of Works, the Bill being in charge of the First Commissioner, but the execution of the improvement being intrusted to the Metropolitan Board of Works. It was decided when the Bill was in Committee that nearly all the reclaimed land should be devoted to public purposes, part of the expected assets being thus sacrificed. The compensations for water frontages had far exceeded the original estimate; and with regard to the Southern Embankment, whereas the Metropolitan Board asked for borrowing powers for £700,000, the House reduced the sum to £480,000; while, with regard to the Mansion House Street improvement, the Board had purchased additional lands in order to avoid claims for compensation, and the estimate had thus been exceeded. The present estimate for the three works was £5,568,000, showing an excess of £633,000, half that amount being attributed to the additional purchases of land in Mansion House Street, which were regarded as a profitable investment, and the other half to the excess in compensation for water frontages. The Board had received £3,729,000, nearly all which had been expended, with the exception of £157,000, and the sum required to complete the works, in addition to the assets already available, was £1,839,000. Now, the Bill proposed that the Metropolitan Board should have power to raise £1,850,000 under a Treasury guarantee, and, with the exception of a slight addition with regard to the approaches, the works to be executed under this loan were those for which the original guarantee was given. The House would expect to be satisfied that the Government had a proper security, and this consisted in four different sources of revenue. The first was the surplus of the proceeds of the Coal and Wine duties up to July 5, 1882, after satisfying the existing claims upon that fund. The surplus was £15,000 to July, 1867. The income from this source was continually increasing, the annual growth being at the rate of £7,000 or £8,000 a year, and the surplus to July of the present year being estimated at about £22,000. The second security was the metropolitan rates; the third was the whole of the Coal and Wine duties from July, 1882, to July, 1888. This was in the nature of a deferred annuity, because up to 1882 they would have to satisfy the existing claims of those who had lent money to the Metropolitan Board of Works. These claims would be satisfied by July, 1882, and after that period these duties would be available as security for the present Vote. The House had passed a Bill for the continuance of the Coal and Wine duties until 1889; but for the last year of that term they would be applicable towards the buying up of certain bridge rights. The proceeds of the Coal and Wine duties amounted in 1867 to £200,000, so that this might be taken as an annuity for six years deferred for fourteen years of, say £220,000, at a moderate calculation of the growth of these duties. The present value of this at £3¾ per cent was £690,000. The Government would have additional security in the property abutting on the new Mansion House Street, upon which the loan was to be a fair charge. The fair value of this property might be put at £1,500,000; but, in order to be quite safe, he took it at £1,300,000. If he took the value of the deferred annuity of the Coal and Wine duties at £600,000, which was considerably within the mark, and the value of the Mansion House Street property at £1,300,000, the Government would be perfectly safe as to the capitalization of the loan. These calculations were far below the estimates of the Metropolitan Board of Works. The annual interest on the sum at £3¾ per cent would be £69,375, to meet which there would be the surplus of the Corn and Wine duties. But although the Government proposed to guarantee the whole of this loan, it would not all be required at once. The sum of £750,000 would be required for the first year; £600,000 for the second year; and £500,000 for the third year. Some of the property in the new street might be more speedily realized; but it was calculated that a halfpenny rate for three years would be sufficient. If any of the property in the hands of the Metropolitan Board of Works should find purchasers, it might be possible to dispense with any increase of the rates. He trusted he had said enough to justify the Government in having acceded to the proposal to guarantee this loan. The Board of Works considered that if the securities in their hands were capitalized they would amount to a sum of £5,662,000. The expenditure would be £5,568,000, so that a balance of £94,000 would be found in their favour. He had given the House all the facts bearing on the case, and he had now to ask the House to assent to a guarantee on the part of the Government of the loan of £1,850,000.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chancellor of the Exchequer.*)

MR. HARVEY LEWIS said, that the proposal of the right hon. Gentleman would be very advantageous to the ratepayers of the metropolis, because the money required by the Metropolitan Board of Works would be borrowed at a much easier rate of interest on the security of the Government. But, however agreeable this process of obtaining a Government guarantee might be, he thought it well the public and Board should understand it was one that must not be too often resorted to. He wished to know whether the right hon. Gentleman had any objection so to amend the Bill as to define the object for which the £650,000 was to be borrowed, to cause the £350,000 to be re-paid which had already been borrowed, and also to cause the remaining portion of the money which was to be guaranteed under the Bill to be faithfully applied to the completion of the works in Mansion House Street. He understood the Secretary to the Treasury to have undertaken to bring up a clause to that effect.

MR. GOSCHEN said, he did not rise to

oppose the Bill introduced by the Government; on the contrary, he was prepared to support it. Considering the extent of these works, and that they were of an Imperial as well as a local character, the State might fairly step in to aid the metropolis by guaranteeing a portion of the funds required for their execution. A Return had been placed in their hands that morning upon the Motion of the Secretary to the Treasury, which professed to show the position of the Thames Embankment and the Metropolis Improvement Funds. The original estimate for these works was professedly given in that Return, with further particulars of the total expenditure up to 1868, and also their present total estimated cost. He presumed that that Return being dated from Spring Gardens, represented the opinions of the Metropolitan Board of Works on the subject, and that the Board was responsible for the statement signed by their own accountant. Now he wanted to know from what documents the original estimates for these works given in the Return to which he had referred had been taken. Having read through the Reports of the Metropolitan Board of Works, and the evidence laid before Select Committees, he was unable to find that the original estimates for these works were in any one case that which that Return represented them to be. The original estimates there stated amounted to £4,900,000, whereas the real original estimates previously submitted to Parliament were not more than £2,500,000. The total estimate at this moment was £5,500,000, or far more than double the real original estimate for the works, which included the Northern and the Southern Embankments, and Mansion House Street. What he complained of was that the original estimates as now given were not really the original estimates which had been laid before Parliament, and which amounted to £2,480,000. [The CHANCELLOR of the EXCHEQUER was here understood to say that in the one case the net estimates, and in the other the gross estimates were stated.] That distinction as to net estimates was now introduced for the first time in the Return, and in the Reports of the Metropolitan Board of Works, and it was now so introduced because the Coal and Wine duties had been continued. Before the Coal and Wine duties were continued the Board had an interest in making themselves out to be as poor as possible. In none of their

Reports had he seen any mention of their £1,500,000 of assets. True, the House now had the gross estimates put before it; but why had not an opportunity been afforded it of comparing the gross with the net estimates. The estimate originally laid before Parliament was £2,480,000, because it was believed that £2,480,000 was the gross sum which would be wanted. If that was a gross estimate why had Parliament been called upon to guarantee the whole of this amount instead of the net sum required? He was glad to hear that a great portion of the debt would be paid off very soon, and that it was hoped the property would become available in a short time for that purpose. But this was the first time that Parliament had been informed of the fact. In none of the accounts issued by the Metropolitan Board of Works hitherto had any distinct balance sheet been given, showing on the one hand what were their liabilities, and on the other what were their assets. It was for the interest even of the Board itself that the public should know what property it had at its disposal. Hitherto the Board had debited itself with the cost of the purchase of land, and the charges for compensation; but it had never shown any item to its credit for the amount of property it had thus acquired. It was, of course, difficult to estimate what the value of that property was; but, at all events, it ought to figure in any budget which it put forth, so that the ratepayers might have the means of knowing what the financial position of the Board was. The Chancellor of the Exchequer gave a list of the securities of the Metropolitan Board, and he was sorry to see that those securities included the general rates. Even a rate of only a halfpenny in the pound was a considerable addition to rates that were already insupportable, and in time the halfpence became pence, and so the rates ran up. He admitted that there was no danger to the Exchequer in the transaction proposed, for the risk was amply covered; and, indeed, the Board had shown that they scarcely needed the security of the Coal and Wine duties at all, for the value of their property was estimated at £1,500,000 or £2,000,000. When the Government were asked to continue the Coal and Wine duties, no mention was made of these assets on which money could be borrowed, and which were not shown in the accounts of the Board. In those presented pursuant to Act of Parliament during the last two or three years, he could find no mention made, either in receipts or payments, of the coal and wine duties devoted to the extinction of the loans taken up by the Board and guaranteed by the Government; and the reason was, the money was paid over to the Commissioner of the Government and stood in his name, so that the receipts and the expenditure were not accounted for at all. To supply this deficiency, he moved for a Return in 1866; but it ought not to be necessary to have recourse to this mode of obtaining information. With reference to the cost of the Embankment, Sir John Thwaites stated before the Select Committee of 1866, in answer to Question 104, that its first estimated cost was £1,000,000, which included the approaches. He was asked about the cost of the approaches, and said they were not deemed sufficient; and therefore power had been obtained for more important and useful approaches, and they were included in the estimate of £1,290,000 as the sum required to complete the work, which would "cost nearly twice its original estimate." The matter was not clearly explained in either the accounts or the Return; and the fact of a difference between a gross and a net estimate was spoken of now for the first time. These things rendered it impossible for the ratepayers to follow the accounts. The Government were right in giving this guarantee, and the £285,000 required for the Chelsea Embankment should also be included. It was a bad system of finance to deal piecemeal with every separate loan, and the placing of one after another led to endless complication, and prevented the Board borrowing on the favourable terms they might do, if a more comprehensive system were adopted. If every shilling of money borrowed on security went to pay the principal and interest of prior charges, the interest of the money borrowed must, in the meantime, come from the rates; and out of an income of £200,000 the Board spent £80,000 in paying interest upon loans for past improvements.

MR. TITE said, he entirely agreed with the right hon. Gentleman who had just spoken that the item of £285,000 should be added to the same guarantee, as it would enable the Board to borrow the money without difficulty, and at a low rate of interest. He had endeavoured to induce the Government to consent to this, but had failed, because the Chancellor of the Exchequer thought it an improper thing to give the guarantee of Government funds to works of this kind. He did not quarrel with them on the broad principle; but he regretted the application of it to a small matter like this. The right hon. Gentleman spoke of the difference in the estimates. But this was no more than occurred in the case of any public work, say a railway, where the cost was estimated at £2,000,000 and the return in a few years at £1,000,000, the net estimate would then be £1,000,000, and the former would be the sum they would borrow. That was the case with the Metropolitan Board; the cost of the Embankments and the new streets was known, but the return from the value of the property, though equally certain, was not so well known as to its amount; and the difference between the estimate of the Chancellor of the Exchequer and that of the Board was that while the Chancellor of the Exchequer estimated the value of the land at the modest sum of twenty-two years' purchase, the Board had estimated it at twenty-five years' purchase, and he was happy to say that all the land they had yet sold had brought, on the average, twenty-eight and three-quarters years' purchase. The nature of the accounts had been complained of, but the accounts were audited annually by a Government officer, and stated very clearly every outlay. He was sure that if any improved mode of keeping the accounts could be pointed out the Board would be quite willing to adopt it. With regard to those estimates that had been exceeded, he would remind the House that they were not the estimates of the Board at all. In fact the Board was called upon to carry out a plan that was not theirs, upon estimates that were not theirs, and the only advantage they had was the guarantee of the Government. The Thames Embankment was a scheme of the Government and not of the Board; and the cost at the outset was estimated at £500,000, and the cost of the new street at Blackfriars was also estimated at £500,000, making £1,000,000 in all; but such an estimate for a great work cutting through a mass of valuable property appeared perfectly absurd. He did not put himself forward as the apologist of the Metropolitan Board; but he was quite sure that they were actuated by a desire to benefit the public, and he thought that they had effected their purpose very worthily and honestly. When the great works in

Paris, carried out by M. Hausmann at an expenditure of £30,000,000, were contrasted with the operations of the Metropolitan Board, the comparison would be found very much in favour of the latter body. They had paid off £400,000 of the debt which at one time pressed so heavily on the old Sewerage Board, and he believed from the natural growth of London that the rates imposed upon the citizens would come to an end some years sooner than the period of thirty or forty years for which they were imposed. Without a Government guarantee the Board would experience much difficulty in attempting to raise money to effect this improvement, as the Chancellor of the Exchequer had observed. If the Board had estimated too highly the value of the surplus property, any deficiency could be made up by levying a rate. But unless there was a necessity the Board would certainly not do so, for being ratepayers themselves they were equally interested with the other ratepayers in opposing unnecessary taxation.

Mr. AYRTON said, that nearly two years ago he called the attention of the late Government to the great confusion into which the finances of the Metropolitan Board had fallen, and a Committee of that House was appointed to inquire into the subject. The members of the Committee were struck with the great recklessness which had been exhibited in preparing estimates for works, the cost in some instances being double the amount calculated on. It was also found that since the establishment of the Board various other local duties had been imposed upon them, and that the Board in its present constitution was unfit for the discharge of its various duties. The Committee reported, and when an attempt was made to carry their Report into effect they were met by the objection, fairly enough, he was willing to admit, that they had proposed to deal with the finances of the Board, and not with the Board itself. The Committee proceeded to consider how the Board could be re-constituted so as to gain the confidence of the metropolis, and a scheme was proposed by which there might be brought into it men of a higher scale of intelligence and character. That Report might also have engaged the attention of the Government; but, considering the great questions in hand last Session, it was not, perhaps, to be expected that they could undertake a measure for the metropolis which would require great time and give rise to much discussion in that House. They found themselves, therefore, in this dilemma—that they could not reform the finance of the Board because they could not reform the Board itself, and they could not reform the Board because its finance was in a most deplorable condition. What, then, could they do? They could not now apply themselves to the whole question. The Board had this Session given evidence of great neglect of the interests they had undertaken to protect. Nothing was more important than that the metropolis should be well supplied with gas. The City of London had in this respect secured for its inhabitants all they could reasonably desire; but the Board had refused to pay attention to the recommendation of the Committee, and left nine-tenths of the metropolis, so far as the supply of gas was concerned, in the same condition they were in before. Nothing was more extraordinary than that, dealing with this great metropolis and its vast resources, they should be going on from hand to mouth, just as some ordinary joint-stock company went on—find expedients for raising money for this work and that, without any general scheme or system. By the Bill before them it was proposed to obtain money by way of deferred annuities, and superadding one loan to another. That was not the way in which the exigency of the present times could be met. The system was at once oppressive and ruinous. It was necessary to take a survey of the whole question. Works like the Thames Embankment were in the nature of permanent improvements. They would last for centuries; and it was most injurious and unjust to throw the burden of them on the occupiers of property while the owners entirely escaped. Still more extravagant and absurd was it to concentrate the expenses within a few years. The whole subject required a Government that would grapple with it; they had now only a provisional or temporary Bill, which might be said to be a reflection of the condition of the Government. He would now simply enter his protest, and express a hope that after the present state of political turmoil had come to an end, the Government in power would be able to frame and carry out a scheme which should permanently settle the question.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter before
Ten o'clock till Monday next.

HOUSE OF LORDS,

Monday, June 8, 1868.

MINUTES.]—*Sat First in Parliament*—The Lord Calthorpe, after the Death of his Father.
Took the Oath—The Lord Bishop of Lichfield.
Public Bills—*Second Reading*—Pier and Harbour Orders Confirmation, &c.* (120); City of London Gas* (109).
Third Reading—Cotton Statistics* (133); Metropolis Subways* (73).

ABYSSINIA—THANKS TO THE ARMY.

The Earl of MALMESBURY said, an accident had occurred to the steamer bearing the despatches from Sir Robert Napier, and it was impossible they could reach this country for the next seven or eight days. He would therefore ask their Lordships to postpone the vote of thanks to Sir Robert Napier until next week.

House adjourned at a quarter past Five o'clock, till To-morrow, half past Ten o'clock.

* * *

HOUSE OF COMMONS,

Monday, June 8, 1868.

MINUTES.]—New Member Sworn—Sir Arthur Edward Guinness, baronet, for the City of Dublin.
Select Committee—On Admiralty Monies and Accounts, Mr. Du Cane *added*.
Public Bills—*Ordered*—Prisons (Scotland) Administration Acts Amendment*; Local Government Supplemental (No. 4)*; Local Government Supplemental (No. 5)*; New Zealand Company*; Larceny and Embezzlement.*
First Reading—Prisons (Scotland) Administration Acts Amendment* [155]; New Zealand Company* [156]; Larceny and Embezzlement* [157]; Courts of Law Fees, &c. (Scotland)* [158]; Local Government Supplemental (No. 4)* [159]; Local Government Supplemental (No. 5)* [160].
Second Reading—Turnpike Acts Continuance* [149]; Courts of Chancery and Exchequer (Ireland) Fee Funds* [146]; Regulation of Railways [142]; Consecration of Churchyards Act (1867) Amendment* [152]; Alkali Act (1863) Perpetuation [153].
Committee—Representation of the People (Scotland) [29]; Boundary [78]—r.p.; Pier and Harbour Orders Confirmation (No. 2)* [148]; Endowed Schools* [143].
Report—Representation of the People (Scotland) [29-154]; Pier and Harbour Orders Confirmation (No. 2)* [148]; Endowed Schools* [143].
Considered as amended—Lee River Conservancy* [144].

METROPOLITAN POLICE.

QUESTION.

Mr. HARVEY LEWIS said, he would beg to ask the Secretary of State for the Home Department, Whether it is his intention to lay upon the Table of the House, Copy of the Evidence taken by, and of any Report made to, the Secretary of State for the Home Department by the Committee appointed by him to conduct certain inquiries into the management of the Metropolitan Police?

Mr. GATHORNE HARDY said, in reply, that it was not his intention to lay on the table the Evidence or Report referred to in the Question of the hon. Member, for the reason that the witnesses were informed that their evidence would not be made public. He did not intend that evening to proceed with the Metropolitan Police Funds Bill, which was down for second reading.

ARMY—FLOATING OBSTRUCTION COMMITTEE.—QUESTION.

Major ANSON said, he would beg to ask the Secretary of State for War, Whether he will lay upon the Table of the House the Report of the Floating Obstruction Committee on "Passive Obstructions for the Defence of Harbours and Channels;" and, when the Report of the same Committee on Active Obstructions will be ready?

Sir JOHN PAKINGTON, in reply, said, it was not his intention to lay the Report on the table, as it contained matter which it would be inexpedient to make public. In reply to the latter part of the Question of the hon. and gallant Member, he begged to say that the Report of the same Committee on Active Obstructions was nearly complete.

NAVY—THE F. G. CAPTAINS' RESERVED LIST.—QUESTION.

Captain MACKINNON said, he would beg to ask the First Lord of the Admiralty, If the statement contained in an article in the *Army and Navy Gazette* of May 16th, 1868, that the opinion of the Law Officers of the Crown in 1862 on the F. G. Captains' Reserved List was formed from a falsified Copy of the Order in Council of 1851 which governed that List, and that such alteration in the wording of the Order in Council mis-stated the case as laid before the Law Officers of the Crown and caused an adverse judgment to their claims, is true; and, if so, does he intend to persist in refusing the claims of those Officers?

Mr. CORRY: Sir, I have myself examined the Papers laid before the Law Officers in 1862, and I can say that there is not the slightest foundation for the statement that the opinion of the Law Officers was formed on a falsified copy of the Order in Council of 1851. On the contrary, the Order in Council of 1851 was laid *in extenso* before the Law Officers *verbatim et* ~~*literatim*, and~~ I cannot but express my surprise that any body of officers could have imagined that the Admiralty would have resorted to so unworthy an expedient as that referred to in the Question of my hon. and gallant Friend.

REGISTRATION OF VOTERS, 1868.

QUESTION.

Mr. GORST said, he would beg to ask the Secretary of State for the Home Department, Whether it is not the duty of the Clerks of the Peace, on or before the 10th instant, to issue their Precepts to the Overseers of their respective districts, with general instructions for the proceedings of the Overseers in reference to Registration; and whether it is possible to stop the issue of such Precepts, or whether such Precepts will have to be hereafter cancelled by the subsequent issue of fresh Precepts containing different instructions to the various Overseers?

Mr. GATHORNE HARDY: Sir, in answer to my hon. Friend, I can only say that there is no power to suspend the existing law, and that the overseers will have to act in conformity with the law.

SUPPLY—THE DISSOLUTION.

QUESTION.

Mr. CHILDERS said, he would beg to ask Mr. Chancellor of the Exchequer, For how many months of the present financial year it is intended to take the remaining Votes in Supply, including those to be reported this day?

The CHANCELLOR of the EXCHEQUER: Since my hon. Friend put the Question the other night we have had full opportunity of considering the matter, and we have come to the conclusion that it will be our duty to propose to the House to vote the Supplies for the whole year. And I think that I shall be able to show that if this course be not adopted considerable inconvenience—I will not say to the Government, but to the House and the public service—if not embarrassment, will arise. My hon. Friend when he put the Question the other night quoted what he deemed the precedent of 1841. Now, I think, after hearing the observations which I have to make, he will be bound to admit, first of all, that the supposed precedent is not applicable; and secondly, that if it were, it would not point to the conclusion which he has suggested—namely, to take the Votes for nine months. Now, what was the case in 1841? It was this—the Government proposed to take Supplies for six months, and the Leader of the Opposition acquiesced in that course, though at first he suggested that they should be taken for three months. Early in June the Supplies were granted for four months from the time when a dissolution was possible, and to last for two months after the new Parliament could meet again. Now, supposing the suggestion made from the opposite Bench were adopted — namely, that Supply should be granted for nine months—that would not be granting Supply until four months from the time a dissolution could occur, or two months after the new Parliament could properly assemble. Therefore, if the precedent were applicable, it would not point to the conclusion of my hon. Friend and others; but, further, I would submit that the precedent is not applicable. What was the case in 1841? The House of Commons passed, by a majority of 1, the following Resolution:—

> "That Her Majesty's Ministers do not sufficiently possess the confidence of the House of Commons to enable them to carry through the House measures which they deem of essential importance to the public welfare; and that their continuance in office, under such circumstances, is at variance with the spirit of the Constitution."—[See 3 *Hansard*, lviii.]

No such Resolution, or anything approaching to it, has been passed by the present House of Commons. It is true the Government has been defeated on a very important question of policy by a large majority; but, so far from the House of Commons having in consequence of that proceeding thought fit to pass a Vote of Want of Confidence, it has been with the acquiescence of the House that the Government has proceeded with other measures of importance in order to enable it to appeal to the new constituencies as soon as possible. Now, what has been the result of our proceeding on that understanding? Why, that it has been impossible for us to have an immediate dissolution, unless we were to cause a great amount of inconvenience, and without being able to appeal to the new constituencies as we wish. Therefore, we have deferred recommending the Crown to dissolve the present Parliament until the appeal could be made to the new constituencies. The state of things is this. A Reform Bill has been passed for England, but the sequel to it, the Boundary Bill, has not yet been passed, and measures for amending the representation in Scotland and Ireland are still in progress. Now, with regard to England alone, it is clear that there can be no complete registration of the new constituencies until the passing of the Boundary Bill, for persons will not know for what constituency they are to claim. I do not know whether hon. Members have studied the subject of registration as much as it has been my lot to do. Three years ago I succeeded in carrying a measure amending county registration, and I therefore paid considerable attention to the matter. I was in communication with gentlemen in all parts of the country as to the alterations which were required, and the chief demand that was made was that more time should be allowed for the different processes of registration. Under the existing law the 20th of July is the day for sending in claims for county votes. Now, until the Boundary Bill is passed persons living in counties which have been subdivided by the Bill of last year will not know for which division they should claim. Moreover, I think it will be universally admitted that the process of registration is one which ought not to be unduly hurried, for it would be a farce to extend electoral privileges so widely as we have done and then not to allow persons a sufficient opportunity of claiming those privileges. It is of the greatest importance that there should be ample time for making claims, and on the other hand there ought to be a full opportunity for criticizing those claims, so that persons not duly qualified may be objected to. There is first the action of the parish officers to be brought into operation, next the action of the Revising Barristers, and lastly there is the printing. Now, it is evident to those acquainted with the subject that, whatever effort may be made to expedite the registration, it can only be done to a very limited extent. I can assure the House that it is the earnest desire of the Government that it should be expedited as much as is consistent with the convenience of the electors and of those concerned in the registration; but there seems to me no reasonable probability of the new Parliament being able to meet, except for a very short period, before Christmas. Now, hon. Members are aware that, owing to the forms of the House, a good many days must elapse after the assembling of Parliament before we can go into Committee of Supply, and I think that, supposing everything favourable — supposing the Boundary Bill and the Irish and Scotch Reform Bills passed without any undue delay, and supposing the House to accept the Registration Bill which my right hon. Friend (Mr. Gathorne Hardy) is to introduce on Thursday—I may say, without fear of contradiction, that it would be what in common parlance is called rather fine steering to find time before Christmas, after the Members had been sworn in, and after the debate, which may be expected to be a rather lengthy one, on the Address, to go into Committee and vote the rest of the Supplies. But suppose, unfortunately, we are not able to pass these supplementary measures in sufficient time to allow the registration to commence on the 20th of July, it is obvious that, in order to allow persons proper time for sending in claims, the date for their doing so must be postponed, and, even though there should be no considerable postponement, I am inclined to think —though I give no decided opinion on the point—that the new Parliament could not meet before Christmas. In that event, which I sincerely hope may not occur, it might be necessary for the present Parliament to be called together before Christmas for a supplementary Session in order to vote the rest of the Supplies. Now, let me put another case. Suppose that, as I have no doubt is confidently anticipated by hon. Gentlemen opposite, on the meeting of the new Parliament a Vote of Want of Confidence or something tantamount to it should be passed leading to a change of Government, considerable time must obviously elapse before the new arrangements were completed, and much embarrassment might arise if the Supplies had been voted only up to the end of the third quarter. Moreover, I would ask with reference to the hon. Member's suggestion, *Cui bono?* In 1841 Sir Robert Peel expressed himself perfectly satisfied with the assurance of Lord John Russell that the new Parliament would be called together as early as possible, and interposed no difficulty in the granting of the Supplies for the time asked for by the Ministry; and why, I would ask, should the frank and honourable course taken on that occasion be departed from now? I do not know whether it is suggested that Her Majesty's Government are anxious to postpone the meeting of the new Parliament. I can assure hon. Gentlemen opposite that there exists on this Bench a longing—I may say a burning desire—to ask for the verdict of the new Parliament and of the country upon our conduct and policy. The position that we have occupied on these Benches has been one rather too much for human nature to bear; and everything that can be done will be done by the Government in order to expedite the elections and the meeting of the new Parliament, so that we may be either confirmed in our tenure of Office, and may feel that we carry on the administration of public affairs with the confidence of Parliament and the country, or else that we may retire from a position which, as I have said, has been almost intolerable. With regard to the Votes of Supply already taken, the Government have no wish to press the Report, but think it fair that the House should thoroughly understand our proposals as to the registration. I would therefore propose that the Report should be postponed for a week, that in the meantime the House may have an opportunity of judging the proposals of my right hon. Friend (the Home Secretary) with regard to the registration.

STAMP DUTY ON THE TRANSFER OF DEBENTURE STOCK.—QUESTION.

MR. CHILDERS said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he is aware that the Stamp Duty on the transfer of the Debenture Stock of some of the principal Railway Companies is 6*d.* per cent, and in other cases 10*s.* per cent; and whether, considering the large amount of such Stock now being created, he will propose to Parliament the imposition of a uniform Transfer Duty?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I have only become acquainted since the Question of my hon. Friend was put that there has been inserted a provision in two private Acts of Parliament passed in 1856 and 1861, by which the companies interested escaped the 10*s.* duty for a duty of 6*d.* The matter has been contested by the Inland Revenue in a third case, that of the South Western Railway, and that company has given up the claim. The provision crept into these Acts, as provisions will sometimes creep into Acts that are not public Acts, because they have not been overlooked by the public authorities. I am glad my attention has been called to the matter, for these provisions ought to be repealed. As to the alteration of the duty, I should wish to have further time to consider it, and if I make a proposition I will do so in the general measure passed every Session regulating the affairs of railways.

REGISTRATION — THE SMALL TENEMENTS ACT—MORNING SITTINGS.

QUESTIONS.

MR. THOMSON HANKEY said, he would beg to ask the First Lord of the Treasury, Whether, in the case of a Borough of which the Boundary has been extended into an adjoining parish where the Small Tenements Act is now in force, and in which many of the persons about to be enfranchised under the Bill of 1867 have not been separately rated on account of the Small Tenements Act being in force, the Government will introduce a provision to enable such persons to be placed on the register so as to vote at the next Election?

He also wished to know, Whether, a morning sitting having been fixed for to-morrow at twelve o'clock, the arrangement made last year, by which the sitting commenced at two and was suspended from seven till nine, has been abandoned?

MR. DISRAELI: Sir, the arrangement for the morning sitting to-morrow is one which stands apart, and I will give the House an opportunity, if we have further morning sittings, of deciding whether the course pursued last year should be adhered to. With regard to the other Question of the hon. Gentleman, I recently stated, in answer to the hon. Member for Cheltenham (Mr. Schreiber), that I would bring up a clause on the Report of the Boundary Bill. It has been drawn, and I will place it on the table, so that it may be adopted at the earliest period.

PARTY PROCESSIONS ACT (IRELAND).

QUESTION.

LORD EDWIN HILL-TREVOR said, he would beg to ask the hon. Member for

Londonderry County, Whether he intends to proceed this Session with the Bill of which he has given notice for the repeal of the Party Processions Act (Ireland)?

SIR FREDERICK HEYGATE replied, that in consequence of the pressure of public Business he did not intend to persevere with the measure.

IRELAND—ALLEGED BRIBE TO A FENIAN.—QUESTION.

SIR FREDERICK HEYGATE said, he wished to ask the Chief Secretary for Ireland, Whether there is any truth in the statements, copied from the *Weekly News* newspaper by the Irish correspondent of *The Times* of the 1st of June to the effect that the Crown Solicitor, Mr. S. L. Anderson, offered John P. Murray £100 sterling with a Government situation in Ireland or the Colonies, provided that he would give such information as would convict Colonel Nagle and the other prisoners of the so-called Jackmel Expedition?

THE EARL OF MAYO replied, that there was no truth in the statement referred to. It having, however, been made upon oath before a public functionary at New York, he wished in justice to Mr. Anderson to read a letter which that gentleman had addressed to him. It was as follows:—

> "Law Department, Dublin Castle, May 30, 1868.
>
> "My Lord,—Referring to the article in this days's *Nation* newspaper, in which appears a copy of an alleged affidavit of one John P. Murray, *alias* John Cade, recently a prisoner in Kilmainham Gaol, stating that previously to his release I offered him £100, with a Government situation, provided he gave such information as would convict Colonel Nagle and others, I beg leave to acquaint you, for the information of his Excellency, that one of those 'Jackmel' prisoners who were arrested in Dungarvan gave his name as John Cade, and was discharged on the 3rd of March last, having signed a paper expressing his regret for having been engaged in 'the treasonable expedition commonly known as the Jackmel Expedition,' and undertaking not to join in future in any treasonable proceedings against the Queen; that I never had an interview with this prisoner, that I never to my knowledge spoke to him, that I never directly or indirectly made any proposal to him to become a witness, and that I never offered any prisoner or any other person £100 or any other sum, or any inducement whatever, provided he gave such information as would convict Colonel Nagle or any other prisoner, or provided he would give evidence against any person.
>
> "I have the honour to be, my Lord, your Lordship's obedient Servant,
>
> SAMUEL LEE ANDERSON.
>
> "The Right Hon. the Chief Secretary, &c., Dublin Castle."

Appended to that was a declaration signed by the prisoner, wherein he entered into a solemn engagement not to take part in any treasonable proceedings in future against the Queen, and also admitted that he did engage in that piratical enterprise known as the Jackmel Expedition. He could only add that in this instance the clemency of the Crown had been very ill-requited by a pardoned prisoner, who immediately upon his arrival in New York had engaged in so gross an act of perjury.

AMENDED BOUNDARY PLANS.
QUESTION.

MR. WALDEGRAVE-LESLIE said, he would beg to ask the First Lord of the Treasury, Whether he will consider the propriety of giving directions for amended plans of the Boundaries of those boroughs of which the Select Committee of this House have advised the modification being placed in the Library of this House for the convenience of Members?

MR. DISRAELI said, in reply, that he would consider whether amended plans of the boundaries of those boroughs of which the Select Committee had advised the modification should not be placed in the Library of the House.

ATTEMPTED ASSASSINATION OF THE DUKE OF EDINBURGH.—QUESTION.

MR. VERNER said, he would beg to ask the First Lord of the Treasury, Whether he has seen a statement in the newspaper of the hon. Member for Kilkenny (Sir John Gray) to the effect that the British Government had ample knowledge of the fact that the unfortunate man who had attempted to assassinate the Duke of Edinburgh was not only insane at the time, but had been insane for a considerable period previously; and, whether any steps will be taken to guard the peasantry of Ireland against the circulation of such scandalous libels?

MR. DISRAELI: Sir, I have not seen the statement in the paper of the hon. Member for Kilkenny (Sir John Gray), but I have seen some newspaper statements of that kind. No information of that description has been transmitted to us at any time. Had we received information of that kind, if we had thought it authentic, of course it would have been our duty to act upon it; but the Government have no reason to believe that the assassin of the Duke of Edinburgh was insane.

ELECTRIC TELEGRAPHS BILL.

QUESTION.

Mr. AYRTON said, he would beg to ask Mr. Chancellor of the Exchequer, If he will lay upon the Table to-morrow the information ordered to be furnished as to the length of Telegraph and number of Stations connected with the Railways in this country?

The CHANCELLOR of the EXCHEQUER said, in reply, that no Notice having been given of the Question, he was unable to answer it.

Mr. BRIGHT said, that in the Report by Mr. Scudamore, which had been laid upon the table, a good deal was said about the telegraphs in Belgium and Switzerland. He should like to know whether the Government had any information regarding the telegraphs in the United States, which were on a much more extensive scale than in those small countries, and regarding which a great deal of experience might be obtained, enabling the House to determine the questions raised in the Bill?

The CHANCELLOR of the EXCHEQUER said, he had seen no statement on the subject of the telegraphs in the United States.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL—[Bill 29.]

(*The Lord Advocate, Mr. Chancellor of the Exchequer, Sir James Fergusson.*)

COMMITTEE. [*Progress, 28th May.*]

Bill *considered* in Committee.

(In the Committee.)

Clause 6 (Restriction on Number of Votes in City of Glasgow).

Mr. GRAHAM: Sir, I cannot allow this clause to pass without renewing my earnest protest against the principle which it embodies. It was, however, not to be expected that the Government would treat a constituency so thoroughly Liberal as Glasgow with any great favour—scarcely even with fairness. The City of Glasgow has, in reality, been denied its legitimate share in the increased representation given to Scotland. In proportion to the whole representation of Scotland, Glasgow was fully entitled to nine Members; and in view of the burgh population of Scotland alone, it might claim ten. With reference to the representation of the large boroughs of England, Glasgow is at least entitled to five Members. Relatively to Manchester and Salford we might claim five Members. In proportion to Leeds, with less than half our population, we are entitled to at least six. The only cases of an opposite nature which can be found are those of the metropolis and of Liverpool—if Liverpool be indeed to be regarded as wholly apart from Birkenhead. It must be remembered, moreover, that the proportion of borough representation in England is very much greater than in Scotland; and therefore, if any difference at all was to be made in the representation, it ought to have been in the way of giving the boroughs a larger rather than a smaller share. But I do not blame the Government too severely for having treated this matter from a party point of view. There can be no doubt that this ingenious arrangement of three-cornered constituencies was introduced into the Bill of last year as a last desperate expedient to resist the progress of those Liberal opinions which hon. Gentlemen opposite regard with an alarm so unworthy of their intelligence. I believe that it is likely to be entirely a failure. The general opinion, so far as I can hear, is that it will lead to great confusion. Those who introduced this ingenious scheme have left out a very important element in the calculation—namely, that there are in all these important constituencies, not, as they assume, one minority, but two or more minorities; and it is to the most energetic and resolute of those minorities that the share of the representation provided by such a clause as this will fall. Toryism, as a political creed, hardly exists in Glasgow; but there are men holding the most extreme opinions in the opposite direction. There are many members of trades unions who will make their influence subservient to the interests of their society. There are also a large number of Roman Catholics—upwards of 100,000—in Glasgow, and less than 10,000 Conservatives. Instead of a Conservative candidate being returned for Glasgow, we may therefore have a man of extreme political opinions, with the support of the trades unions; or, not improbably, one selected by the Irish Roman Catholics. My personal knowledge of Manchester leads me to the opinion that something of the same kind will occur there also; for trades union opinions and the Irish element are both very strong in that constituency. Such a result would be indeed a strange comment on the efforts of the noble

Lord who introduced this Amendment, himself a Conservative and an Orangeman, if this debated principle should be the means of introducing into this House a minority representation on the one hand of nominees of trades unions, and on the other hand of Roman Catholics. As, however, from what has occurred in this House, I know it is hopeless to attempt to strike out the clause, I shall content myself with protesting against it, and with appealing to the Parliament of the future.

Clause *agreed to.*

Clause 23 (Places for the Election and Returning Officers for new Constituencies).

THE LORD ADVOCATE moved to insert at page 10, Clause 23, line 4, after "thereof," the words—

> "And the Writ for the Election of the Member for the counties of Peebles and Selkirk shall be addressed to the Sheriff of the county of Peebles, and, until otherwise directed by Parliament, shall be proclaimed at the burgh of Peebles."

Amendment *agreed to.*

Clause *ordered* to stand part of the Bill.

Clause 41 (Appointment of Boundary Commissioners.)

THE LORD ADVOCATE said, he did not know whether it would be necessary to have Boundary Commissioners for Scotland; and if it were regular he should wish to have that clause still further postponed until the Committee had gone through the schedule.

SIR EDWARD COLEBROOKE said, he had on several occasions drawn the attention of the Government to this important subject. His own opinion had been that these Commissioners might have been appointed and might have proceeded with their labours pending the passing of the Reform Bill through Parliament. This had not been done; but he thought the subject too important to be lost sight of altogether. He gave the learned Lord Advocate notice that when they came to the question of Glasgow he should certainly desire to lay before the House the reasons why he thought the boundaries of that borough would require mature consideration. He would, however, in the meantime acquiesce in the proposal of the Government.

THE LORD ADVOCATE said, there was no wish on the part of the Government to avoid having recourse to a Boundary Commission; and if it were deemed requisite he should be prepared to nominate certain gentlemen as Commissioners. It might, however, be the best course to strike out that clause in the meantime, reserving the liberty of bringing up a new clause on the Report.

MR. CRAUFURD said, that some of the boundaries in Scotland required rectification.

Clause *struck out.*

THE LORD ADVOCATE next moved to insert the following clause after Clause 1:—

> (Application of Act.)
>
> "2. This Act shall apply to Scotland only, except in so far as it provides that certain boroughs in England shall cease to return Members to serve in Parliament."

As originally drawn, the Bill applied to Scotland only; but in consequence of a Resolution to which the House had come, it was necessary to make the alteration which he now moved.

Clause *agreed to,* and ordered to stand part of the Bill.

THE LORD ADVOCATE brought up a clause (Lodger Franchise for voters in Burghs) which he proposed to insert after Clause 3—

> (Lodger franchise for voters in burghs.)
>
> 4. Every man shall in and after the year one thousand eight hundred and sixty-eight, be entitled to be registered as a voter, and, when registered, to vote for a member or members to serve in Parliament for a burgh, who is qualified as follows (that is to say):—
>
> 1. Is of full age and not subject to any legal incapacity; and
> 2. As a lodger has occupied in the same burgh separately, and as sole tenant for the twelve months preceding the last day of July in any year the same lodgings, such lodgings being part of one and the same dwelling-house, and of a clear yearly value, if let unfurnished, of ten pounds or upwards; and
> 3. Has resided in such lodgings during the twelve months immediately preceding the last day of July, and has claimed to be registered as a voter at the next ensuing registration of voters.

MR. CRAUFURD said, that the clause would have the effect of restricting the existing lodger franchise in Scotland, as lodgers occupying premises at £10 a year had, in the majority of cases, been held to be entitled to a vote.

THE LORD ADVOCATE said, he had stated his own opinion to be favourable to the view adopted by the majority of the sheriffs—namely, that lodgers occupying premises which, without reference to furniture, brought £10 rent per annum, were at present entitled to be put upon the register. He had taken this clause from the very words of the English Act, with the view, not of excluding from the franchise any persons whom the Scotch Reform Act of 1832 intended should have it, but of removing any doubt which might exist.

Mr. M'LAREN said, he thought the words requiring a continuous residence "in the same lodgings," would have a disfranchising effect.

Mr. MONCREIFF said, that if it was not the intention of the Government to interfere with the lodger franchise existing under the old law, that intention should be more clearly expressed than it was in the clause.

Mr. ELLICE said, he hoped that the operation of the clause would not be to disfranchise persons who, as matters now stood, were entitled to vote.

The LORD ADVOCATE pointed out that it would have no such effect, inasmuch as in the 48th section of the Bill (General Saving Clause) it was distinctly declared that the new franchises to be conferred by it were not in substitution for, but in addition to, the old franchises.

Clause *brought up*, and read the first time.

On Motion, "That the Clause be read the second time,"

Mr. M'LAREN moved to omit the words "the same," with the view of inserting other words in the clause expressly entitling a lodger otherwise duly qualified to vote, although he might have occupied not the same, but different lodgings during the prescribed period.

Mr. CRAUFURD said, that the clause would have the effect of disfranchising persons who had a vote, because in Scotland lodgers were treated as householders. Some of the sheriffs had held that lodgers were not included in the Reform Act of 1832, but the majority held that they were.

Mr. GOLDNEY said, that in the English Bill the lodger franchise was made to be dependent on the occupation of the same lodgings, and he did not know any reason why that principle should not apply to Scotland. There would be a difficulty in identifying a lodger for the purposes of the franchise unless he occupied the same lodgings.

Mr. M'LAREN said, that if some such Amendment as that which he had moved were not adopted the result would be the disfranchisement in many cases of persons in Scotland who now enjoyed the right of voting. The case of England was entirely different, because in England no lodger franchise existed previous to the passing of the Act of last Session.

Mr. MONCREIFF said, that according to the present law in Scotland, a lodger occupying premises of the required value successively was entitled to vote. It was proposed by the clause under discussion, however, that in order to be so entitled a man must occupy the "same" premises; and he should like to know which of those two regulations was to prevail in the future.

Mr. CRAUFURD said, the two provisions clearly clashed.

Mr. BOUVERIE said, he was afraid that he had been the means of leading the Lord Advocate into the labyrinth in which he found himself; but he would suggest, as a solution of the difficulty, the bringing up on the Report of a declaratory clause providing that the law under the old Act should apply to the new £10 lodgers.

The LORD ADVOCATE said, that as the Government had no intention to disfranchise any of those electors who had hitherto enjoyed the right to vote, he had no objection to any alteration in the clause being made which might be deemed necessary to secure that right.

Mr. M'LAREN said, he thought the Lord Advocate would feel that the matter was so trifling as not to be worth wasting time about.

Words, "The same lodgings, such," *struck out.*

Clause, as amended, *ordered* to be added to the Bill.

The LORD ADVOCATE moved to insert a new clause, Clause C (Provision for claims by persons improperly or erroneously exempted from the payment of poor rates) to follow Clause 17.

Mr. AYTOUN said, he wished to know whether persons who were exempted by the parochial Boards would be placed in a position of disadvantage as compared with others in having to recover their privilege of voting through a process of appeal, which he presumed would be somewhat expensive.

The LORD ADVOCATE said, that the clause gave the only remedy possible. Under the Poor Law Act, the parochial Boards had power to exempt persons from the payment of poor rates on the ground of poverty only; but it was too often the practice of the Boards to exempt whole classes under a certain rental for the purpose of saving the cost of collection. Under the proposed clause if any persons were excluded from the franchise by an erroneous decision on that point they would have the power of claiming to be entered on the register of voters.

MR. MONCREIFF said, he thought that great confusion would arise from the proposed clause. Many nice and difficult questions would crop up immediately after the first registration, and every sheriff might vary in his decision on these points. If the parochial Boards had not the power to exempt from payment of rates all occupiers under a certain low rental they ought to have it, for the amount collected would not be worth the cost and trouble of collection.

MR. M'LAREN said, the clause was useful as far as it went, but he was of opinion that parochial Boards should not have the power to exempt whole classes. The Poor Law Guardians who were assessed at a high figure could not be expected to have much sympathy with the poorer classes. He would suggest the expediency of withdrawing the proposed clause and bringing up a new one on the Report, for the rule with regard to the exemption from the payment of rates varied in the Scotch burghs.

Clause *agreed to.*

THE LORD ADVOCATE proposed a new clause to follow Clause 20 (Alteration of Dates respecting Register) the object of which was to alter certain dates in the preparation of the Register of Voters in burghs as provided by the 19 & 20 *Vict.* c. 58. The alteration was rendered necessary by the increase in the number of voters provided by this Bill?

SIR EDWARD COLEBROOKE said, he wished to know how it would be possible to do all the work in the time which was to be allotted?

MR. CRAUFURD said, he wished to know why they could not let the registration commence on the 15th of August, and finish so much earlier?

THE LORD ADVOCATE said, he anticipated that the register would be completed before the sheriff by the 31st of October. The arrangement had been made not on his own responsibility, but after consulting the parties who would be engaged in the completion of the register for Glasgow and Edinburgh. They could not undertake to complete it earlier than the day named. He had heard from Edinburgh that if they had not proceeded in the work for the last two months as if the new Reform Act had passed, they would not have been able to complete it even by that time. He had done everything in his power to bring about an earlier completion of the registration, but it had been found impossible.

MR. MONCREIFF suggested that the appeal should be dispensed with altogether for this year, to enable registration to occur more rapidly.

MR. M'LAREN said, he thought the process might have been still further expedited by requiring the Judges of the Supreme Court to sit on the 16th of October as an appeal court. There would be very few appeals.

THE LORD ADVOCATE said, that a clause had been introduced expressly with the view, if necessary, of the court appointing Judges to meet during the vacation for the purpose of disposing of registration appeals.

Clause *added* to the Bill.

THE LORD ADVOCATE said, he proposed to insert a series of new clauses having reference to elections for the Universities. He moved that Clause A (Franchise for Universities) be inserted before Clause 37 as follows:—

"Every person whose name is for the time being on the register, made up in terms of the provisions hereinafter set forth, of the General Council of any one of the Universities of Scotland shall, if of full age, and not subject to any legal incapacity, be entitled to vote in the election of a Member to serve in any future Parliament for such University in terms of this Act."

He did not anticipate that there would be much objection to the clause. One or two objections had been intimated, to which he would give attention as they arose.

MR. WALDEGRAVE-LESLIE moved an Amendment requiring that every person whose name was on the register should be furnished with a certificate to entitle him to vote. The certificate should state his name at full length, designation, qualification, and ordinary place of residence.

THE LORD ADVOCATE said, he did not think this at all necessary, and it would interpose considerable difficulties in the way of the University franchise. It would require that they should furnish to each elector a diploma —— [Mr. WALDEGRAVE-LESLIE: Certificate.] Well, a certificate, stating his name and residence. I hardly think that is required. It will be enough to know the voter's residence at the time he comes to vote. The plan suggested would diminish the number of voters and cause considerable expense to the University, and I think the clause is better without it.

Amendment, by leave, *withdrawn.*

Clause *added* to the Bill.

The LORD ADVOCATE proposed a new clause (Clause B, Qualifications for Members of General Councils).

Mr. MONCREIFF said, he wished to have some general explanation of these clauses.

The LORD ADVOCATE said, he thought his right hon. and learned Friend was pretty well in possession of the terms of the clauses, of which he had given him a copy some days before placing them on the Notice Paper. The clauses had also been adjusted with the approval of the Universities. The only point on which he thought any question could arise was that as to the delivery of voting papers.

Mr. MONCREIFF said, he did not intend to make any complaint as to want of notice; but the clauses were considerably involved. Did his right hon. and learned Friend intend to adhere to the whole of these clauses, or would he adopt the Amendment of which he (Mr. Moncreiff) had given notice?

The LORD ADVOCATE said, that although the practice was to take Amendments on each clause as they arose, he had no objection to say he would adopt the Amendment of his right hon. and learned Friend. The time provided for the completion of registration in all other cases was the 31st of October; but it so happened that an election of some interest—namely, that of the Chancellor of the University of Edinburgh, would occur on the 30th of October. The Statutory Council would meet on that day, and the proposition of his right hon. and learned Friend was that the register should for that purpose be completed by the 25th of October. Now this was certainly going a little out of the way from the ordinary course; but he had no objection to adopt the Amendment that the registration should be completed by the 21st of October, instead of the 28th, and be authenticated by the Vice Chancellor on the 25th instead of the 31st of October. It had been suggested that this postponement should be continued in future years; but from communications he had received, he was led to believe that such an alteration would be extremely inconvenient to the University authorities.

The Lord Advocate

Mr. MONCREIFF said, he could see no reason at all why an election, which did not depend upon the same framework or machinery, should be obliged to follow the same practice as others. There could be no difficulty in making up the register at any period.

Clause *agreed to.*

Clause C (Registration Book to be kept), and D (Registrar to enter names therein), *agreed to.*

Clause E (Preparation of first Register under this Act—Revision by Registrar and Assistant Registrars—Authentication by the Vice Chancellor—Register to be conclusive).

Mr. GLADSTONE said, that the University elections took place in October, whereas the register would not be completed till November. He thought it desirable that the election should take place when the register was fresh, rather than when it was exhausted, or about to expire. It would be better either that the registration should be completed earlier, or that the elections should be delayed till November.

Mr. MONCREIFF thanked the Lord Advocate for having accepted part of his suggestion, but was at a loss to know why, in future years also, the register could not be made up in October instead of November.

The LORD ADVOCATE said, he had received a communication that day from a gentleman who took an interest in these matters; and he was led to infer that there would be some difficulty in the preparation in October for elections in the month of November. The registrar would be employed in making up the register in the month of October; and his attention would be disturbed if a poll was demanded, and he had to issue circulars. There were different dates for the meetings of the Councils. In Aberdeen and in Edinburgh those meetings were held at any period in October; in Glasgow, in the last week in October, or the first in November; and in St. Andrews, in November. This, however, was a matter which might be allowed to remain over until the Report of the Committee was brought up, which would give time for further consideration.

Clause *agreed to.*

Clauses down to Clause N, inclusive, *agreed to.*

Clause O (Polling at University Elections).

MR. J. STUART MILL moved to insert the following words after "Voting papers," in Article 4, line 4—

"Except so much of the said Act as requires that the voting paper shall be personally delivered by a Member of Council who shall make attestation of his personal acquaintance with the voter, and his knowledge of the signature."

If the terms of the English Act upon this point were adopted in the Scotch Reform Bill, half, if not more than half, of those who formed the University constituency would be disfranchised. There was always a large number of residents at the English Universities who could authenticate the signatures to the voting papers; but in the Scotch Universities undergraduates did not form such intimate acquaintance with each other as in this country, and in most instances towards the end of the year they were scattered all over the British Empire. The voters would be virtually confined to a small number of residents, unless some such alteration as he proposed were made.

THE LORD ADVOCATE said, that the Bill, as originally framed, contained no such provision as the one under consideration. It was, however, thought better to assimilate the system of voting in the Scotch Universities to that which prevailed in the English Universities, and the provisions existing in England with regard to voting papers were adopted in the lump. He would remind the Committee that last year the principle embodied in the clause he now proposed was applied to the London University, which has no resident students, and where the constituency is, perhaps, less connected with the University than the students of the Scotch Universities are with their Universities; but he was inclined to think that, probably, it would not be necessary to require that the Member of the Council presenting the voting paper should be personally acquainted with the voter by whom it had been signed.. As there was no desire to cause any inconvenience to the voter, he was willing to alter the clause to that effect. He thought it, however, desirable that the wording of the clause should be retained so far as it required that the voting paper should be personally delivered and attested by a Member of the Council.

MR. BERESFORD HOPE, while accepting as sufficient the Amendment offered by the learned Lord, wished, from his personal experience, to support the proposition of his hon. Friend the Member for Westminster (Mr. Stuart Mill.) The system of voting by proxy papers for the Universities was of very recent introduction, having owed its origin to the Act carried during the last Parliament by the hon. Gentleman the Chairman of Committees, and only two contested elections had taken place under it—the one for Oxford at the General Election, and his own for Cambridge during the present year. He was entitled to speak from that practical acquaintance with the interior of his committee-room, which was accorded to the candidate for Cambridge, and refused to the one for Oxford, and his experience was that the actual system worked well for those Universities. But it worked well in consequence of the Collegiate system, with the acquaintances contracted in the College, and the relations created between the College tutor and his pupils. He believed that a more lax Collegiate system existed in Scotland, and that residence was practically objected to, and he was accordingly convinced that the stringency of the English requirements would be found to result in the disfranchisement of many of the voters for constituencies distributed, as those of the Scotch Universities were, over all quarters of the world.

MR. J. STUART MILL asked, whether the delivery of the voting paper by a Member of Council would not involve a considerable additional expense?

THE LORD ADVOCATE assured the hon. Gentleman that he had learned from persons of experience that this was the best arrangement that could be adopted.

MR. LOWE said, he could see no security against the presentation of fraudulent voting papers.

THE CHANCELLOR OF THE EXCHEQUER reminded the right hon. Gentleman that the Member of the Council who presented the voting paper would have to sign his name at the back and express his belief in the authenticity of the voter's signature.

MR. LOWE said, he considered that that was really no security.

MR. GATHORNE HARDY observed that the voting paper would be signed before a justice of the peace. That would be an additional security.

MR. LOWE said, there might be no such justice of the peace as the one whose name was on the voting paper. A man might take the list and set to work to manufacture votes without the knowledge of the voters.

THE LORD ADVOCATE: I hope no candidate for a University will demean himself by having recourse to such proceedings. Persons entitled to such a position will not make themselves parties to such criminal proceedings, and if they do so they will be treated as they deserve.

Mr. GLADSTONE said, that it was desirable to have perfect security, but we could not always get that, and must be content with an approximate system. The punishment for the personation of voters was found on the whole to be sufficient.

Mr. LOWE said, that the question was not one of candidates or electors, but of entire strangers, whose forgery it would be impossible to punish because it would be impossible to detect it, so that the mere fact that the person, if discovered, could be prosecuted was no security whatever.

The CHANCELLOR of the EXCHEQUER said, that the paper was to be signed by another voter pledging himself to its genuineness. It was to be supposed that a person tendering a voting paper would inquire where it came from, because if he did not, and it was fraudulent, he would first of all be exposed to the obloquy that would attach to the Act, and next to a legal penalty.

Mr. MONCREIFF remarked that the fabrication of votes would be a very dangerous game to play, for how was the fabricator to know that the real voter would not send in his paper also?

Mr. J. STUART MILL said, that many operations took place on the same security — namely, that if persons committed frauds they would be prosecuted.

Amendment *withdrawn.*

On Motion of The Lord Advocate, the following words were added to the clause:—

"Except so much of the said Act as requires that the person delivering the voting paper shall make attestation of his personal acquaintance with the voter."

Clauses P and Q *agreed to.*

Clause R *negatived.*

Sir JAMES FERGUSSON said, he had now to discharge an extremely painful duty—namely, to propose that seven of the smallest English boroughs should be disfranchised, in order to provide additional seats for Scotland. As his right hon. and learned Friend the Lord Advocate felt somewhat unwilling to move the extinction of the borough which had sent him to Parliament, that duty had fallen upon him (Sir James Fergusson). It was absolutely necessary that additional seats should be provided for Scotland; and he thought the Committee would admit that seven was the smallest number that could be given. As a Scotch Member, he very much regretted that the additional representation of Scotland was to be limited to that number, and he could not refrain from saying that had the Scotch Members been united in support of the proposal of the Government, they might have fared better. [Mr. Kinnaird: The original proposition gave us only seven Members.] The Government had the greatest difficulty in procuring seven additional seats for Scotland. As it was necessary to find seven victims some choice was forced upon the Government, and as the House had resolved to guide itself in this matter by population, the Government proposed to take the seven towns of least population and leave the remaining three still enfranchised. He therefore moved the addition of the following clause:—

(Certain boroughs in England to cease to return Members.)

"Whereas, in order to provide for the seats hereinbefore distributed, it is expedient that certain boroughs in England having small populations should cease to return Members to serve in Parliament, Be it therefore Enacted, That from and after the end of this present Parliament the boroughs of Arundel, Ashburton, Dartmouth, Honiton, Lyme Regis, Thetford, and Wells shall respectively cease to return any Member to serve in Parliament."

Mr. NEVILLE-GRENVILLE said, that it had never before been proposed to disfranchise a county town, and he contended that an exception from that rule should not be made in the case of Wells, where, without wishing to exaggerate its importance as a city, the business of the county was transacted, and the sessions and assizes are held. He would fain have stopped here; but as it had been resolved to rob the English Peter to pay the Scotch Paul, he was bound to point out a substitute for Wells. He accordingly pointed to Evesham. The population of Evesham exceeded that of Wells by only thirty-two, and did so only because Wells constituted a small area of 700 acres, while Evesham extended over 2,338 acres. Again, if Wells were disfranchised the new division of mid-Somersetshire would be the only county constituency in England possessing no represented town within it; although Somersetshire had 1,000,000 more in population than Worcestershire, which boasted of three represented boroughs in each division. He would also remark that the rental of Wells's small area was £40,000, and of Evesham's large area but £21,000. Under these circumstances, he moved that Evesham be substituted for Wells.

Captain HAYTER said, he should not have felt warranted in interfering in this discussion had it not been for the principle laid down by the hon. Member for Montrose (Mr. Baxter), and endorsed by the hon. Member for Pontefract (Mr. Childers), that representation ought to be taken from the over-represented and not from under-represented counties. The proportion of representation to population was already less in Somersetshire than in Worcestershire, and if Wells were disfranchised the disparity would be still further increased. The Customs Returns of Wells, moreover, were nearly double those of Evesham. The proposal was of necessity an invidious one to make; but if any borough were to be sacrificed, it ought not to be a county town like Wells.

Sir LAWRENCE PALK said, he could not allow this clause to pass without entering his solemn protest against the whole proceeding. It was his opinion that a greater breach of faith had never been committed.

The CHAIRMAN called the hon. Baronet to Order, and reminded him that the question before the Committee was to omit Wells and insert Evesham.

Sir LAWRENCE PALK said, that as it had pleased the House to condone that breach of faith, it was the business of the Committee to select the boroughs to be disfranchised. Wells had been selected because it happened that by the last Census it fell short of the number required. That was a most unfair line to draw. The importance of a town did not depend on the number of the inhabitants within it, but on its wealth and position, and whether it was surrounded by a large and wealthy neighbourhood. Wells was the centre of a large agricultural district; it was a cathedral town of great antiquity, and held a very prominent place in history. In fact, Wells was amongst the last towns that ought to have been disfranchised. The whole proposal was so unjust to England that he was not sorry that it was to be consummated by selecting a borough which had the greatest claim to preserve and retain its representation.

Colonel BOURNE said, that Evesham was not a decreasing borough. The population of the borough had greatly increased of late years. Another fact that had not been laid before the Committee was that, out of the ten boroughs originally named to be disfranchised, Evesham was one of the few that was really an increasing borough. Much as he regretted they should decrease the representation of England to increase that of Scotland, he was afraid they must submit to it.

Mr. CRAUFURD said, there was so little to choose between the two boroughs that the Committee ought not only to refuse to strike Wells out, but also ought to add Evesham to the list.

Mr. DARBY GRIFFITH said, they were in so much hurry last year to carry a Reform Bill, that they refused to consider many of the details connected with the subject. In disfranchising boroughs regard ought to be had to the character of the constituency, the associations and intellectual and moral condition of the town, and the number of the electors, and not to the number of the population alone. The principle of selecting boroughs for disfranchisement because they happened to have below 5,000 inhabitants was shamefully unjust. It was unjust to take the last Census Returns. The borough of Calne escaped disfranchisement by the mere fact of the nominal extension of the bounds of the borough, whereby the population just exceeded the hard and fast line that had been drawn. The constituency of Calne was the smallest of any borough in England except Arundel, and was inadequate to entitle the borough to be represented in that House. It could not be contended that Calne, with 175 electors, had an equal claim to representation with an ancient cathedral town and county town like Wells, with 274. There was no reason why Scotland should rob England to increase her representation, and he complained that what was proposed was unjust towards England. The representation of Ireland could be made to show an equal demand for increased representation. There was no reason why the right hon. Gentleman, who had been an obsequious imitator of the right hon. Gentleman on the other side, should support the present proposal. With that sublime facility with which he answered questions, the right hon. Gentleman told him (Mr. Darby Griffith) last year that he looked to Providence to supply the new seats for Scotland. [Mr. Disraeli: No!] The right hon. Gentleman's subsequent memory certainly did modify many of his expressions as understood at the time they were uttered. He hoped the sense of the Committee would be taken on the question.

Mr. GRAVES said, he thought the Committee had got into a very unpleasant discussion. They could not decide the question on the mere accident of one borough having a little more property and the other having a slightly larger number of electors. It would be better to adopt the principle of the Government and disfranchise the seven boroughs which by accident were smallest.

COLONEL SYKES said, it appeared from statistics that Evesham had increased since 1861, and Wells had not.

SIR RAINALD KNIGHTLEY said, that with reference to a remark of the hon. Member for East Somerset (Mr. Neville-Grenville) he would remind the Committee that a county town, Lancaster, was disfranchised last Session.

MR. SERJEANT GASELEE said, he thought that in getting seven seats Scotland got quite enough; but as the House had passed an Instruction to disfranchise ten boroughs, he would be for carrying out that Resolution and keeping three of the seats in reserve for allocation hereafter. He would vote for the disfranchisement of Evesham, if possible. He wished to ask whether it was not out of Order to disfranchise a less number of boroughs than was named in the Instruction to the Committee.

THE CHAIRMAN said, the Instruction as worded gave the Committee a discretionary power to deal with boroughs under a certain population. The Committee had therefore power to disfranchise all, some, or none of them.

MR. M'LAREN said, he would not have spoken a word on this subject had it not been for the remarks made by Gentlemen on the other side, who had spoken in a very harsh way of Scotland. He protested against the word "robbery." Scotland had been badly used in having got so few Members. He might tell hon. Members that Scotland felt no gratitude whatever for this concession, because she felt she had received no favour.

MR. GLADSTONE said, the hon. Member for East Somerset (Mr. Neville-Grenville) had naturally raised this question, and as he had put it forward they must endeavour to form an opinion upon it. The hon. Member for Ayrshire (Sir James Fergusson) had truly observed that hitherto the House had dealt with population; but he must allow him (Mr. Gladstone) to observe, what materially qualified the force of his argument, that they had adopted population in dealing with a class of boroughs, and never, that he recollected, in the case of one borough against another. In dealing with classes of boroughs there was good reason for taking population as the test, for it would be impossible to weigh the different circumstances of all towns. The case, however, was different when they came to judge between two towns. It was fair to look at all the circumstances of both. There was some weight in what had been stated with reference to Wells, because it was a county town, which gave a degree of importance to it greater than it would otherwise possess with its limited population. Wells was a true and real town, having a population of over 4,000, living within the real limits of the town; whilst the population of Evesham was dispersed over a considerable district. He had never been there, but he believed that Evesham might with as much propriety be called a village as a town. Looking from these two points, he was disposed rather to wish that Evesham was included in the clause and Wells removed from it. But there was another consideration of greater importance which would prevent his voting with his hon. Friend, except upon a clear understanding that the question was between Wells and Evesham. It might possibly happen that they might drop Wells and fail to insert Evesham. He, for one, must first consider whether he would run the risk of such an alternative. He was one of those who undoubtedly thought that when they passed the Instruction to the Committee it definitely secured ten Members to Scotland, by the disfranchisement of ten small boroughs in England. He was sorry the hon. Baronet the Under Secretary for the Home Department (Sir James Fergusson) had chosen to enter into a retrospective and political consideration in making this Motion. He (Mr. Gladstone) thought that was unnecessary, and consequently he should not protract the controversy. He was sorry the ten were not to be given to Scotland, and he only accepted the proposal of seven, because he took it to be at the present moment the most favourable proposal that the House would entertain. The three towns saved had been saved for the privilege of returning one more Member, but the odds were 100 to one that they would not take part in more than for one General Election. If he was satisfied that Evesham would be inserted, should Wells be struck out, he was ready to vote for it; but looking to the scant justice that Scotland had received, he should not like to run the slightest risk of seeing the seven reduced to six.

SIR JOHN PAKINGTON said, that from his knowledge of Evesham, and his connection with the county, he was able to correct what the right hon. Gentleman had stated with regard to that borough, and to inform him that Evesham had not a scattered rural population, but that it was a regularly built town, with numerous streets and houses. Although Evesham had not, like Wells, a cathedral, it possessed one of the most beautiful abbey-churches in England.

MR. DISRAELI: Sir, we have arrived at a stage on this great question of Parliamentary Reform when I think a final decision is absolutely necessary. The hon. Member for Devizes (Mr. Darby Griffith) is of opinion that this business of the reconstruction of our electoral system has been hurried over; but I must remind the Committee that we are now at nearly the end of the second Session during which this question has been constantly under discussion. We have considered it for two years, and I think the whole subject has been as well considered as a practical nation could consider a question on which legislation could not be indefinitely postponed. No doubt if we were to spend fifty years in devising a new electoral system we should arrive at a more perfect system than the one before us; but we must remember that we have the advantage of the practical enjoyment of the results we have achieved, which otherwise we should not have. The hon. Member for Edinburgh (Mr. M'Laren) complains of the manner in which Scotland has been treated. I am under a very different impression on that point. I am not conscious that I have considered with any want of feeling the claims of Scotland; I must say that I am surprised, and, on the whole, gratified at the results which, in the interests of Scotland, have been achieved; and I think that Scotch Members must be unreasonable if they are not satisfied too. The right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) is not only dissatisfied—he is indignant; and the fact that the Bill only proposes to give seven additional Members to Scotland is one which almost exhausts his powers in giving sufficient expression to his discontent. Considering, however, that the right hon. Gentleman was once in a very responsible position in this House and then brought forward a Reform Bill in which he only proposed an addition of seven Members to the representation of Scotland, I think the right hon. Gentleman might, at least, consider our proposal with some mercy and indulgence. With regard to the question now before the Committee, a certain principle has guided us, and to that I think we ought to adhere. It would not be expedient to enter into the comparative claims of Evesham and Wells. Wells has been described as a city and Evesham as a large village. I have reason to believe that that description is not at all justified; and I would remind the Committee that Evesham is one of the most ancient towns of England, and has been the scene of some remarkable historical incidents, if those give any claim in this matter. On the whole, I trust we shall adhere to the principle which we have laid down, and by supporting the Motion of the Under Secretary of State shall bring this long-vexed question to a happy conclusion.

Motion, "That the word Wells stand part of the clause," *agreed to.*

LORD EDWARD HOWARD said, he hoped that, after all, Arundel would be excluded from the list of towns to be disfranchised. He agreed with the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) that the question ought not to be determined entirely by numbers. There was a maxim in law, *De minimus non curat lex*—that was to say, that the law was sometimes in favour of small towns. On what reason, then, were they to exclude Arundel from the representation? He was not going to state for how many centuries Arundel had been represented. When the Assistant Commissioners visited Arundel they were evidently impressed with the suggestion of adding to Arundel for the purpose of representation the town of Littlehampton, a rising watering place, and growing port. The conjoined borough would contain a population of 7,000. A similar addition had been recommended in other cases. He moved that Arundel be excluded from the list of boroughs to be disfranchised.

THE CHAIRMAN said, the part of the Resolution in which Arundel appeared had already been passed.

Clause *added* to the Bill.

COLONEL SYKES moved, after Clause 40, the insertion of a clause (Remuneration of Sheriff's Clerks).

Clause *negatived.*

MR. GRANT DUFF moved to insert the following clause:—

"In all cities, burghs, or towns, or districts of cities, burghs, or towns in Scotland, except in the districts comprehending Kirkwall, Wick, Dornoch, Dingwall, Tain, Cromarty, Ayr, Irwin, Campbelltown, Inverary, and Oban, commonly called the Wick and Ayr Burghs, the officer to whom the duty of giving notice of the Election of any Member or Members to serve in Parliament belongs shall proceed to election within six days after the receipt of the writ or precept, giving three clear days' notice at least of the day of Election, exclusive of the day of proclamation and the day of Election."

Clause *ordered* to be added to the Bill.

Schedule (A) (Extended Boundaries of the City of Glasgow).

Sir EDWARD COLEBROOKE said, that the plans of the Government had been altered in an extraordinary way, and that only two days' notice had been given to Members. He must ask that the Schedule might be postponed till the Report, to enable him to communicate with his constituents in Lanarkshire, and to give them an opportunity of considering the matter.

The LORD ADVOCATE said, on the Thursday before the Recess, he gave a distinct intimation that it was his intention to include in the Parliamentary limits of Glasgow, a district which belonged to the municipality of Glasgow. He hoped a decision would be at once come to with regard to this question.

Mr. MONCREIFF appealed to the Government not to proceed with this Schedule until the general question of the extension of boundaries, which had been referred to the Select Committee, should come on for decision by the House. If the boundaries of Birmingham and other large towns in England were not to be extended, there was no reason why those of Glasgow should.

Sir JAMES FERGUSSON said, that the cases were not similar, because the Select Committee had considered only the boundaries of the particular boroughs that had been referred to them. The magistrates and town council of Glasgow were desirous of having the boundaries extended.

Mr. ELLICE said, that it was all very well to say that the city of Glasgow was in favour of the extension. The reason of that was because the town council wanted to extend the area of taxation. No doubt, they would gladly bring the whole county within the borough. If the Committee were to consent to the Motion they would do not only a great injustice, but would perpetrate a monstrous job. By taking away so many voters from the county and putting them into the city they would materially affect the representation of the county. He thought the question ought to be deferred till the English Boundary Bill had been settled, and he, therefore, hoped the Schedule would be postponed.

Mr. DALGLISH said, he should vote for the proposal of the Government on the ground that it would enfranchise 7,000 or 8,000 persons who would not otherwise have a vote. Partick and Govan were really part of Glasgow.

Mr. GOLDNEY said, he thought the question should be decided without regard to the treatment of boundaries in England.

Mr. CRAUFURD said, he hoped the Government would deal with them on the principle that what was good for England was good for Scotland. Crowded meetings of the inhabitants of Partick and Govan had unanimously petitioned against incorporation with Glasgow. Unless constituted a separate constituency they preferred remaining in the counties. Against the petitions on the table they had only the statement of the hon. Member for Glasgow (Mr. Dalglish), the authorities of which cared only for having more people to tax.

Mr. KINNAIRD said, he hoped the Government would consent to postponement.

Sir JAMES FERGUSSON said, he could understand opposition to the proposal on the part of owners and persons having county votes; but he believed the working men, who were small householders, of Partick and Govan were anxious to be annexed to Glasgow, and would be much disappointed if the boon were denied them. In had been stated that the border towns were indifferent to their formation into a group of burghs; but enthusiastic meetings had been held since the adoption of the proposal in order to express their gratitude to Parliament for the privilege conferred upon them.

Mr. J. STUART MILL said, that if this argument was correct the suburbs of Glasgow ought to have a representative to themselves. But because they did not choose to give to the population of these considerable places a representative in this House, to which they were justly entitled, were they to deprive those who were county electors of a vote which they valued in order to give to others a vote which would scarcely be of any value.

Mr. BRIGHT: Sir, I wish to refer in the first instance to what has been said by the hon. Baronet (Sir James Fergusson). He knows perfectly well that if the municipality of Glasgow shall use the argument that they propose to add this population, because they are anxious to give the franchise to the people, it is a very dishonest argument. And the Committee know perfectly well that, if the hon. Baronet and his Colleagues profess to support it on the same ground, in their mouths it is equally a dishonest argument. It is not a question of the franchise at all. The hon. Baronet does not mean to say that he and his Colleagues are in favour of extending household suffrage throughout the counties of Scotland. Surely, if it would be a right thing to do it in this particular district, it would be equally right to do it throughout all the districts of Scotland. I protest against arguments being used in which hon. Members obviously do not believe. This is an argument which the hon. Baronet has no right to use, though it may be successful for his case, and that of the right hon. Gentleman who sits next him. The real question is this—What is the opinion of the people who are to be affected? On a former occasion I used an argument to the Committee which I think cannot be answered. It is this—that whenever the Queen in Council proposes to give a municipal corporation to any borough, it is absolutely necessary that the district wishing to be incorporated should show that a majority of its population is in favour of it, and an officer should be sent down from the Council to the district to ascertain if such majority can be found in favour of the proposed charter, and if it be not so then the charter should in no case be given. It is proposed to bring 40,000 or 50,000 persons within the municipal government of the city who do not wish to be brought there, whose franchise will be made of less value, whose taxation will be enormously increased, and who have not come to this House to petition for this favour to be conferred on them. Dealing thus with large populations in regard to their Parliamentary or municipal rights is contrary to the ordinary practice of this House, and calculated to lessen the confidence which the people of all parts of the country should have in Parliament. I trust, therefore, that the right hon. Gentleman will listen to the strong and logical and repeated remonstrances which have proceeded from this side of the House.

Mr. GORST said, that the argument of the hon. Member for Birmingham was a false one, because it proceeded upon the assumption that the municipal and Parliamentary boundary would always be conterminous.

Mr. BRIGHT: The hon. Member has stated that my argument is a false one. I should like him to prove it.

Mr. GORST said, that he had used the term in no offensive sense, but he desired to point out that hon. Members opposite assumed that the municipal boundaries of boroughs should in all cases follow the Parliamentary boundaries; and they seemed very anxious, for purposes of their own, to make the country believe that generally this was the case. He would mention two instances which would show that this was far from being invariably so. The first was that of Manchester, which was incorporated since the Reform Act of 1832. The people of that city, in choosing their municipal boundary, chose one considerably within the Parliamentary boundary, and including only about two-thirds of the area. The other was that of the large borough of Darlington, incorporated since the passing of the Reform Act of last year. So little had the inhabitants been impressed with the necessity of having their Parliamentary and municipal boundaries conterminous, that, having before them the boundary settled last year by the Reform Act, they chose for the municipal boundary one of only half that area.

Mr. CRUM-EWING said, he believed that the real object of the Government was not to give the franchise to the artizans in these districts, but to take this Liberal portion of the constituency out of the county and to attach it to Glasgow. The object of the corporation of Glasgow, on the other hand, was to get these people assessed to the municipal taxes.

Sir EDWARD COLEBROOKE said, he thought that the question ought to be left to be decided by the locality.

Mr. PERCY WYNDHAM said, the question appeared to him to be whether the Members for Glasgow should represent the city as it now existed, or a portion of it, which had been the nucleus of the present city? He wished to ask the hon. Member for Birmingham (Mr. Bright), who contended that it would be no boon to these people to be included within the Parliamentary boundary, whether he could deny that by being enclosed many hundreds would obtain votes for Members of Parliament who would otherwise have no voice in the election of a representative?

Mr. CANDLISH said, the hon. Member for Cambridge (Mr. Gorst) was by no means justified in the statement which he had made regarding Darlington. The fact was, that the Parliamentary boundaries of that town, so far from being settled by the Act of last year, were still undefined, and would be so until the Boundary Bill passed. By the Report of the Commissioners now before the House, they were made co-extensive with the municipal boundaries. If the precedent of the English Bill was to govern their decision upon the Scotch Bill, the boundaries of the English boroughs were not yet defined. The English Bill was passed last year, and the Parliamentary borough of Darlington remained undefined; the Scotch Bill was not yet passed, and yet the Committee were urged to define the boundary of Glasgow.

THE LORD ADVOCATE said, there were two questions involved in the Schedule. The first was whether the boundary of Glasgow should remain to a certain extent co-extensive with the Royal or municipal borough. As to that, he understood there could be no opposition from the other side of the House, because he believed it was an axiom with them that Parliamentary and municipal boundaries ought to be co-extensive. Yet the effect of negativing the Schedule would be to preclude the extension of the existing Parliamentary boundary to the existing municipal boundary; for there was a portion of the Royalty not included within the present Parliamentary boundary. The second question was, whether the boundary should be extended so as to include the suburbs of Partick and Govan; which, though each of them had a police government of its own, were really parts of Glasgow. ["No, no!"] Practically speaking they were. He could quite understand the sensitiveness of the hon. Member for Birmingham (Mr. Bright) with reference to the proposed enlargement; because the borough of Birmingham was in a similar position, and the hon. Member wished the decision of the Committee upon this question to influence the decision upon the case of Birmingham. With regard to the imputations the hon. Member had thrown upon the Government, they were accustomed to such imputations. He thought, however, they might have been spared. The hon. Member constantly made the assumption that he was actuated by the purest motives. He (the Lord Advocate) had yet to learn that imputations could be launched indiscriminately against the Ministerial side of the House; certainly the hon. Member was about the last person who should make them. When the question was raised whether there ought to be protection against excessive labour for the British workman and the factory operative, the hon. Member opposed the granting of it; and he did so—according to a statement he made within the last two or three years in addressing his constituents—not because he disapproved of the measure, or that he thought it wrong in itself—the hon. Member never would admit that he ever was in the wrong—but only because the measure was supported by the Conservative or country side of the House. [Mr. BRIGHT: The right hon. and learned Member is quite wrong.] He did not think he was wrong. He recollected the matter well, for it made a great impression on him at the time. But the House ought to have been spared the reference to motives made by the hon. Member for Birmingham; for it was much better to discuss these matters on their own merits. The objection to extending the boundary of Glasgow was that Partick and Govan might be involved in the municipal taxation of Glasgow; but because that might be probable in England, it by no means followed it would be so in Scotland, in a case in which the Parliamentary boundary extended beyond the municipal boundary. From 1832 till 1862 the municipal taxation had not been extended to the Parliamentary limit of 1832 in Glasgow. Recently arrangements were made for extending the municipal boundary of Perth; but it was not extended to the Parliamentary limits. If in the case of Glasgow it was ultimately proposed to extend municipal taxation to the Parliamentary limits that could not be done without the consent of this House. In the case of Birmingham the municipal authorities and those without the existing boundary objected to its extension. In the case of Glasgow the municipal authorities favoured the proposed extension. Under any circumstances, the Committee ought to agree to the Schedule; for by rejecting it they would negative the proposition that even the municipal boundaries or Royalty should be included within the Parliamentary boundaries.

Question put, "That the Schedule stand part of the Bill."

The Committee *divided*:—Ayes 86; Noes 91: Majority 5.

On the Motion of the LORD ADVOCATE, Schedules B, C, E, G, H, I, and K *struck out*.

Schedules D, F, and L *agreed to.*

New Schedules *added.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Thursday,* and to be *printed.* [Bill 154.]

BOUNDARY BILL—[Bill 78.]

(*Mr. Secretary Gathorne Hardy, Mr. Chancellor of the Exchequer, Sir J. Fergusson.*)

COMMITTEE.

Bill *considered* in Committee.

On Question "That the Preamble be postponed,"

Mr. GORST said, he would ask the Committee not to postpone the Preamble until there had been some discussion on the different principles of the Bill, and on the position in which the House now stood with regard to it. He knew he was taking a somewhat unusual course; but then the Committee were not going to be asked to take into consideration the clauses of the measure in the ordinary way, and to vote on any particular clause after duly hearing the arguments for and against it. They were invited to come to a decision as a matter of faith in some authority, and they were, moreover, in the awkward predicament of having two authorities claiming their faith and reliance in that matter. There was, in the first place, the Report of the Commission which had been appointed last summer; and, in the second place, that of the Committee which had just concluded its labours upstairs, and which had come to conclusions in some cases confirmatory of, but in others antagonistic to, those at which the Commissioners had arrived. Under those circumstances the House might pursue one of three courses. It might follow out the recommendations of the Commission and give effect to its Report, or it might disregard that Report and adopt the clauses as embodied in the Report of the Committee. Then came the third course, which was that in those points on which the Commission and the Committee were at issue the House itself might examine the reasons for and against the proposals made, and stamp the ultimate form of the Bill with its own authority. In dealing with the subject, he should not attempt to say a single word in praise of the conscientious manner in which the Members of the Commission discharged their duties, for they were far above any praise or censure in which he might indulge. There was one feature, however, by which the Commission was distinguished which he must mention, and that was that it was of an eminently judicial character. The gentlemen who composed it were not remarkable for their zeal as partizans in political warfare, but rather for calm judicial habits of mind, and they had set about the performance of their task with powers which might have been too limited and Instructions which might have been bad. It did not, at all events, lie in the mouth of the House to blame them if such were the case, because those powers and Instructions were given almost unanimously by itself. The Commissioners having been thus appointed performed their task carefully and laboriously, and presented a Report full of interesting details, and in which they assigned their reasons for the conclusions at which they had arrived. The House might have adopted the course—he did not know that it would have been an undignified course to take—of accepting in the main the recommendations contained in that Report, impugning the decision of the Commissioners in any case in which *malâ fides* on their part might have been suggested, while it would also have been open to the House to remedy any mistake as to a matter of fact into which they might be shown to have fallen. But where there was no suggestion of bias or prejudice, or no ground for supposing that the Commissioners had made a mistake with respect to a matter of fact, it appeared to him that the House having appointed a judicial tribunal of that character would have acted in a manner not altogether inconsistent with its dignity in following its recommendations. The House, however, had not thought fit to pursue that course. Hon. Members on both sides of it, it was true, vied with one another in their praises of the mode in which the Commissioners had discharged their duties, and, instead of blaming them for neglect of their duties, threw blame on the insufficient Instructions which they had received, and the limited powers which had been conferred upon them. The House then appointed a Select Committee to revise the decision of the Commissioners, and to that Committee they gave additional powers, which were, however, to be used only in the case of a very few boroughs. The House might have given the Commission last year bad Instructions; but in the present year it appointed a Committee upstairs without any Instructions whatever. Of course, it was for the House to consider whether the decision of the Committee was entitled to greater respect than the decision of the Commissioners. As it would be impertinent for him to criticize the characters of the Members of the Commission so it would be unbecoming on his part to criticize the characters of the Members of the Committee. He admitted that in eminence of station the latter were on a par with the Commissioners of last year; but this he would observe, that some Members of the Committee had earned their distinction by party warfare. He would not be so invidious as to mention names; but, while some of the Members of the Committee were distinguished by impartial and judicial minds, others had earned distinction by zeal and ability displayed in party warfare. [*Cries of* "Name."] Well, he would name as an illustration the hon. Member for Bedford (Mr. Whitbread). There was no man of whose ability and integrity he had a higher opinion; but it would be idle to say that he accepted that hon. Member as one possessing an entirely impartial and judicial mind. In recent debates the hon. Gentleman had raised his reputation with his own party by the vigour of his attacks on the Ministers. All he was endeavouring to make out was that the Committee upstairs could not be regarded as a fitting tribunal to revise and, if necessary, to reverse the decision of the Commissioners. Did the Committee upstairs possess any such advantages as should induce the House to accept their decision in preference to that of the Commission? In the first place, the hearing upstairs was secret. ["No, no!"] It was a hearing with closed doors, whereas the hearings on which the Reports of the Assistant Commissioners were founded were held in public places and within the localities affected. There was something in the Report of the Committee about their having had additional evidence. But what was that evidence? It consisted of memorials and petitions from the localities affected, and the same Committee had also the advantage of conferring with the Members of the boroughs and counties affected, who stated what they believed to be true, no doubt, but who still spoke in a strong partizan sense. Could anyone say that evidence such as that should induce the House to prefer the Report of the Committee to the Report of the Commission? Now that the Committee had reported, he asked whether there was anything in their Report to lead the House to accept without examination the opinion of the Committee in preference to the judgment of the Commissioners? The Report of the Committee began by stating eleven different objections to the extension of the boundaries of boroughs; but the Committee did not state whether these objections were valid or not. Looking at the Report of the Committee, the only shadow of a principle that he could find for their decision was that where the Parliamentary and municipal boundaries were co-incident, it was inexpedient that there should be any alteration of the boundaries; for in fifteen cases they recommended that no alteration should be made, and in ten of those cases the Parliamentary and municipal boundaries were co-extensive. He was confirmed in this idea by what was done with respect to Darlington. The Parliamentary boundaries of Darlington were temporarily defined in the Reform Act of last year; but since that period it had been incorporated, and the municipal boundaries included a smaller area than the temporary Parliamentary boundaries. The Committee upstairs curtailed the Parliamentary boundary in order to bring the municipal and Parliamentary boundaries into unison, and had thus disfranchised many persons who would otherwise, under the Reform Act, have been electors. Yet, with great inconsistency, in some cases the Committee had actually recommended the extension of the Parliamentary boundaries beyond the municipal. In forty-two cases in England and Wales the Commissioners last year recommended the extension of the Parliamentary boundaries. Only eighteen or nineteen of those cases had been challenged before the Committee; and in no less than eight of them the Committee had departed from the principle of making the Parliamentary and municipal boundaries conterminous, and had recommended the extension of the Parliamentary beyond the municipal boundaries. He believed that the objection which existing Parliamentary boroughs felt to be extended had great weight with the Committee. It appeared to him that this objection was confined to large boroughs; and it was a fact that when the Commissioners went down to Birmingham, and held a public meeting, the corporation and town clerk appeared before them and opposed the extension of the boundaries on the remarkably Liberal ground that in 1867 Parliament had conferred certain privileges on the existing electors, and they objected to share them with others. That was a singular argument to be used by a Liberal corporation. Let the House contrast the conduct of Birmingham with that of the large and important borough of Liverpool, which did not object to see the privileges it enjoyed conferred on the people around. Another principle which seemed to have actuated the Committee was based on the objection of outlying districts to be brought within the limits of boroughs. He confessed that he had not the slightest sympathy with such an objection. He thought it most gross injustice and selfishness on the part of people who lived in the neighbourhood of a borough and enjoyed all the advantages which that vicinity gave them to endeavour to escape from the payment of borough rates. Some of the adjoining townships of Liverpool actually shared in all the municipal advantages of that town, having water and gas supplied to them, but objected to be joined to it, lest they should be rated. The case of Gateshead was still more flagrant. There was every reason in that case for adding a large district to the borough; but the people living in the district which it was desirable to add to the borough did not wish to be included in it. The House had not the opportunity of seeing the Assistant Commissioners' Report with reference to this case, but he had enjoyed that advantage. ["Order."] He hoped he was not offending against any Parliamentary Rule.

MR. SERJEANT GASELEE rose to Order. He had asked that these Reports should be produced. The Prime Minister declined to give them. They were not on the table. It was not, therefore, regular for the hon. and learned Member to refer to them.

MR. GORST said, he had moved that the Reports be laid on the table, and he believed they were produced ["No!"] Then, if he could not refer to the Report of the Assistant Commissioners, he would state what he was about to mention on his own responsibility. He was informed that in the case of the district which objected to be added to Gateshead there was no local Board of Health, as they objected to be washed and to have any sanitary rate. Would the House sanction such selfish and unworthy objections in the arrangement of a great question like this? The Tyne boroughs were all marvellously alike—there was a large manufacturing population and an excrescence of docks and shipyards. In the case of South Shields and Gateshead the Committee upstairs refused to add these excrescences along the river bank to the existing borough, whereas in Middlesborough they had actually extended the municipality for the purpose of taking in the outlying district. He did not say this was conclusive against the Report of the Committee; but he thought it was conclusive against adopting it without examination in detail. He would only mention one more anomaly in the proceedings of the Committee upstairs. They appeared to have a great horror of extending the system of grouping adopted by Parliament. They seemed to forget that groups of boroughs were not at all unknown to British representation. Wales abounded in groups of boroughs; but the Committee was so much afraid of grouping boroughs that they even refused to carry out the Report of the Commissioners in the case of Portsmouth by annexing to it Gosport although the parish of Alverstoke, in which the town of Gosport lay, extended as far as the middle of Portsmouth harbour, the two places being identical in interest and connected by a large floating bridge which traversed back and forward every half-hour. The opposition did not proceed from the inhabitants of the town of Gosport, but from the squirearchy of Alverstoke. It was extremely distasteful to the working men of Gosport, who wished the two should become one borough, and who said that the squirearchy of Alverstoke and the gentlemen of the town of Portsmouth—he did not know whether the hon. and learned Member (Mr. Serjeant Gaselee) was to be included—he did not mean anything offensive to the hon. Member—did not understand their wishes. The Committee thought fit to reverse the decision of the Commissioners in that case, and yet, with the most marvellous inconsistency, they grouped the boroughs of Windsor and Eton, which had no real affinity. The House, then, should examine for itself before deciding in favour of the Committee and against the Commissioners. They might give their sanction to the Report of the Commissioners—but he was afraid that after all that had passed they would be stultifying themselves by pursuing such a course. He thought that where the decision of the Commissioners was unchallenged, and where the decision of the Committee was virtually in accord with their recommendations, effect should be given to them; but in those cases where the Commissioners recommended one thing and the Select Committee another, he did not see how the House could avoid entering on a discussion. They must hear the facts and arguments urged upon both sides with patience, and stamp their final determination with their own judgment and authority.

MR. WALPOLE: After the observations of my hon. and learned Friend the House will probably expect from me, as one of the Committee—and having been elected Chairman I look upon myself as the servant of the House—to inform them of all which the Committee did in order that the House may be enabled to arrive at a proper judgment of the whole of this matter. In doing so I shall avoid all controversy on one side or the other, stating only what the Committee have done, and their reasons, as far as I can briefly do it, for arriving at the conclusions they did, and I hope any Member of the Committee will correct me if I should state anything inaccurately. Two observations only would I make of a prefatory character. First, I agree with my hon. and learned Friend as to the courses which are open to us; and the other observation is this—I think my hon. and learned Friend, had he been present in the Committee, would not have charged any Member with acting from party motives. The difficulties of this case grow upon us as we reflect on them more and more. They have arisen from the imperfect manner in which the directions and Instructions were given to enable either the Commissioners or the Committee to arrive at a clear and satisfactory conclusion. I do not know that I can better point out the difficulties of the case than by reminding them of the course which it was proposed the House should take last year with reference to making new and enlarged boundaries in boroughs. The House will remember that, at the commencement of last Session certain Resolutions were laid on the table, and one of them—the 11th or 13th I think—related to the enlargement of borough boundaries, and for the sake of clearness I hope the House will permit me to point out the course that has been adopted from time to time by the House and by the Boundary Commissioners with regard to this subject. The original Resolution proposed a scheme—

> "For new and enlarged boundaries of the existing Parliamentary boroughs where the population extends beyond the limits now assigned to such boroughs."

That was a very general and a very large Resolution. When the Bill was introduced it contained a Clause to the following effect:—

> "The Inclosure Commissioners shall report to one of Her Majesty's principal Secretaries of State whether any enlargement of the boundaries of such boroughs is necessary in order to include within the area thereof the population properly belonging to such boroughs respectively."

These were such vague and general phrases that it was hardly possible to assign any definite and practical meaning to them without at the same time authorizing the Commissioners to go much further than the House intended, and accordingly, in the amended Bill, the clause took the following shape:—

> "They shall also inquire into the boundaries of every other borough in England and Wales, with a view to ascertain whether the boundaries should be enlarged, so as to include within the limits of the borough all premises which ought, due regard being had to situation or other local circumstances, to be included therein for the purpose of conferring upon the occupiers thereof the Parliamentary franchise for such borough."

This was an indication that it was the intention of the House that the Commissioners were to have regard to two things—first, the situation of the outlying districts; and, secondly, the other local circumstances by which their decision as to the enlargement of the boroughs might be influenced. When the Bill was in Committee an Amendment was proposed by the right hon. Baronet the Member for Morpeth (Sir George Grey), to the effect that the Commissioners should have regard to the municipal boundaries; but that Amendment was not adopted because it was pointed out, very properly, by the right hon. Gentleman the First Lord of the Treasury that the Commissioners would of course have the power of looking to the municipal boundaries as well as to any other circumstances affecting the question. Such being the only Instructions given to the Commissioners they soon discovered how difficult it was to act upon them. Before the Assistant Commissioners were sent down to the different boroughs the Commissioners, I think most wisely, put an interpretation upon the words, "situation and other local circumstances," which, if it had been acted upon, would have removed most of the difficulties which have since been met with. That interpretation will be found in the introduction to their Report. The Commissioners instructed the Assistant Commissioners to ascertain whether there was such community of interests betweeen the outlying districts and the borough as would lead them to believe that such outlying districts should form part of the borough. A wiser interpretation than that could not have been put upon the words of the Act. And now let us see how far the Assistant Commissioners were able to act upon it. One of the ablest of the Assistant Commissioners (Mr. Cumin) came before the Committee upstairs, and, speaking of the boroughs of the great county of South Lancashire, he said that the expression "community of interests" could not mean merely identity of pursuit, because in reference to that county it was impossible to say where the community of pursuits began or ended. When he came to deal with Manchester, for instance, two propositions were made to the Assistant Commissioners—one by an able Conservative barrister, and the other by the Conservative Association. By the first proposition the Assistant Commissioners were asked to draw a circle with a radius of three miles, which was to include the borough; while by the second proposition they were asked to include all the outlying districts in the neighbourhood of the town, up to Ashton in one direction and Oldham in another. It was evident, therefore, that it was impossible to lay down any definite and clear rule which could be applied to all cases that arose in the manufacturing districts. The only rule that Mr. Cumin could lay down, therefore, was to disregard the mere circumstance of there being a community of pursuits, and to ascertain whether there was a great mass of continuous houses inhabited by those who belonged to the great mass of the population of the town. That was a sensible rule to lay down, so far as it could be acted upon; but it was soon found that it was impossible to apply it to Liverpool or to Birmingham without including enormous districts which could not properly be regarded as belonging to those boroughs. The final conclusion at which the Commissioners arrived under those circumstances was to determine each case in accordance with its own special circumstances; in short, to decide without any rule at all. I have alluded to these facts in order to show the House that this question is not such an easy one as might be supposed at first sight The best boundary line, in my opinion, that can be drawn is to include the outlying districts where they have a distinct community of interests with the borough, and to exclude them where their interests are independent of those of the borough. These being the difficulties the Commissioners had to encounter, what did they do? They had two classes of cases to deal with—the new and the old boroughs. With regard to the former they possessed large discretionary powers; and I do not think that there has been any dispute between the Commissioners and the Committee with regard to the minor differences that have arisen with respect to them. There were 197 old boroughs in England with which the Commissioners had to deal—116 of which they left without proposing any extension of their boundaries. Of the remaining eighty-one, forty-eight would receive the addition determined by the Commissioners, if the House adopted the Report of the Committee, as he trusted it would; the other thirty-three cases were referred to the Committee to adjudicate upon them. Now, in eighteen of these cases the Committee practically agreed with the recommendations of the Commissioners; but they thought that it was not advisable that any alteration should be made in the boundaries of the remaining fifteen boroughs. The objections raised to annexation were eleven in number. The hon. and learned Member for Cambridge (Mr. Gorst) said that he could not find out the exact reason which had induced the Committee to come to the determination at which they had arrived. What we did was this—we sat for four days consecutively, *de die in diem,* examining into every case in order to see what all the objections were that could be raised by all parties, and then we proceeded to deliberate upon the cases to see how far we could arrive at a conclusion with regard to them. We stated in our Report the various objections raised to the enlargement of the boroughs, and to the annexation of the outlying districts, and as hon. Members have had an opportunity of reading that Report I will not refer to them in detail, but I will proceed to lay such information before the House as I think will explain the reasons which induced the Committee to arrive at a different conclusion with regard to the fifteen boroughs from that come to by the Commissioners. I think you may divide these fifteen boroughs into four classes, placing five in one, six in another, two in a third, and two in a fourth. Now, in the first class I would place those very large boroughs to which annexations were recommended by the Commissioners, but in which those annexations have not been approved by the Committee. Those boroughs are Liverpool, Manchester, Birmingham, Lambeth, and Marylebone. Now, in all these cases, with the exception of Liverpool, you will find that the annexation was equally objected to by the boroughs themselves and the outlying districts, and in all the cases without any exception you must, if you had adopted the principles upon which the Commissioners had proceeded, have annexed a great number of other places. Again, in most, if not all the cases, the outlying districts proposed to be annexed possessed some kind of interest distinct from that of the borough to which they were to be annexed, either in the shape of a local Board or some other form of local self-government. Again, in most, if not all, these cases there was a strong desire on the part of those possessing county votes to retain that privilege; and it was not to be lost sight of, that while the annexations would have swelled the populations of these boroughs to over 400,000 each, the remaining populations of the respective counties, or divisions of counties, in which they were situated would in most cases be very little more than, and in some cases actually less than 100,000. I submit to the House, therefore, that we were perfectly justified in the conclusions at which we arrived with regard to boroughs which would become so unwieldy and so disproportionately large. I now come to the next class of cases—those in which the districts proposed to be annexed possessed interests entirely distinct from those of the boroughs to which they were to be joined. In this class I may place Tynemouth, South Shields, Gateshead, Birkenhead, Warwick, and Portsmouth. Well, now as to Tynemouth, the Commissioners proposed to add Willington Quay to it, but the Assistant Commissioners themselves admitted that the two had no connection whatever, and the evidence adduced before the Committee showed that Willington Quay, if connected with any borough at all, was more connected with Newcastle-upon-Tyne than it was with Tynemouth. To South Shields the Commissioners proposed to annex the town of Jarrow, which is an old town, distinct from South Shields, and not the overflow of the population of that place, but independent of it. There was no reason for annexing Jarrow to South Shields, unless a system of grouping were adopted, any more than there was in the cases of many of the places the annexation of which was rejected. The next case, that of Gateshead, is a very striking one. From what appeared in the Report of the Commissioners I should have myself favoured the proposed annexation of the outlying districts; but the facts as brought out before us showed that the population of Gateshead was increasing in a southerly, but not in an easterly direction. The Commissioners, however, have added three ecclesiastical districts lying in an easterly direction, while between the borough and these districts lies a space of agricultural country of about a mile with very few houses. In this case nobody can pretend that the places proposed to be annexed are connected with the borough as affording accommodation for an overflowing population. The annexations proposed to be made to Birkenhead on the north side of the town would appear at first sight to be justifiable; but all the evidence adduced before the Committee went to show that the interests of the borough and the districts proposed to be added were not only not identical, but were absolutely conflicting, the fact being evident from the continual opposition offered by the neighbourhood to the passage of local Bills through this House; and the district north of Wallasey Pool, if connected with any borough, was rather connected with Liverpool than with Birkenhead. Then, with respect to Warwick, my own individual opinion is that it would have been a very good thing if Leamington and Warwick had been linked together some time ago; but I do not think that under their Instructions the Commissioners could properly include Leamington in Warwick, since that would be grouping two towns which were distinct from each other. It would be simply ridiculous to urge that the places proposed to be annexed were inhabited by the overflow of the Warwick population. Then comes the case of Portsmouth, to which the Commissioners proposed to annex part of the parish of Alverstoke, and upon that case my learned Friend was very severe. My brother being the rector of that parish I requested the Committee on that ground not to call upon me to take part in their decision; but, having heard the evidence, I must say that to my mind it was distinctly shown not only that Alverstoke possessed a separate Bench of Magistrates and belonged to a distinct Poor Law union, but that it was also neither socially nor municipally connected with Portsmouth. In the next class—the cases of Bristol and Nottingham—the House will, I think, see the difficulty with which we had to deal. Many of the objections which apply to the first class of cases apply also to these two boroughs, but there was, in addition, the extreme difficulty—as the Commissioners themselves pointed out—arising from the fact that as these towns are counties of themselves, we had to deal with a large number of freeholders whose rights of voting either in the county or in the borough would have previously to be determined. That question has never been fairly brought before Parliament since the time of the Reform Act, and my own individual opinion is that, independently of the other objections, you were bound to determine that question before, by annexing the outlying districts to the town, you deprived certain voters of rights which they now possess, and which for the most part they are anxious to retain. The cases of Wigan and Reading are the last. Now, in the case of Wigan, the districts proposed to be added being inhabited by a population unconnected with the borough by sympathy or interest, and which was not an overflow from the town itself they (the Committee) thought it would not be wise to annex them ; and in the case of Reading everyone seemed to be agreed that the district proposed to be annexed was inhabited by persons who had selected residences with the special view of separating themselves from the town, and who were in fact much more identified with the county interests. These are the reasons which guided us in our decisions, and I have only to add a few words upon the course which we ought now to pursue. I must say that I agree with what my learned Friend said with reference to the Report of the Commissioners. If that Report had not been challenged, I, for one, should have been prepared, from the high respect which I entertain for the Commissioners, and the confidence I repose in their judgment, to accept the decision at which they had arrived. But when that Report was challenged, and referred moreover to a Select Committee, it would have been a gross dereliction of their duty if that Committee had not exercised their judgment in respect to the proposals recommended by the Commissioners. Now, something has been said as to the Report being regarded as final. I have always felt that any Report to the framing of which I have been a party ought to be submitted to the judgment of the House ; but I must at the same time remark that if it is the intention of the House not to accept our Report, though I should not in the slightest degree find fault with that decision, yet I cannot disguise from myself we have lost a great deal of valuable time in determining this question. If such be the case, day after day has been spent in fruitless and superfluous labour ; and I, for one, should have thought twice before I would have allowed my name to be placed on the Committee. At the same time, I do not in the least degree object to our Report being questioned, and with reference to the proposal of my hon. and learned Friend that we should deal with the particular cases one after another I can only say that we shall feel it our duty to give such information as may lay in our power, leaving it to the House to decide on each case as it comes under discussion. As a Member, not of the Committee but of the House, I may take leave to express one opinion which I entertain very strongly — namely, that where the point is in doubt as to whether you should annex outlying districts to a borough or not, it is very desirable that considerable weight should be given to the circumstance that the municipal and Parliamentary boundaries are conterminous. I have always contended for that principle in the House, as the only means whereby we can insure community of interests, inasmuch as that is the only means by which community of interests, duties, and burdens—in fact, the obligations of a common citizenship, can be obtained. I have one other general remark to make. I own I entertain very considerable doubt whether in cases where you have large borough constituencies, numbering four times as many electors as the constituency of the county in which they stand, you should proceed to take electors from those counties and add them to the towns. I am well aware it is felt that the counties are, ordinarily speaking, agricultural, and the towns commercial or manufacturing constituencies ; but I think it by no means a bad point in our Constitution that we have some constituencies composed of both elements of population, and such constituencies can only be secured by preserving commercial and manufacturing counties as distinguished from those which are purely agricultural.

MR. STOPFORD said, he regretted the Committee had to deal with two rival Reports from bodies of undoubted authority. He would confess he had been somewhat dismayed and disappointed by the Report of the Committee, because it re-opened the whole question of boundaries, and had not shrunk from raising points unanimously settled by the House last year. One would have thought that respecting the general principle of the extension of boundaries the House and the Government, the Commissioners and the Committee, would all have been in accord; but the Report of the Commissioners, which had been based in every case upon careful local inquiry, was entirely upset by the Report of the Committee, as far as the boroughs were concerned. Much stress had of late been laid on the value of local inquiry in the matter of bribery, and so highly did some hon. Members esteem it that they were prepared to relinquish control over cases of contested elections, if by that sacrifice local inquiry could be secured. Notwithstanding this, however, the Committee threw the whole of those patient local inquiries to the winds, and came to entirely different conclusions. As far as he understood it, the Committee's Report was based on these grounds, that municipal and Parliamentary boroughs should be conterminous; that boroughs should not be unduly extended so as to consist of an overwhelming number of Members; and that there should be a community of interest between the boroughs as at present constituted and the suburbs it was proposed to add to them. With respect to the first point, he contended that inasmuch as Parliament had not expressed an opinion on the subject last year it was now too late for the Committee to lay down any such principle. But, setting this aside, he at least expected of the Members of the Committee that they would be consistent, but he found they recommended the extension of the boundaries of several boroughs, and among these was Northampton, the Parliamentary and municipal boundaries of which would not be conterminous if the Report were adopted. The Committee also endorsed the recommendations of the Commissioners respecting Bolton, Chester, and Windsor, that the area of these boroughs should be extended by the addition of certain of their suburbs; so that in these cases the Parliamentary and municipal borough would no longer be conterminous. The objection that boroughs would become unwieldy by the addition of suburbs was quite untenable, even if it did not arise out of a question which the Committee was incompetent to inquire into—namely, whether boroughs, the population of which had outgrown their Parliamentary limits, should be added to by that population. This question had already been discussed and decided on in the affirmative by Parliament last year. It struck him as somewhat extraordinary that every one who differed from the Commissioners, including the Committee, were most profuse in complimenting them on their industry and care. The Committee had made much of the point that people in the suburbs of towns had objected to being brought within the boroughs because they would lose the privilege of compounding; but he could not regard that as a greater hardship to those at present without the Parliamentary boundary than it was to those within. It was of the greatest importance that counties should retain their representation in their own hands, but if large manufacturing towns went on increasing at their present rate the House would have the hon. Member for Birmingham sitting in the seat of the hon. Member for North Warwickshire, than which a more extraordinary metamorphosis could not be imagined. As for the alleged necessity of responding to the wishes of the inhabitants of disputed districts he denied that local opinion had any right to be consulted in cases of Imperial policy. In the case of divisions on a great question recently before the House, Ulster had expressed a most unmistakable opinion, but the House had entirely disregarded Ulster's voice. Upon questions of Imperial policy, where the House had made up its mind, it had been broadly declared that local opinions ought not to prevail. But that was exactly the case of persons outside the boroughs. Parliament had adopted certain principles of extending the franchise as desirable, and now it was sought to reverse these in deference to the opinions held by persons outside the boroughs. The secret of the great objection felt by persons outside the boroughs to be included for Parliamentary purposes he believed to be the dread that they would some day be included for purposes of taxation. And he agreed with his hon. Friend the Member for Cambridge (Mr. Gorst) that persons who enjoyed every advantage derivable from living in close proximity to a town might not unfairly be asked to partake of the burden of local taxation. He could not help thinking that, as to Bristol, Wigan, Nottingham, Birmingham, and Liverpool, the Commissioners had made out a very good case for extending the Parliamentary limits. He did not profess to have any intimate acquaintance with the special details; but he might at least claim the advantage of being perfectly impartial on the subject of boundaries, as in the county which he had the honour to represent no question had arisen with respect to its extension. It had been a great disappointment to him and to many Members on the same side of the House to find that one great anomaly of the representative system was not proposed to be redressed. The hon. Member for North Warwickshire (Mr. Newdegate) had often called attention to the great discrepancy existing between the representation of boroughs and counties. While the boroughs had not so large a population as the counties, they had twice as many Members to represent them; and last year it was supposed that this anomaly was being to a certain extent redressed, by the absorption into the borough constituencies of large numbers of persons who, as long as they remained outside, swelled the county population, and rendered the county representation so very disproportionate. But if the population which the Commissioners proposed to include in the boroughs was thrown back into the counties they would be no better off than before the Reform Bill was passed. It was not for him to say what course the Government or the House should take on this important question; but he could not help thinking that it would be necessary for the Committee to go into every case again. It had been said that the Government were pledged to adopt the Report of the Committee, appointed on their own Motion; but he confessed that according to the view he took, the Committee had gone in some degree beyond their instructions in proposing the sweeping changes which they had recommended. He hoped that the House would agree with the Commissioners rather than the Committee.

MR. BRIGHT: Sir, I think that the preliminary discussion now taking place—though it may appear to occupy more time than is desirable—will be very advantageous. The Committee is at a very great disadvantage in not having the privilege of hearing the opinion of the Government, and especially the opinion of the right hon. Gentleman at the head of the Government, for on him will depend probably the decision whether we must go through the whole of the Schedule of eighty-one boroughs, and have discussion and division on a great many of them, or whether we can confine ourselves to the question whether we shall accept the determination of the Committee in regard to the fifteen boroughs to which reference has been made. The right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole) has made as clear a statement of the case of the Committee as it is possible to submit to the House. The right hon. Gentleman referred to what was said by the right hon. Gentleman at the head of the Home Department on a former occasion when he proposed the appointment of the Select Committee, and proposed that the decision of the Committee would be final.

MR. GATHORNE HARDY: I beg pardon; that is not the case. I did not know that my right hon. Friend alluded to me; but it has been stated that such is the case, and I see that the words appear in *The Times* newspaper. But the way the question arose was this. The right hon. Gentleman opposite (Mr. Gladstone) asked me whether, if the Committee were appointed, they would have the power of reserving questions for the consideration of a future Parliament, or whether they would give a final opinion as to the boroughs submitted to them? I said, "The Committee would report to the House their final decision," and in *The Times* report the statement is added, "and the House would be bound by that decision." I felt confident that I had not made use of those words, and I requested a friend to look at the passage as it was reported in other newspapers. The *Daily News* puts it thus—

> "Mr. Hardy said, it would be final so far as the Committee was concerned, but it would be for the House to ratify it or not, as they determined. If there was documentary evidence on one side, there ought to be documentary evidence on the other."

In another paper it is stated in the same way—

> "The right hon. Gentleman asked whether the decision of the Committee would be final, or only to postpone the question for the further consideration of Parliament; for, if it were to be final, they certainly ought to have evidence on both sides."

The right hon. Gentleman here referred to is the Member for South Lancashire. [Mr. GLADSTONE interposed a remark.] I am only reading the newspaper extract. It goes on to say—

> "Mr. Hardy said, it would be final, as far as the Committee was concerned, but it would be for the House to ratify it or not, as they determined. If there were documentary evidence on one side, there ought to be documentary evidence on the other, but there would be no opportunity of calling witnesses on either."

The question, therefore, to which my attention was directed, and to which my answer was pointed, was whether the Committee ought to reserve these cases for a future Parliament, or whether they ought to decide upon them at once.

The CHAIRMAN: The right hon. Gentleman is not in Order in reading newspaper extracts from reports of debates in the House during the present Session.

Mr. BRIGHT: I do not in the least contest the explanation the right hon. Gentleman has offered; but I appeal to the House, and I may even appeal to hon. Gentlemen opposite, whether the impression conveyed to the House at the time the Committee was appointed was not that the Government would be disposed to receive with confidence, and as a final decision, that which should be determined upon by the Committee? In all cases of this kind, the House does not absolutely part with its power when it appoints its Committee; and perhaps on no former occasion was a Committee appointed more entirely worthy of the confidence of the House. The hon. Member for Cambridge (Mr. Gorst) spoke of party men. Why, if you were to shut from due deliberation on grave matters all those who take an active part in the discussions of this House, the course of Business in this House would be greatly impeded. I was about to say just now that I thought the Government should step forward, on this occasion, and guide the House to the conclusion at which it should arrive. I think no men ever occupied the Treasury Bench who would not, under the circumstances, have come to the conclusion that it was their duty to accept the decision of the Committee. There are fifteen boroughs to which some hon. Members are disposed to take exception; and it would be most unfortunate if the House in Committee should go into a discussion and division with regard to every one of them. The hon. and learned Member opposite—I did not know before that the hon. Gentleman had been learned—made a speech to night which went at great length into these matters. But let me ask, why was the Commission appointed last year? Clearly because the House felt itself not

equal to dealing with the details of a great number of boroughs, and the Commission was appointed for the sole purpose of offering, with these details before it, such advice, and of giving such decisions, as might guide the House. The right hon. Member for Cambridge University (Mr. Walpole) has shown what we now all feel, that the clause in the Bill was hastily drawn, and not judiciously for its purpose; and the result is that the Report of the Commissioners — without any blame to them—has not been so satisfactory in some respects as the House had hoped for and as we all could wish. And the reason the Report was not entirely satisfactory was that the Commissioners were compelled apparently, or thought they were compelled, to exclude from view certain considerations which should not be lost sight of when a question like this, affecting so many boroughs, was to be considered. The question of convenience—the public opinion of the boroughs as they exist now, and of the population of the districts to be brought in — all these are matters that ought to be considered. And because that had not been done there was some disatisfaction felt, and how great it was Members on both sides of the House know. The hon. Member for Liverpool on that side, and the hon. Member for Cheltenham expressed dissatisfaction with the Report, and there was a prevalent feeling when the Committee was appointed, that the appointment of the Committee was the best solution of the difficulty in which the House found itself. Now what happened? As Members for Birmingham, my hon. Colleague and myself appeared before the Committee. The Committee heard first of all the Assistant Commissioner, a gentleman who evidently knew very well what he was talking about, and had paid great attention to the matter; and after he had made a statement going very much into detail, Mr. Walter, one of the Commissioners, was also permitted to make a speech to the Committee. Mr. Walter, like hon. Gentlemen opposite, appeared to have an intense interest in the borough which I am permitted to represent, for he told the Committee that he had taken upon himself to go down to Birmingham and stay there some time, to make himself acquainted with the geography of the place. Well, he made a speech to the Committee. After that my hon. Colleague was permitted to state facts which we thought very important, and which doubtless the

Committee thought important. And after him I was allowed to add a few arguments that presented themselves to my mind. They were very kindly, and very impartially listened to. Now, not only were we heard, but the hon. Member who represents East Worcestershire (Mr. Vernon) was heard; and not only was he heard, but also the hon. Gentleman the Member for North Warwickshire (Mr. Newdegate) who, no doubt, with an idea of the approaching meeting of the Social Science Association, said that he had prepared a paper for the Committee. I have not seen that paper, but no doubt he said everything that could be said on the side of the view which he entertained. When the Committee had heard all that they had to hear they deliberated. Now look at the dates. On the 22nd May my hon. Colleague and myself were before the Committee. On the 28th of May the hon. Member for North Warwickshire was before the Committee. On the 29th of May the Committee appears to have decided. I believe the hon. Member for Bridport (Mr. Kirkman Hodgson) made a particular Motion, but that is nothing, because it is stated in the Report that the Members of the Committee – and the hon. Member for Cambridge (Mr. Gorst) will admit that at least some of them had judicial minds—were absolutely unanimous in all these cases. The hon. Member says that there was no principle laid down by the Committee. But the right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole) does not say that there was any principle; and I do not see that there is any principle that can be accurately defined that would affect equally all the boroughs which were referred to the Committee. The question of municipal and Parliamentary boundaries is one which was mooted long since last Session. The right hon. Gentleman at the Head of the Government objected to an Amendment which, at my request, was moved by the right hon. Baronet the Member for Morpeth (Sir George Grey); but in his answer he made use of a few words which led inevitably to the conclusion that it would be impossible for the Commission wholly to keep out of view the question of the municipal boundaries of boroughs. Now, as I am on my feet, I will state a fact which the right hon. Gentleman referred to generally, but which affects the borough with which I am more immediately connected. North Warwickshire contains a population of about 116,000 outside the boroughs, and it was proposed to take 25,000 from the 116,000 of the population, and add them to a borough which was now about 350,000. East Worcestershire has about 130,000, and it was proposed to take from them 10,000, and add them to that borough, which, if the former addition had been made, would have had 375,000. Well, in the face of the hon. Gentleman, I say that is a preposterous proposition which the House, in an impartial, judicial state of mind, would not for a moment consent to. Now, the right hon. Gentleman said there were three courses, which were these—that you should take the Report of the Commission, or take the Report of the Committee, or disregard them both; the House going into a confused discussion and voting upon the case of each separate borough. But I take for granted that that last course is what the House rejected when it first of all appointed the Commission. The House declared by appointing the Commission that it was not competent wisely and impartially to go into the question of these various boroughs. Well, a Commission was appointed, and when it reported the House discovered that the Instructions to the Commission had not been sufficiently broad and distinct, and there was so much dissatisfaction with a portion of the Report, that the House determined to have the case tried again by a Committee, which would have the advantage of the information which the Commission had had, and of the information which had subsequently been offered to the House, And the Committee sat, and I will undertake to say that whether you take the three Gentlemen on this side of the House or the two Gentleman on that side, you would not be able to find in the House five men to whom you would more freely leave the determination of any matter in which your personal interests were concerned. They sat from day to day; they heard everybody whom, by the Instruction of the House, they were permitted to hear. They heard them fully. It was not a secret Committee as the hon. Gentleman the Member for Cambridge (Mr. Gorst) says. There was no secret about it. It was much more open than the Commission that made the other Report. I do not allude to the Reports of the Assistant Commissioners, but to the Report of the Commission itself. The Committee having heard everyone, they deliberated undisturbed by party influence of any kind, and they came unanimously to a certain conclusion. Well, I ask the right hon. Gentleman at the head of the Government

—I do not believe I shall ask him in vain —whether he will sanction, and I ask the House whether it will sanction, the course that is proposed in opposition to the decisions of this Committee, which were so satisfactory—not possibly to some hon. Gentlemen who feel no interest but a party interest in this matter, but entirely satisfactory to the populations that are most concerned. Because, what has happened? So far as I have heard, there has not been a single petition or memorial offered to the House since this Report was published; nor, so far as I know, has any Member of the House proposed to disturb any of the decisions to which the Committee has come. Well, now, have not I made out a fair case for the course I am about to suggest? What I suggest is that the right hon. Gentleman at the head of the Government and his Friends on that side of the House, being as anxious as we are on this side to get forward with the Business of the Session, we should accept without contest the decisions to which this Committee has come. If there be any case in which it can be shown that a positive error has been committed by the Committee—which is possible, as there were some errors on the part of the Commission—then, of course, the House will be willing to make such alterations as may be necessary. But I think, if hon. Gentlemen will get out of their minds the notion that there is any great gain to be secured for party in this matter, they will agree with hon. Gentlemen on this side of the House that we should accept the determination to which the Committee has come. I speak on behalf of the great constituency which I am permitted in part to represent, and of the population outside the borough, who by the decision of this Committee are to be left outside of it, which decision, I believe, meets with their entire approbation. If that be so, I appeal to hon. Gentlemen opposite, and to the Government, whether it can be to their interest, or whether it can be to the interest of anybody in this country that that which is satisfactory to the large masses concerned should be disturbed after the repeated and solemn judgment has been given upon it by so eminent and influential a Committee as that to which it has been referred?

Mr. NEWDEGATE said, the hon. Member for Birmingham seemed to assume that what was satisfactory to him and his Friends must of necessity be satisfactory to the House. What had the hon. Member proposed? That because the House had appointed a Committee, therefore the House should abandon its function of review. The hon. Member proposed that the decision of the Committee should be final with reference to the circumstances of the boroughs into which it had been appointed to inquire? It appeared to him that the House would not be justified in adopting the hon. Gentleman's suggestion. The right. hon. Member for Cambridge (Mr. Walpole) — the Chairman of the Select Committee—had argued the question entirely as a borough Member, and, like other hon. Members who had previously addressed the House, did not understand the position of county Members with respect to representation. As Member for North Warwickshire, he now represented 120,000 people outside the boroughs of Tamworth, Coventry, and Birmingham. But his constituency was composed of 7,000 electors, of whom fully 3,000 were freeholders or persons otherwise qualified in Birmingham, Coventry, and Tamworth. The hon. Member asked where would be the justice in bringing into the Parliamentary borough of Birmingham the number of persons now outside the boundary whom the Commissioners proposed to bring in. Now, the county electors of Birmingham amounted to one-sixth of the constituency of North Warwickshire, and therefore the borough population had a Parliamentary power outside the borough, while the population outside the borough had no electoral power whatever within the borough boundary. From this the House would see that the argument of the hon. Gentleman founded on the numbers in the county and the numbers in the borough, as though distinct in their representation, had no weight. In this respect the Committee had been less well-informed than the Commission. According to the admission of the Committee themselves, no two cases of boroughs whose boundaries the Commissioners proposed to enlarge had been decided upon the same principle. Each case had been decided on its own merits. How, then, could the House abdicate its function of review? He had not heard what the hon. Member (Mr. Bright) or Mr. Walter had said before the Committee, but his belief was that there was no case so strongly to the credit of the decision of the Commissioners, and so doubtful, even in the opinion of the right hon. Gentleman (Mr. Walpole) himself—the Chairman of the Committee—as the case of Birmingham. When that case came on for discussion, he hoped to show that the Manor of Aston — the district which the Commissioners proposed to include in the borough of Birmingham—contained the Park and Manor House of Aston, which were the property of the Corporation of Birmingham. This constituted a case which was open to doubt, even in the opinion of some of the Committee, and he believed that the Members of the Commission would be found strong in the maintenance of their decision. The Park and Manor of Aston were opened in 1858 as a Park for the benefit of the people of Birmingham; the Commission recommended that it should be included within the borough, but the Committee dissented from thier recommendation. The Park and Manor had been purchased by the Corporation of Birmingham, and if it were decided to be outside the Parliamentary borough, it might as well be decided that Hyde Park and the Green Park ought not to be within the boroughs of Westminster and Marylebone. There had been no English county Member upon the Committee, and apparently no one who properly appreciated the position of county Members and constituencies; and he thought he had adduced sufficient reasons for inducing the House not to accede to the proposal of the hon. Gentleman, and adopt the Report of the Select Committee without review.

MR. PERCY WYNDHAM said, he thought that before they decided between the rival claims of the Commissioners and the Select Committee they should know more correctly the actual facts of the case. In a short but important conversation which preceded the appointment of the Committee it was stated that the Commissioners had no power to inquire into the opinions of persons locally interested. The hon. Member for Birmingham (Mr. Bright) had now fallen into the same error; but the fact was that the Assistant Commissioners were instructed to appoint a time for the reception of statements from inhabitants in favour of enlarging the boundary; and in their Report the Commissioners expressly stated that all persons desirous of making such statements were permitted to do so. Moreover, he knew in two cases that the Assistant Commissioners invited statements and evidence, and in one case counsel were heard for and against extension. It was not, therefore, correct to say that the Commissioners had not regarded the wishes of inhabitants. The hon. Member (Mr. Bright) said that local wishes should be almost conclusive; but, if you were to ask people's opinion as to the constituency in which they would prefer to vote, you might almost as well ask them how much income tax they would wish to pay. A matter of this kind was not to be decided by the convenience or inconvenience of Members who canvassed a constituency, or by the wishes of the constituency itself. He felt that he was almost stating a truism when he stated that boroughs like Birmingham, Liverpool, and Manchester should include for electoral purposes the towns as they existed in the present day, and not a mere section or nucleus of those towns as they might have existed some time during the last century. If the House carried the Bill with the recommendations of the Committee, he had rather that the proposal of the hon. Member for Oldham (Mr. Hibbert) had been adopted, and the boundaries of these boroughs had been left as they were at present. It might be said that they were going to do the same thing; but it was one thing to allow these boroughs to continue an anomaly admitted by every one, and it was quite another thing to stereotype these old errors, as was now proposed—to reiterate in the face of the facts that these towns had not increased, when every body knew that a large population connected by community of interest with the borough population had grown up just outside. If the Bill passed as amended by the Select Committee, it was a Bill which no Liberal Government in Office could have carried. He denied that the House which had discarded the recommendations of a Commission which nobody mentioned without praise had not the power also to review the recommendations of the Committee. The recommendations of the Select Committee in each case must stand or fall upon their own merits. The House had not before it the Reports of the Assistant Commissioners or the memorials presented to the Committee; and he thought it would be only fair to report Progress and wait for that information before proceeding further with the Bill.

SIR ROUNDELL PALMER: Sir, I do not wish to detain the Committee by any very long observations on this question, but important conditions have been touched upon in the speech of the right hon. Gentleman the Member for Cambridge University (Mr. Walpole) which ought not to be overlooked in determining this question. I understood him to say that one thing which had weight with the Committee was this—that it could not be for the benefit either of the counties or the towns, either of the rural or the urban population, to attempt to draw too "hard and fast a line" between these two different populations. I take the liberty to say that I am more and more impressed with that conviction as we approach the consideration of the question what is to be done in the way of increasing the representation of our larger communities. We feel it necessary to give them more Members, and then difficulties arise at every step. Are we to subdivide, as has been suggested in the case of Glasgow? That is a proposal the difficulties of which are felt by many, and it is therefore objected to. Are we, on the other hand, to give them three Members, and then, by means of the minority vote, practically neutralize the majority, or, at all events, diminish the power which they possessed when they had only two Members? I cannot but think that we shall get more and more into difficulties of that kind if we insist upon aggregating more than is done at present those portions of the adjoining population which have hitherto belonged to counties. And here I wish to point out what strikes me as having a most material bearing on this question. There is a converse question also. You have got no inconsiderable number of boroughs which are, in fact, parts of counties—such as Shoreham, Aylesbury, East Retford, and others. Neither your Committee nor your Commission has considered that question. No power of contracting such boroughs was conceded to them. And are you going to say that where you find a considerable urban population you will separate it from the counties, its connection with which now enables those counties to be represented in sympathy with the preponderating interest of the general population; while, on the other hand, you will take out of the counties a purely rural population and convert them into boroughs. Hitherto you have not proceeded on the principle of separating the rural from the urban population, and I do not think it desirable that you should.

Mr. DISRAELI: Sir, I will strive, as far as I can, to bring the Committee to some practical point. The hon. Member for Birmingham made an appeal to me to announce the part which the Government would take, and argued that of course we could not oppose the Report of the Committee. That view is founded on an assumption which I think a most singular one—namely, that my right hon. Friend the Secretary of State had announced to this House that Her Majesty's Government were prepared to receive the Report of the Select Committee as conclusive. Now such an announcement was never made by my right hon. Friend; it never could be made, because no Minister would ever presume to make such an announcement; and I am surprised that it could be thought possible by the hon. Gentleman the Member for Birmingham (Mr. Bright), who, generally speaking, is so jealous of the privileges of Parliament and of the rights of every Member. But I will tell the Committee what we are prepared to do. We are prepared to give to the Report of the Select Committee the same consideration and respect as we would have given to the Report of the Commission. We were not prepared to receive the Report of the Commission without criticism and without that fair Parliamentary scrutiny to which all such documents ought to be liable. We believed if we had gone into Committee originally on the Bill we might have considered as we proceeded the Report of the Commission, and if in various instances the justice and propriety of their recommendations had been admitted the good sense of the House would, after duly considering the objections, have arrived at a satisfactory conclusion at a much earlier period than apparently we shall now. The hon. Gentleman asks what I propose that we shall do? What I propose is indicated by the order of Business that has been prepared for this evening. The moment we concluded the Scotch Bill we proposed to go into Committee on the Boundary Bill, and I can see no other way of making progress than by going on with the Bill. We shall have before us as we proceed the Schedule, with the conflicting recommendations of the Commission and the Select Committee, and the good sense of the House will come to a conclusion. I know no other mode by which we can arrive at a result more speedily or satisfactorily. The hon. Gentleman cannot wish that the views of any powerful interest represented in this House should be entirely silenced. I think the hon. Gentleman will admit that the views of hon. Gentlemen should be put before the Committee. In no other way can we arrive at a conclusion satisfactory to the country. If we go into the subject in Committee, we shall find no greater difficulties than we have found in similar cases, and we shall overcome them as we proceed. That is the course which I recommend to the Committee. So far as I can collect the opinions of the Committee, though there are some points of considerable importance on which we are not all agreed, they are not numerous, and I cannot recommend a better course than that we should now proceed with the Bill.

MR. GLADSTONE: Sir, the right hon. Gentleman the First Minister of the Crown has stated that there was a mistaken idea as to the declaration of the Secretary of State for the Home Department. I wish to confirm, as far as I can, what fell from the right hon. Gentleman. The question that I put to the right hon. Gentleman on the occasion referred to, was whether the Committee was to recommend — what I confess appeared to me a much wiser course than that which was adopted—that the consideration of the boundaries of certain boroughs should stand over, rather than that the particular mode of adjusting those boundaries should be at once determined, and it was with reference to that question that the right hon. Gentleman answered, if my memory serves me right, that the Committee were to make a final determination. Not, of course, that their recommendations should be absolutely final, for it would be impossible that any person should have stated to this House that the recommendations of the Select Committee should be final as against the House itself. Therefore there can be no doubt of the meaning of the language of the right hon. Gentleman. But while the House reserves in its own hands the power of dealing absolutely, according to its own discretion, with the recommendations of every Select Committee, there is to be kept in view by the other side this consideration, that the appointment of a Select Committee does mean something, and that a definite character of authority is to be assigned to the recommendations which it makes. Now, the right hon. Gentleman says, "Let us proceed to consider the Schedules, and we shall get through the difficulties as we have done in other cases." But our position in other cases has not been at all what it is now; nor does the right hon. Gentleman propose, in the speech he has made, to give any *primâ facie* authority whatever to the recommendations of the Committee proposed by the Government itself. This is a case in which, as my hon. Friend the Member for Birmingham has said, the House admitted its own incompetency in discussion of detail. Why did we appoint a Commission and hand over our duties to that body, if we have here in the House itself the best means of disposing of the difficulties one by one as they arise? We did, by the very appointment of the Commission, acknowledge our own limited capacity for the adjustment of such matters. It seems to me that we have arrived at this point, that, except in some cases of great failure on our own part or that of the Commission, we should accept the results of its labours as final. Well, has there been a failure, and what was it? We appointed a Commission composed of persons of all opinions to obtain all possible knowledge and information in each case from persons of all opinions on the spot, with regard to the extension of boundaries, but we never authorized that Commission to allow the wishes of the population to weigh as an element in their decision. That is an omission which no doubt we made, and in reading the Report of the Commission it appears to me that they nowhere speak of the wishes of the population as an element which guided their judgment. I am bound to say that in no way could they exclude that element if they acted in accordance with the opinions of Parliament; but I do not think that the Instructions given by us would have justified the Commissioners in founding their decisions in any degree on the wishes of the population. Well, then, when we came to deal with the subject this year, we found in a certain number of instances, not very numerous, but important, the wishes of the inhabitants very strongly stated, and we found, too, that it was impossible for us to overlook the wishes of the inhabitants without giving them an opportunity of being heard. The House therefore appointed a Committee to consider the subject. And now it is said the Committee had not the same means of judging that the Commission had. I contend on the contrary, that it had much better means of judgment and larger powers, because, while we never gave the Commission the slightest intimation that they were to take into account the wishes of the inhabitants, every Member of the Committee knew that they had been appointed with that special object, and therefore they were enabled to include in their judgment elements which the Commission could not entertain at all. The Committee was appointed by the House as a tribunal of review on the Report of the Commissioners, armed with better means of information and larger powers of judgment, than the Commissioners. That was done by the Government itself, yet now we stand, according to the speech of the right hon. Gentleman, in this position—he is aware of the fact that the Committee have made Reports recommending another course, but he has a Bill on the table and that Bill contains the whole of the recommendations of the Commissioners, and consequently passes by in every case the recommendations of the Committee. And the right hon. Gentleman says simply, "Let us go on with our Bill." That is to say, the Committee may come and be heard, of course, just as any other party may be heard, aginst the Bill of the Government; but no weight whatever is to be given by the Government to the recommendations of its own Committee. [Mr. Disraeli: No!] The right hon. Gentleman, I must beg his pardon, has said so; for he is going on with his Bill, which embodies in every case the recommendations of the Commissioners; and in no case the recommendations of the Committee. So that he gives no weight to the recommendations of the Committee, or if I have not adopted the most accurate expression let me say this—that in every case the right hon. Gentleman passes by the recommendations of the Committee. He tells the Committee he is quite ready to hear their reasons. Of course he is, and so he is ready to hear the reasons of the hon. Member for Birmingham, or the hon. Member for North Warwickshire, or anyone else who has reasons to allege; but to his own Committee he denies the authority which I must say I think he is in reason bound to accord to their decisions. I own it appears to me that if this be the position in which we stand; if the Government are not able to find that the labours of this Committee have issued in any fruit whatever; if in each case, as we must infer from the speech of the right hon. Gentleman, the Government mean to proceed with the Bill as it stands, not abandoning any portion of the Schedule on which this discussion will turn, but are merely ready to have the subject discussed just as it must have been if no Committee had been appointed, then I must say this—in the first place, just respect has not been paid either to the decision of the House and of the Government itself in appointing the Committee, or to the Gentlemen who undertook to serve upon it; and, in the second place we have adopted a most inexpedient course in the loss of two or three weeks for the purpose of pitting one authority against another, and then being left to begin afresh and find our way through the mazes of a long controversy, which, according to the views of the right hon. Gentleman, we have done nothing whatever to simplify, but a great deal to complicate.

Mr. PAULL said, that seeing so much more deference shown by the hon. Member for Birmingham (Mr. Bright), and the right hon. Gentleman opposite (Mr. Gladstone), for the decision of one tribunal than for the decision of another, he was disposed to view with considerable suspicion the motives for that deference. The facts of the case were these — a Commission had been appointed to inquire into the state of these boroughs and the advisability of extending their boundaries, and in order to take evidence, and get information which the House could not itself obtain. Such information had been obtained by a body of men who were unanimously admitted to have been impartial, and to have done their work, as a rule, well. Now, surely, had there not been some object to serve, due respect would have been paid to the Report of that Commission. There were, however, objects to be served, and ends to be gained, and the right hon. Gentleman opposite proposed a Committee. His right hon. Friend (Mr. Disraeli), desirous, as he had always been, of conciliating the House, and assisting them to arrive at the best conclusion possible, acceded to the suggestion, though it was contrary to all the usual modes of procedure, for it was always understood that a Committee had not the same means of obtaining information that a Commission had, since the latter could visit the places interested, and make the necessary inquiries on the spot. It had been said, indeed, that the inquiry of the Commission had been limited, since they had not been deputed to inquire into the feelings and wishes of the inhabitants, while the Committee had been appointed expressly for that purpose. What, then was the position of the House? They had before them on the one hand the recommendations of impartial men who had visited the boroughs, and on the other the recommendations of a Committee that had inquired into the wishes expressed by the Members for those boroughs influenced by party, or, all events, by partial sympathies. Having before them the recommendations of two tribunals based on different principles, what could be more fair than the suggestion of his right hon. Friend to proceed with the Bill, and weigh the recommendations of both tribunals, so as to come to a just decision? To ask the House to adopt *en masse* the recommendations either of the Commission or of the Committee was to ask them to abdicate their privileges. It appeared to him that this was part and parcel of the reiterated attempts which were being made to place the Government in a difficulty. Hon. Gentlemen opposite ought to be above such attempts. The Commissioners had had every opportunity of obtaining evidence, whereas the Committee had had but very limited opportunities, and to throw over the recommendations of the former would be to depart from all the principles by which the House was usually guided.

SIR FRANCIS CROSSLEY said, that as one of the Commissioners he had not hesitated, finding their recommendations called in question, to agree to the appointment of a Committee, and, their powers being larger than those of the Commissioners, the House had, he thought, derived great advantage from their labours, in narrowing the field of the differences that existed. His right hon. Friend (Mr. Gladstone) had, he thought, rather misunderstood the First Minister of the Crown when he had represented him as attaching no importance to the Report of the Committee, for the Government, it seemed to him, were disposed to attach great importance to that Report, though not to adopt it without question and examination. The right hon. Gentleman (Mr. Walpole), when in his able speech he referred to the large size of these boroughs and to their immense number of inhabitants in comparison with the counties, left entirely out of view the great number of 40*s.* freeholders and of leaseholders in these boroughs who had votes for the county. Now, the difficulty which presented itself to him in accepting the Report of the Committee was that some of the boroughs which they recommended should not be extended at all were just the boroughs that had increased the most. Indeed, if the boundaries of these boroughs were not extended it did not seem advisable to extend any. As to the argument that they would become unwieldy, he had had a little experience of an unwieldy constituency, for he had had the honour of representing the whole of the West Riding, ninety miles long by forty wide, and containing a population of 1,500,000, or almost half that of Scotland. Well, what had been done with it? It had first been divided into two, and latterly into three constituencies. Then again the Tower Hamlets had been divided. The House surely could not shut its eyes to the vast increase of these places. He had been surprised to hear it stated that in the case of a Northern borough the Commissioners had recommended an addition a mile in length without any buildings, for he was not aware of any such case. It had been said that the Commissioners left everything to the Assistant Commissioners, who visited the boroughs, adopting everything recommended by them. Now, the fact was that the Assistant Commissioners were not empowered to report any opinion at all; what they had to do being to visit the towns, and take evidence, and report what the facts were. The Commissioners, having them at their beck and call, had endeavoured to arrive at a thorough knowledge of the facts of each case, and in no instance had they proposed an extension of boundary unless the suggested addition joined the borough and had really become part of the town. They had not recommended the addition of a straggling line of houses, or of a detached village, but only of what had become part and parcel of the town. If they had not proposed extensions under such circumstances they might as well, it seemed to him, not have been appointed at all. He thought the House should adopt the advice of the First Minister of the Crown and proceed to consider the Bill, dealing with each case on its own merits, and duly weighing the recommendations both of the Commissioners and of the Committee.

MR. OSBORNE: Sir, it appears to me, after the speech of the late Commissioner, who has not proved, at least to my satisfaction, that he gave to the subject the consideration it demanded, that we have arrived at the supreme point of stultification. In the first instance, Her Majesty's Government threw over the Report of the Commissioners. They acknowledge the justice of the memorials which were presented to them from several towns, and they appointed a Select Committee, which appointment was, in fact, a compromise with a party in this House in order to put aside the Amendment of the hon. Member for Oldham (Mr. Hibbert). I altogether objected to the Report of the Commissioners; I objected to the constitution of the Commission, but I was not supported at the time. I did so, because when I saw an acute Member, of judicial experience, on the other side of the House appointed, and when I saw appointed another Member on this side of the House, excellent in all the relations of life, but unable to cope with the judicial ability of that hon. Gentleman, I knew well what the Report of that Commission would be. I am not going at this hour of the night to criticize the Report, although I could do so at considerable length; but I am not going to pay fulsome compliments to the Members of that Commission. I think it was defective from the first, and the Instructions were still more defective. What is the point we have arrived at in this House? These disputed cases were referred to a Select Committee, the impartiality of which I challenge any man to impugn. Even the hon. Member for Cambridge (Mr. Gorst), who to-night has impugned the impartiality of the hon. Member for Bedford (Mr. Whitbread), has nothing to say in answer to that mild, moderate, and judicious speech made by the right hon. Member for Cambridge University (Mr. Walpole). No man can have listened to it and not acknowledge it was made in the purest and most moderate spirit. How has it been met by the Government? Why, Sir, I really felt a little ashamed for the Government that they should meet it so. Yes, I felt ashamed of the Government and of its supporters, not excepting the outspoken Member for St. Ives (Mr. Paull), that they should meet it in such a spirit. What is the position of the House now? We have pretended that we want to expedite a dissolution of this House, and we have positively thrown this question back three weeks. It will come to this—that the hon. Member for Oldham (Mr. Hibbert) or somebody else must move the omission of Clause 4. As Her Majesty's Government are not disposed to treat the Select Committee of their own appointment in a proper and Parliamentary spirit, I move, Sir, that you report Progress, and ask leave to sit again.

Mr. WHITBREAD said, he entirely and totally dissented from the doctrine that if the House adopted the Report of the Select Committee that would be tantamount to passing a censure on the Commission. His respect for the Commission and his intimate personal relations with one of its members would have prevented him joining the Committee if he had imagined it was to sit in judgment on the Commission. He believed one thing was referred to the Commission, and quite another to the Committee. The Commission, honestly and faithfully carrying out its Instructions, threw a wide net and embraced everything that came into its meshes. They told the House the greatest possible annexation that could be made to these boroughs, and the House, having heard them, appointed the Select Committee to consider and report what was the wisest thing to do under the circumstances. The hon. Member for St. Ives (Mr. Paull) said the Committee never would have been appointed if there had not been objects to serve. What did he mean by "objects to serve?" What did he mean by such language? The hon. Member went on to say the Committee had listened to the party views and party interests of the people who were affected by the recommendations of the Commission. He (Mr. Whitbread) told the hon. Member the Committee did no such thing.

Mr. PAULL: I said there were party objects to serve in the appointment of the Committee, but I never made any imputations on the Members of the Committee.

Mr. WHITBREAD said, the hon. Member stated that there were party objects to serve, and he implied that they had been served. So far from the Committee having listened to party views, when anybody opened the question of party interests the Chairman promptly desired him to desist from referring to them. As to his own impartiality, which had been questioned by the hon. Member for Cambridge (Mr. Gorst), all he would say was, he had sat for sixteen years in the House, and had adhered with tolerable fidelity to the party which represented his views, and the views of those who elected him, and if other hon. Members had done the same it would have been better for the House and the country; but although a party man, he could not charge himself with having voted or spoken in a way which would justify anyone in saying he would not give a fair verdict on a question like this. A man might perhaps be a bad judge of his own impartiality; but he should have thought that the legal experience of the hon. Member for Cambridge (Mr. Gorst) would have taught him that the time to question the impartiality of your umpire was before he was appointed, and not after he had given his decision. He had little to add to the able statement of the Chairman of the Committee. A cry had been raised, "We will have the counties, and we will have them only as counties;" but this was a dangerous cry, and might provoke the cry, "Let the towns be towns." He advised the other side, before they raised the former cry, to consider how many boroughs were really fragments of counties. He was very sorry that the right hon. Gentleman at the Head of the Government had taken the course he had done. The right hon. Gentleman wisely said some nights ago he could not discover any party gain which could be obtained by adopting the recommendations of the Commission. He had been unable to detect any gain to be obtained from adopting the recommendations of the Select Committee. The present state of things would be unjustifiable if the Government did not believe that the country, when it was appealed to, would reverse the balance in that House; but the Government might rest assured that if the balance were turned it would be by a change in the sentiments and feelings of the whole country, and not by a miserable and paltry gain of a few thousands more or less of votes transferred in the settlement of boundaries.

MR. DISRAELI: It is vain to attempt to oppose the Motion of the hon. Member for Nottingham (Mr. Osborne) at this hour of the night. At the same time, I must express my opinion that the time has come when the House ought really to act in as practical a manner as possible upon this subject. If any plan more practical than that I have proposed can be suggested I am perfectly ready to adopt it. The right hon. Member for South Lancashire (Mr. Gladstone) spoke as if this Bill were framed in a spirit totally contrary to the recommendations of the Select Committee; but he forgets that three-fourths of the recommendations of the Commission were adopted by the Committee. I know no more convenient way of showing every possible respect to the Report of the Committee and to the recommendations of the Commission, and of expediting this measure, than proceeding with the Bill as it is before us, and discussing the few cases in which there may be differences of opinion. It is only by making progress with the Bill that we can bring these questions to a speedy solution; and, I will not say in one night, but in two nights, we might conclude this business. I shall put the Bill on the Paper for Thursday night, to follow the Registration Bill, the introduction of which will not lead to a long discussion. If we go on in Committee we may, by eliciting the expression of the opinions in disputed cases, arrive at some conclusion respecting them; but if any more convenient way can be suggested I shall be happy to hear of it. If the House wants to proceed with the Bill, it will do so in the regular course; and we shall hear and settle all these points of difference.

House *resumed.*

Committee report Progress; to sit again upon *Thursday.*

REGULATION OF RAILWAYS BILL.—[*Lords.*] SECOND READING.

Order for Second Reading read.

MR. STEPHEN CAVE, in rising to move that this Bill be now read a second time, said, that this measure had undergone very careful scrutiny and consideration in the other House of Parliament, and the Board of Trade had received frequent deputations and much correspondence on the subject-matter of it. Many of the provisions were in accordance with the recommendations of the Royal Commission, and he hoped that, while it contained much that was valuable, there was very little in it to which either the public or the railway companies could fairly object. The first subdivision of the Bill, dealing with accounts and audit, was designed to meet a requirement which had very generally been felt, and for which the Bill of the right hon. Member for Gateshead (Sir William Hutt), introduced last Session and again this year, was intended to provide. He must here acknowledge the obligation the Board of Trade had been under to his right hon. Friend. They had adopted many provisions of his Bill, and had received from him in addition several valuable suggestions. In one respect he ventured to think that their measure was preferable. It contained in the Schedule the exact form in which it was proposed that railway companies should keep their accounts. The companies had objected, with some reason, that they might be put to inconvenience and expense if the form were altered from time to time at the discretion of the Board of Trade. The Board had, therefore, after conferring with the accountants of the principal railway companies, settled a form for general adoption. This would not, of course, preclude companies from adding in their half-yearly Reports to their shareholders such further information on matters of detail, such comparative statements with previous years and proposals of future policy, as the peculiar circumstances of each railway might render desirable. The 13th section related to sea risk. There could be no doubt of the convenience to the public of through booking for delivery beyond sea; and it seemed reasonable that companies should not be placed, by the impracticability of obtaining a bill of lading in each case, in a worse position as regarded their liability than a shipowner receiving goods at the port. It would be open to any consignor who objected to such provisions to make his own arrangements for sea transit. Section 14, requiring that tables of fares should be posted in booking offices, was one of which he gave Notice himself in 1866, and which would much facilitate the payment for tickets, and save time both to the ticket clerk and the traveller. He placed on the Notice Paper at the same time a provision for printing the fares on the tickets, as was generally done on the Continent and sometimes in England, but perhaps the clause now adopted was sufficient for the purpose. The 15th section provided for the separation on demand of terminal charges from the whole rate charged. This was recommended by the Royal Commission, and communications to the same effect had been forwarded to the Board of Trade by the Chairman of Committees and other high authorities. Section 16 proposed to supply a defect in an enactment in the Railways Clauses Act, which was intended to compel the consumption of smoke by railway engines, but which had proved comparatively inoperative. The 17th section dealt with the subject so often brought forward by the hon. Member for Dudley (Mr. H. B. Sheridan) and was the form in which the Board of Trade, after causing experiments to be made on some of the chief railways, considered the question of communication between passengers and guards could best be dealt with. The 23rd section gave shareholders an opportunity of determining at an early stage whether they would proceed with a Bill, instead of, as in what was called the Wharncliffe meetings, expressing their opinion after a much more considerable expense had been incurred. The 28th section, which was introduced on the recommendation of the Attorney General, supplied an accidental omission by prescribing a moderate fee for duties to be performed by a Master of the Court of Queen's Bench under the Act of last Session. These were the chief provisions of the Bill. Some important suggestions had been made by a deputation from the Manchester conference of shareholders too late for the insertion of clauses in the Bill to give effect to such of them as were approved by the Board of Trade while in the other House of Parliament. He proposed, however, to put the Committee on the Bill for that day fortnight, in order to give ample time for the consideration of these and other suggestions which hon. Members had made or might wish to make on these important subjects.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Stephen Cave.*)

Bill read a second time, and *committed* for *Monday* 22nd June.

ALKALI ACT (1863) PERPETUATION BILL—[*Lords.*]

SECOND READING.

Order for Second Reading read.

MR. STEPHEN CAVE, in rising to move that this Bill be now read a second time, said, the Alkali Act had now been in force for four years and a half. It was passed in 1863 in order to restrain the escape of muriatic or hydrochloric acid gas during the process of manufacture of alkali—or sulphate of soda or potash by the decomposition of common salt. To show how valuable had been its results, he need only say that, before the passing of the Act, in some cases the escape of that most deleterious gas amounted to 50 per cent; that doubts were expressed by manufacturers whether that quantity could be reduced lower than 10 per cent; that by the Act it was obligatory to reduce it to 5 per cent, and that practically last year, owing to improvements which had been made, chiefly in consequence of the suggestions of the inspector, the average quantity of escaping gas was less than 1 per cent—namely, 0·88—and this year he understood it was still further lessened. He need hardly say that this result had proved profitable to the manufacturers as well as advantageous to the public. No complaints of hardship had been made by manufacturers; indeed, only one prosecution had been necessary. There had, therefore, been abundant proof of the salutary nature of the Act, which, unless renewed, would expire during the present year. It was proposed to re-enact it without alteration, but to request the inspector—who had performed his duty with intelligence, industry, and judgment, as the Reports presented to Parliament proved—to report on many other gases produced by various manufactures, some of which were represented to be even more dangerous than those which occasioned the passing of that Act.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Stephen Cave.*)

Mr. Alderman LUSK said, that the expense of carrying out the Act was thrown upon the public, instead of being borne by those who received the benefit from it. He hoped that a clause would be introduced to remedy that state of things.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

PRISONS (SCOTLAND) ADMINISTRATION ACTS AMENDMENT BILL.

On Motion of Sir Edward Colebrooke, Bill to amend the Acts for the Administration of Prisons in Scotland, in so far as regards the county of Lanark, *ordered* to be brought in by Sir Edward Colebrooke and Mr. Dalglish.

Bill *presented,* and read the first time. [Bill 155.]

LOCAL GOVERNMENT SUPPLEMENTAL (NO. 4) BILL.

On Motion of Sir James Fergusson, Bill to confirm a certain Provisional Order under "The Local Government Act, 1858," relating to the district of Tormoham (Devonshire), *ordered* to be brought in by Sir James Fergusson and Mr. Secretary Gathorne Hardy.

Bill *presented,* and read the first time. [Bill 159.]

LOCAL GOVERNMENT SUPPLEMENTAL (NO. 5) BILL.

On Motion of Sir James Fergusson, Bill to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the districts of Malvern, Cowpen, Bristol, Sheffield, Margate, Bognor, and Otley; and for other purposes relating to certain districts under the said Act, *ordered* to be brought in by Sir James Fergusson and Mr. Secretary Gathorne Hardy.

Bill *presented,* and read the first time. [Bill 160.]

NEW ZEALAND COMPANY BILL.

On Motion of Mr. Adderley, Bill to remove doubts respecting the operation of the New Zealand Company's Act of the ninth and tenth years of Victoria, chapter three hundred and eighty-two (Local and Personal), *ordered* to be brought in by Mr. Adderley and Mr. Sclater-Booth.

Bill *presented,* and read the first time. [Bill 156.]

LARCENY AND EMBEZZLEMENT BILL.

On Motion of Mr. Russell Gurney, Bill to amend the Law relating to Larceny and Embezzlement, *ordered* to be brought in by Mr. Russell Gurney and Mr. Coleridge.

Bill *presented,* and read the first time. [Bill 157.]

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Tuesday, June 9, 1868.

MINUTES.]—Public Bills—*First Reading*—Vagrant Act Amendment (138).

Second Reading—Army Chaplains* (116).

ARMY CHAPLAINS BILL—(No. 116.)

(*The Earl of Longford.*)

SECOND READING.

Order of the Day for the Second Reading read.

The Earl of LONGFORD, in moving that the Bill be now read the second time, said, the object of the measure was to meet certain difficulties in the way of army chaplains discharging their duties at military stations in Great Britain and Ireland. At some places, where the Church accommodation was insufficient, garrison chapels had been built, in which Divine service was performed by the army chaplains, who were commissioned officers, appointed by the Secretary of State. Some parochial clergymen, however, objected to these chaplains as intruders into their parishes, and a recent decision in the Consistorial Court at Dublin had established the correctness of this view. The object of this Bill was to enable the army chaplains to legally continue their services. It was, therefore, proposed to empower the Crown, with the consent of the Bishop of the diocese within which a military station shall be locally situate, to set out a precinct or district and declare the same, for the purposes of this Act, to be a Royal peculiar, and extra-parochial district. Provision is made for the due registration of the scheme in the diocesan registry. The Secretary of State was to appoint any army chaplain to perform functions in the peculiars; any chapel erected within the precinct and duly consecrated was to be held to be, for all ecclesiastical purposes, an extra-parochial chapel; and where any unconsecrated building was certified to the Bishop as intended to be used by the military for Divine worship according to the forms of the Established Church, the Secretary of State had power to appoint an army chaplain to officiate therein; and power was also given to the Crown to declare the Bishop of any diocese to be the dean of these Royal peculiars, and to exercise ecclesiastical jurisdiction therein.

Moved, "That the Bill be now read 2ª."—(*The Earl of Longford.*)

THE BISHOP OF GLOUCESTER AND BRISTOL, in the absence of the most rev. Primate, said, he desired briefly to advert to some of the clauses of the Bill, which seemed to require further consideration, and which in his judgment it was most desirable to refer to a Select Committee. Of course it was right that every possible facility should be given to the chaplains of Her Majesty's service; and he frankly owned it was extremely inconvenient that any parochial clergyman should have the power of interfering with their ministrations. At the same time, he thought it was rather reversing the principles of our legislation to constitute Royal peculiars, especially when it seemed to be perfectly clear that simply by the constitution of extra-parochial districts all the difficulties that had arisen might be readily removed. But the present measure went further even than the re-establishment of what experience had shown to be unsatisfactory and anomalous. The general authority of the Bishop of the diocese was unnecessarily suspended; for, according to the provisions of the Bill, it by no means followed that the Bishop of the diocese would have any spiritual authority whatever within these Royal peculiars, though they really were within his diocese, as any Prelate might be appointed by the Secretary of State to exercise authority in them. This might lead to considerable difficulty, and he appealed, therefore, to the noble Earl to consent to the Bill being referred to a Select Committee.

EARL DE GREY AND RIPON said, he was aware of the difficulties that beset the subject; but at the same time he thought it clear that the military chaplains should be enabled to perform their duties without obtaining the assent of the clergyman in whose parishes troops may happen to be. These chaplains are officers bearing Her Majesty's commission, and they ought not to be interfered with in the performance of their functions. The state of things to which the decision of the Dublin Court had given rise was one that could not be allowed to continue, and he thought the present measure well adapted to effect the purpose it has in view, and he could not see the slightest necessity for referring it to a Select Committee.

THE BISHOP OF CARLISLE inquired whether it was intended that one of the existing Bishops should be made the dean of these peculiars, or whether a new Bishop would be consecrated for the purpose. For his own part, he thought we had too many unattached Bishops already. It was also well worth consideration whether the Bishops should not have the superintendence of the peculiars in their respective dioceses. He begged to remind the House of the cost frequently involved in enforcing ecclesiastical discipline, and trusted Her Majesty's Government would take care that the Dean of the peculiars should be freed from the risk of incurring such enormous expenses.

THE BISHOP OF LONDON said, he understood this Bill to be intended to remedy the difficulties that had arisen respecting the powers of army chaplains, and also the inconvenience which had arisen from their not being practically under any Bishop—for not being licensed by a Bishop, they did not look up to the Bishop of the diocese in which they might happen to be for guidance and assistance. His right rev. Brother (the Bishop of Gloucester) suggested that they should be placed under the charge of the Bishop of the diocese where they might happen to be placed. Practically, however, he thought with the Government that there would be much difficulty in carrying out such an arrangement; and he was disposed to think that it would be better to place the army chaplains under the charge of one Bishop; and he did not think any difficulties in the way of adopting this course had been suggested which might not be met in Committee of the Whole House.

THE EARL OF LONGFORD said, he did not think there was any necessity to refer the Bill to a Select Committee. It had been carefully considered, and had been in the hands of the two Archbishops. He was disposed to be of opinion that the more convenient course in respect of licences would be that suggested by the right rev. Prelate who had just addressed their Lordships. That point could be considered before Committee on the Bill was taken. There was no intention to appoint a new Bishop under this Act; and although Bishops could not be protected from legal expenses, it was hoped that no such cases would arise under the arrangement now proposed. He believed there was no doubt that as the power of appointment was vested in the Secretary of State for War, the power of removal would be his also.

Motion *agreed to:* Bill read 2ª, accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

House adjourned at half-past Five o'clock, to Thursday next, half-past Ten o'clock.

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HOUSE OF COMMONS,

Tuesday, June 9, 1868.

MINUTES.] — PUBLIC BILLS — *Committee* — Fairs* [126].
Report—Fairs* [126].
Third Reading—Endowed Schools* [143]; Pier and Harbour Orders Confirmation (No. 2)* [148]; Lee River Conservancy* [144], and *passed.*

The House met at Twelve of the clock.

ELECTRIC TELEGRAPHS BILL—[BILL 82.]

(*The Chancellor of the Exchequer, Mr. Stephen Cave, Mr. Sclater-Booth.*)

SECOND READING.

Order for Second Reading read.

THE CHANCELLOR OF THE EXCHEQUER, in moving that this Bill be now read the second time, said, it had been suggested the other day that the Bill had better be postponed in consequence of the state of Public Business and the position of Her Majesty's Government. Now, if the measure had been one which did not affect private interests and the convenience and accommodation of the public, the Government might have been disposed to yield to that suggestion. But he submitted that it was highly desirable that an early decision should be come to on the matter, not only with reference to the interests of the telegraph companies, but also with reference to the interests of the general public. As the House was aware, the Bill empowered the Government to treat with the various telegraph companies in the country for the purchase of their lines, and authorized the Postmaster General to work the lines so purchased. If the measure were postponed for another year, the telegraph companies would be under the disadvantage of not knowing what new engagements to undertake; the whole telegraphic system might be in a state of suspended animation as to extension, and the public, who were looking to the passing of this measure, would not obtain at so early a period the benefit of that improved accommodation which this Bill would certainly provide for them. Under these circumstances, he thought the House would agree with the Government that it was right to proceed with the measure in the course of the present Session. In introducing the Bill to the House, he had adduced a good many statistics to prove that the public would derive great advantage from the reduced tariff and increased facilities which would be afforded under the new system proposed. He was not about to repeat those statistics, as he thought the House was already sufficiently informed as to the figures by the Papers which had been laid upon the table; but would refer shortly to the evidence given of the state of public opinion respecting this Bill. Since he had had the honour of a seat in this House, he had never seen so great a manifestation of opinion from disinterested parties as had been shown in favour of this Bill. In addition to the important petitions which had just been presented, there had been, up to last night, seventy-seven petitions from Chambers of Commerce, public bodies, merchants and traders, and the general public in favour of the Bill, and twenty-four of these petitions had emanated from the metropolis. To the petitions from the City of London the names of some of the leading firms were attached, and those petitions were very numerously and influentially signed. In addition, no fewer than 177 petitions had been received from the newspaper Press—so that the mercantile community and the Press were almost unanimous in favour of the Bill. On the other hand, he derived some satisfaction, not only from the character, but from the number of the petitions presented against the Bill. These were — Ten from telegraph and railway companies, and 319 from individuals, the 319 individual petitioners being shareholders in the telegraph companies. Apparently, the companies thought they would make a greater show by inducing their shareholders to petition individually; and
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this reminded him of the preacher who, drawing a very small congregation, huddled together in one part of the church, told them that if they spread themselves more about the church they would "look more." Upon the same principle, the telegraph companies thought the opposition to the Bill would "look more" if the petitions were from individuals. The only petition presented against the Bill from persons who were not shareholders was one from Leamington. The companies thought that their interests had not been equitably dealt with. The Government had endeavoured to meet the telegraph companies in a fair spirit. That the telegraph companies were more interested in the terms they would get from the purchase of their lines than in anything else, was evident from the fact that they had gone to the Government and stated the terms on which they would be prepared to sell. Their proposals were that the lines of all or none of the companies should be purchased; that the terms of purchase as settled should be inserted in the Bill; and that the terms should be upon the basis of those in the Railway Purchase Act—namely, twenty-five years' purchase on the net profits, and that compensation should be provided for their officers. The Government did not assent to those proposals as they stood, and since the first reading of the Bill they had made these proposals to the companies — The Government agreed to some Amendments suggested by the hon. Member for Liverpool (Mr. Graves); that if the Government purchased the system of one company they should give notice to all the other companies of the purchase of their undertakings, so that there might be no question as to getting possession of one telegraphic line and working it so as to depreciate those of the other companies. As the Government had always intended to purchase the whole of the telegraph lines, he was willing to accept that Amendment. Then the Government proposed that the basis of purchase should be, not that suggested by the telegraph companies, but the highest price realized on the Stock Exchange for the companies' shares up to the 25th of May last. They admitted the principle of giving compensation to officers not retained in the Government service, provided these officers were engaged at a yearly salary and had served for not less than five years. The Government also proposed that if the terms were not agreed on, they should be referred to arbitrators, one to be nominated by each party, and umpires to be chosen from a list of names of men of high standing—Sir William Erle, Lord Colonsay, and Sir John Coleridge. The telegraph companies had not accepted that offer; but he thought it was a liberal and fair way of meeting them. If the House should consent to the second reading of the Bill, it would be referred in the usual way as a Hybrid Bill to a Committee partly nominated by the House and partly by the Committee of Selection; and it would be open to that Committee either to settle the terms of purchase and insert them in the Bill, or allow the terms to be settled by arbitration. The market price of the shares was the best proof that the proposed purchase by the Government had not been prejudicial to the companies. On November 1, 1867, the shares in the principal company were 144 to 148; on May 8, 1868, they stood at 164 to 169; so that the shares of all these companies rose after the proposal of the Government to purchase. In offering, therefore, to buy these lines of telegraph on the basis of the price of the shares, the Government had, in fact, contributed to the enhancement of the price of the article. Here was another significant fact. In a weekly periodical which appeared during the Session, and which was supposed to possess some authority, it was recently stated that the Government had abandoned the notion of proceeding with the Telegraphs' Bill. That statement was not correct; but it had its effect, because the shares of these companies immediately fell. These facts showed that the interests of the shareholders, at all events had not been prejudiced by the action of the Government. The only petition against the Bill which came from anybody not a shareholder in any of the companies, was from the town of Leamington, and he did not know what influence had been at work to obtain the signatures to that petition. He now came to the opposition of the railway companies. He quite admitted that opposition was *bonâ fide*, and that the view of those companies was deserving the serious consideration of the House. He had had a few weeks ago an interview with some of the principal managers of the railway companies, and what they were afraid of was this—that if the telegraphs passed into the hands of Government, they would not have the same amount of accommodation as they enjoyed under the present system, But to that he would say that if the Government obtained possession of the telegraph lines, it would be their duty to give the fullest accommodation to the railway companies necessary to secure the public safety. He could not conceive a Government taking any other view, for it was most important to those who travelled by railway—and that was now almost every person in the country—that every facility should be given to the railway companies, so that the traffic might be conducted with the same safety and security as at present. But, as he had stated to the gentlemen who had waited upon him, that was a matter of regulation and arrangement between the Government and the companies, and might be freely discussed before the Committee upstairs. In his opinion it was a matter quite capable of adjustment. He had mentioned when he introduced the Bill, that there was a provision in it to enable the Government to purchase from the railway companies, where they were proprietors of telegraphs, their interests in sending messages, leaving them at liberty to work the wires for their own use if they chose, or, if not, giving them every facility for communicating from station to station. In consequence of the shortness of the time at his disposal when he introduced the Bill he had not gone into the financial part of the proposal; but he would now give a few points in connection with that subject. If the measure proceeded as he hoped, it would be necessary to introduce a Money Bill, to make the financial arrangements necessary to complete the transaction. Since this matter of purchase had been mooted, and the Electric and International Telegraph Company had put out their statement, the Government had got some information not at their disposal before, and were enabled now to calculate on a much larger return from the working of the telegraph system than they could have previously done. He could now state that they anticipated a surplus revenue of £210,000 a year from that source, and that would enable the Government, if the proposal were adopted, to pay the interest of the debt, reckoned at the rate of 3½ per cent, and to clear off the debt itself in twenty-nine years. If the House would excuse him he would rather not enter fully into details with respect to the purchase at present. But he would say that, speaking roughly, it would take something near £4,000,000, or at all events, between £3,000,000 and £4,000,000 for the purchase and the necessary extension of the lines. As to where they were to find the money, they proposed to make use of the savings' banks funds as far as available, which he believed they would be to the full amount, and to raise money by means of terminable annuities for a period of twenty-nine years. According to the best calculations they had been able to make the whole debt would be wiped out by the surplus income from the undertaking in twenty-nine years. He would, however, take power in the Money Bill to raise part of the capital by bonds and also by bills, to prevent the necessity of drawing on the savings' banks fund to a greater amount than might be convenient. These were matters which would be fully discussed afterwards; but he had thought it better to mention them in order to show that it was not intended to impose any heavy burden on the public for the undertaking. Of course, after the period he had specified, the Government would have a valuable property, which would be of advantage for the further extension of the system, or for the general Revenue. He now asked the House to assent to the second reading of the Bill and to send it to a Select Committee upstairs, to be chosen partly by the House and partly by the Committee of Selection, in order that the interests both of the telegraph companies and the railway companies might be duly protected. The right hon. Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chancellor of the Exchequer.*)

MR. LEEMAN, in rising to move that the Bill be read a second time that day six months, said, he must be permitted to express very strongly the feeling entertained by those whose private interests were affected on the ground of the form in which the Bill now came before the House. The House would observe, from what had fallen from the right hon. Gentleman (the Chancellor of the Exchequer, that interests worth something like £4,000,000 were affected by the Bill, and he objected to the course pursued. As long ago as last November the Government gave notice in the *London Gazette* of its intention to apply for some Bill to enable them to purchase up the telegraph companies. Unless the Government was to be permitted to make a precedent for themselves, and to act upon a principle different from that which was pursued by private persons and corporations who came to that House to procure powers over private property, it was the duty of the Government to have taken the same course as a railway company, or private person, and in the first instance to have submitted the Preamble of the Bill to one of the Committees of the House, before which evidence might have been adduced, not only by the Government, but by the various interests affected. But instead of that the House was asked to assent to the principle of the measure on the mere statement of a Government official, Mr. Scudamore, which was all the information that had been laid before the House. Had they gone in the first place before a Committee upstairs, the companies could have shown the circumstances under which the telegraph system had been commenced and carried on in this country; how it had become intertwined between the telegraph and railway companies; and that, however desirous Post Office officials might be to have the control of the system, the circumstances were such as to render it impossible for the House to pass the Bill. But the right hon. Gentleman asked the House to reverse the proper course of proceeding. The right hon. Gentleman had said that since the Bill had been introduced certain information had been obtained which showed that a sum of £210,000 a year would be derived by the Government as surplus profit from the possession of the telegraphs. But he begged the House not to slur over, as they were asked to do, this great question, whether it was the duty of the Government to conduct business which had hitherto in this country been left solely to private enterprize. Telegraph companies were commenced nearly twenty-five years ago by private persons, out of their own resources and at their own risk; they had gone on extending accommodation to the public, and for many years they had never received a farthing of aid or any encouragement from the Government of the day. It was not until these undertakings were yielding fair dividends that the Government stepped in to buy them up; and they did this without any feeling having previously existed in the country in favour of such a step. As to the 177 petitions from the Press, it would be found on examination that they had a common paternity. Mr. Scudamore had communicated with the various newspapers through the postmasters, and in his own city it was the postmaster who suggested the petition. The same thing had, no doubt, been done elsewhere. What complaint had the Press to make against the companies? Every provincial daily paper was supplied for £200 a year with telegraphs, amounting on the average to 4,000 words a day. The company had an arrrangement with Mr. Reuter, and had reporters, both in foreign countries and at home, as well as a staff of editors and other persons, so that information was collected in all parts of the world and supplied to the provincial Press on the terms he had mentioned. What, then, could the Government or the Post Office do for the Press more than was done by the existing telegraph companies? But the Press would not have stirred in the matter at all unless they had been incited to support the Bill by the Post Office. With regard to the railways, the right hon. Gentleman appeared to think they had only an incidental interest in the matter; but, in point of fact, their interest was not second even to that of the telegraph companies themselves. At the interview to which the right hon. Gentleman had referred all the great railway interests south of the Tweed were represented, and expressed the alarm with which they viewed this measure. It was not at all a question of money with them, for their relations with the telegraph companies were so intimate and complicated that they could not assent to the scheme on any terms. There were at least 250 agreements existing between the railways and the telegraph companies; and in many cases those agreements gave to the railways the power of controlling the whole working of the telegraph system when emergencies arose. The railway companies had, in many instances, originated the telegraph companies, and had a large beneficial interest in them, and from his twenty years' experience of the working of railways he believed they could not be properly worked if the telegraphs were transferred to a staff of Government clerks. In the undertaking with which he was connected in the North of England, not less than 40,000 carriages and waggons were daily and hourly moved from one part of the line to another, this being done entirely by the aid of the telegraphs. A great number of collieries and large ironworks were connected, moreover, with the line, and at present the telegraphs were managed partly by the company's clerks and partly by those of the telegraph company. Now, he did not believe the line could be safely and efficiently worked if the telegraphs were handed over to the Post Office authorities. The railway interest sought an interview with the right hon. Gentleman as soon as they knew this Bill was to be introduced, and strongly urged upon him their conviction that the scheme was inconsistent with the safety of the passengers and of the general traffic. It was solely on this ground that he opposed it, for he had never been a shareholder in any telegraph company. He would ask the House, moreover, whether it was prepared to adopt a policy contrary to that which had hitherto been pursued, and to place telegrams, which were open letters, in the hands of the Government. Such a policy might be all very well in Continental countries, where the Government was based upon a system of *espionnage;* but let hon. Members remember the burst of indignation which was excited in this country by the intelligence of Sir James Graham having opened the letters of Mazzini, and what would people think if they knew their messages might be read by some Government official? A paper read two years ago before the Society of Arts spoke of the telegraph being extended to villages and worked by schoolmasters, or even by children; but how would such a system work? Then there was the possibility of the control of the telegraphs being turned to political purposes, as was notoriously the case in other countries, and he deprecated the introduction into England of the thin end of the wedge. He knew of a gentleman who went over to a Continental State to negotiate a Government contract involving many thousands of pounds. During a three weeks' stay he frequently telegraphed to his partners in England, and at the end of that time he actually saw in the Minister's office copies of his own telegrams. On his expressing some astonishment, the Minister asked him whether he was not aware that the director of telegraphs had every message sent to him. In France, indeed, four copies of every telegram were made, and were sent to the different bureaux. A similar case had occurred in Egypt. A gentleman in Paris who was conducting some business with the Government of Egypt corresponded by telegraph with his agent in that country; but on six or seven different occasions these telegrams were suppressed by the Egyptian Government until it was enabled to settle the matter in dispute upon its own terms. He did not believe that the English people would permit a system like that to prevail in this country. It would be against all their instincts to have their telegraphs brought into the same position. The Government ought to have stated some reason for treating the telegraphs differently from the railways. A Royal Commission had recently inquired into the policy of the Government becoming possessed of the railways. Witnesses were examined before the Commission, and Mr. Edwin Chadwick and others had given evidence in favour of such a proposal. The Railway Commissioners, however, in their Report, pointed out that the railway system had originated in the enterprize of individuals, and that private enterprize had led to a much more rapid development of railways than any other system could have done. The conclusion at which the Commissioners arrived was that on the various grounds mentioned by them they could not concur in the purchase of railways by the State, and that it was more expedient to leave the construction and maintenance of railways, under certain conditions to be imposed by Parliament, to the free enterprize of the people. The same language equally applied to the purchase of the telegraphs by the State. They were begun by private persons at their own risk and under great disadvantages, and their introduction here had led to the adoption of telegraphs through the whole world. The Electric and International Telegraph Company had grown seven-fold since 1850, and had now 49,000 miles of wire. In 1850 it possessed less than 1,000 instruments, it now owned 7,245. The United Kingdom and Irish Telegraph Company, whose petitions were on the table, had also shown the progress they had made up to the present moment. There were now in operation 80,000 miles of telegraph wires, the result of the private enterprize of this country, and there were not less than 2,000 telegraph stations at work. The telegraph companies during that time had availed themselves of every improvement that had been introduced as to the working of telegraphs, so that at the present hour the system of telegraphy in existence in this country was not to be surpassed in the whole world. The Government were bound to show that the public would be likely to obtain some advantage in regard to price, but this they had not done. At the commencement of the telegraph system the charge for twenty words was 1*d.* per mile for fifty miles, ½*d.* a mile for 100 miles, and ¼*d.* a mile for more than 100 miles. Successive reductions of price had, however, been made, until in July, 1865, the scale now in operation was fixed. The charge for short messages in the London district and in other large towns was now 6*d.*, for which would be substituted by the Government Bill one uniform telegraphic rate of 1*s.* The present rate was—for 100 miles, 1*s.*; for 200 miles, 1*s.* 6*d.*; and for any distance beyond 200 miles, 2*s.* The telegraphic companies had given the public the advantage of this progressive reduction in the rates, coupled with every improvement in telegraphy. He would ask the House to consider the advantage of this 1*s.* charge to all places in the midland districts, including Birmingham, within 100 miles of London. It placed Manchester in communication with the whole of Lancashire, the West Riding, and many of the midland towns. Coming to London, the 1*s.* rate also prevailed to every place within 100 miles, south, east, and west. It prevailed as between London and Dover, London and Brighton, London and Southampton, and so on. Let them take the whole of the receipts from the telegraphs, and see what proportion the lower rates bore to the 2*s.* rate. He found that last year fully three-fifths of the entire receipts of the companies from the inland telegraphs of this country were at the 1*s.* rate. Of the remaining two-fifths, two-thirds were at the 1*s.* 6*d.* rate, and only the other third was at the 2*s.* rate. If, then, the object of the Government, as stated in the face of the documents prepared by Mr. Scudamore, was to reduce the general rate of telegraph to 1*s.* throughout the country, why had they not gone to the companies, the parties who could best do the work, and who, as he had shown, had evinced no disposition to keep up the rates? But, supposing the Government took possession of the telegraphs tomorrow, it was clear, from Mr. Scudamore's statement, they must embark in a very large expenditure to give effect to their views; and how, he asked, would people in Liverpool and Manchester be benefited by an outlay of public money in order to secure for them at 1*s.* what they could now get done for 6*d.*? He would put this practical question to the House. Supposing the Government had established the reduced rate, who were the persons who would reap the advantage from it? Was there one man in a thousand in England who ever used the telegraph? When the rate was reduced to the figure which the right hon. Gentleman spoke of it would still be found that not one man in a thousand would use the telegraph. The people in the country villages, the tailors, shoemakers, and blacksmiths never used it, and it was very rarely indeed that the farmer had to spend more than 1*d.* in sending his business communications through the post. Even in most of the country towns it was a very exceptional thing for a tradesman to resort to the telegraph. Therefore, when the charge had been brought down to a 1*s.*, the general mass of the people would not have recourse to it. Then, as to the commercial classes, what proportion did their letters bear to the telegrams they sent? If the business they had to transact demanded a telegram at all, a slight difference of 6*d.* or 1*s.* in the charge would practically be of no importance to commercial men. Then, as the public at large were not likely to use the telegraph, they ought not to be called upon to bear the burden of the great outlay which the Government would have to make in order, as it were, to run all the other coaches off the road. It was surely hard that 999 taxpayers should be compelled to pay for the accommodation of the only man in 1,000 who wanted to send a telegram. But it was said that ultimately the telegraphs would not only pay, but would yield a profit to the Government; and the experience of the Post Office had been quoted. Now, the penny postage plan was tried under very different circumstances from those now existing in regard to the telegraphs. The Post Office had then been at work for a century and a half, and when the penny postage system was introduced they had not to buy up vested interests as they now must do. The Post Office had only to deal with its own property in making that experiment. True, the Post Office was now producing a large revenue; but the penny postage system never would have been made to pay as it now did—and here he spoke feelingly—if the Government had not entered into competition with the railway companies and become common carriers. [An Hon. MEMBER: Quite right, too.] It might be quite right as between the public and the Post Office; but it was not right as regarded the inference he wished to draw in respect to that particular question. By poaching on other people's manors the Government had been enabled to derive a considerable revenue; but a Return recently presented supplied valuable information upon that point. The penny postage was adopted in 1840. The year before that the revenue of the Post Office was £1,659,510, and in the first year after the penny postage system was introduced that revenue fell to £578,000, and the Return showed that it took twenty-four years to bring the revenue up to the figure at which it stood before the new system came into operation. The present income from the Post Office was over £2,000,000; and he asked—was this a time, having regard to the financial position of the country, in which they could afford to experimentalize with an item of £2,000,000, which went to the relief of the general taxation of the public, in order to secure the more than doubtful advantages which the Government sought by their scheme to obtain for any class, even the commercial class, of the community? He would now call attention to the mode in which it was proposed to carry out that measure. The practical clauses of the Bill were Clauses 4, 5, and 7. By the Bill as it originally stood the Government would have been permitted to take possession of the whole of the telegraph lines of the country, the payment for them to be fixed by an arbitrator, who was to be appointed by the Government itself. He was however glad to find from the statement of the Chancellor of the Exchequer that he had seen the injustice which such a provision would, if acted upon, produce; but still he must say that, if the Government deemed it right that they should possess a monopoly of the telegraph lines the intention should be set forth plainly on the face of the Bill. Why, he should like to know, should not the measure be dealt with in the same way as the County Financial Boards Bill, so that the whole subject of the policy of the Government taking possession of the telegraphs might be clearly ascertained through the medium of the labours of a Committee upstairs? Believing that to be the wisest course to adopt, he begged leave, instead of moving as he had given Notice, that the Bill should be read a second time that day six months, to propose as an Amendment that the question of the expediency of purchasing the Telegraphs by the State be referred to a Select Committee.

MR. CRAWFORD seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the question of the expediency of purchasing the Telegraphs by the State be referred to a Select Committee,"—(*Mr. Leeman*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GRAVES said, it must be admitted that the question under discussion was one which had two sides, and that the arguments on that side which was opposed to the views of his right hon. Friend the Chancellor of the Exchequer had been laid before the House with considerable force and ability by the hon. Member who had just spoken (Mr. Leeman), and were well entitled to consideration. He must, however, add that those arguments had entirely failed to remove from his mind the impression that the advantages which would be likely to be derived from the transfer of the telegraph lines of this country to the control of the Government would be greater than the disadvantages which his hon. Friend had described. In replying to the objections which had been urged by the hon. Gentleman against the Bill, he would, in the first place, observe that there was no such similarity as he sought to establish between the case of telegraph and that of railway companies, inasmuch as the House had, he believed, never required the former, in transferring their property, to come before it for its approval, the only consent they were compelled to obtain for the purpose being that of the Board of Trade. If that were so, he could not perceive that there was any great force in the argument that the Bill should be so dealt with as to be sent first to a Select Committee and then be brought before the House. He altogether differed from his hon. Friend, too, as to the number of persons who would avail themselves of the facilities afforded by the telegraph if the tariff of charges were reduced. As matters now stood, communication by telegraph in this country was a luxury which was confined to those who were able to pay for it, and it was because he desired to see the benefits which such persons enjoyed in that respect extended as widely as possible that he was so strongly in favour of the present measure. So far from concurring with his hon. Friend in thinking that the use of the telegraph would not under its operation be greatly increased, he believed that would be the result in a degree which the House could hardly conceive. In support of that opinion he might briefly state what had been the consequence of a reduction of the tariff in other countries. He found, for instance, that at the beginning of the year 1863 the Belgian rate for inland messages was reduced from 15*d.* to 10*d.*, a reduction at the rate of 33 per cent, and that the inland messages increased in that year on those of 1862 at the rate of 80 per cent. In the year 1866 the inland rate was again reduced from 10*d.* to 5*d.*, a reduction at the rate of 50 per cent, and the number of messages increased at the rate of 85 per cent. In Switzerland the inland rate was also, on the 1st of January, 1868, reduced from 10*d.* to 5*d*, and in the first three months of this year the inland messages increased at the rate of 90 per cent on those of the corresponding period in 1867. In Prussia a like result had been observed. On the 1st of July, 1867, the inland rate for the first zone was reduced from about 9*d.* to 6*d.*, a reduction at the rate of 33 per cent. A slight extension of the limits of the zone was at the same time made. In the first month of the change the messages increased at the rate of 72 per cent; 70 per cent being due to the reduction of the rate, and 2 per cent to the extension of the zone. In France, in the year 1862, an uniform rate of 1*s.* 8*d.* was substituted for a rate varying with distance. The average cost to the French public of a message in 1861 was about 4*s.* 6*d.*, and in 1862 the average cost was about 2*s.* 11*d.*, the reduction being at the rate of about 35 per cent; and the messages increased at the rate of 64 per cent. It was therefore only reasonable to suppose that a reduction of the tariff would be followed by the same results in this country as it had produced in others. If he did not think that the investment would be remunerative he should be very sorry to advocate it; but, seeing the progress which the Post Office had made in respect to the conveyance of letters and the money-order and savings-banks systems, he did not think that there need be any fear that the investment would be unremunerative; for he conceived that the telegraphy of this country was capable of immense development. The objection which had been raised in connection with the railways was the weightiest and most difficult to deal with; and it was incumbent that it should be fully considered how in this matter the railway interest, or, rather, how human life might be protected. This was not a small question, and it ought not to be judged merely by a reference to the £3,000,000 or £4,000,000 which it involved. Increased facilities for communication meant the development of national resources, and by a large and comprehensive development of the telegraphic system an enormous boon would be offered to the trading and commercial energy of the country. Wherever the telegraphic and railway systems exist, traders are enabled to regulate their supply and their daily wants, and commercial industries were enabled to turn over their capital with great rapidity, and thus, as the resources of individuals were increased, so was the capital of the country. If the proposal had been to raise up a new Government Department for the control of telegraphy, he should have objected to it; but his confidence in the administration of the Post Office made him favourable to the proposition. There was, besides, an affinity between a letter and a telegram; the one was, in fact, but a more rapid form of communication than the other; and the perfect organization of the Post Office would enable the proposed system to permeate every village and hamlet. If there were any possibility of the telegraph being used by the Government for political purposes, in order to ascertain and thwart the views of their opponents, he should then say that the Bill ought not to pass; but the fear of exciting that indignation which was formerly raised in the country when it was known that a single letter was opened at the Post Office would, in his opinion, prove a sufficient check against any abuse of power. Moreover, he had too high an opinion of the honour of British Statesmen to believe that they would in any way invade the sanctity of telegraphic communication. This was not merely his sentiment, but it was the opinion of the late Mr. Ricardo, the originator of the most prosperous telegraphic company, who stated—

> "To secure the honour and reputation of the British Government as a guarantee for the privacy of communications, necessarily more confidential than those conveyed under sealed envelope through the post; to establish a conviction that the pub-

lic are dependent, not upon the discretion of individuals, but upon the faith of a Ministry responsible at any moment to a vigilant Parliament, that there shall be no undue preference or precedence given even to the highest financial or most powerful influence in the land; in fine, to substitute the safeguard of statesmen chosen by the nation for their talent and integrity, for that of men of business, however high their character, elected by a body of shareholders simply to pay them the highest amount of interest obtainable from the tolls levied upon the public; to retain the telegraphic despatches of the various Departments charged with the maintenance of the honour and interests and tranquillity of the country inviolate and inviolable, instead of being passed through the hands of a joint-stock company, are advantages which no man can deny, and which Parliament and the people will not fail to appreciate."

Should there be any disinclination on the part of the public to subject their private communications to the supervision of a Government official, all difficulty on that score might easily be overcome by the use of cypher. With regard to the purchase of the existing telegraphic system, he heard with pleasure the Chancellor of the Exchequer state that it would be conducted on the principles of equity and justice. He thought that when the Government sought to acquire this property it should not be forgotten the owners were unwilling sellers, and it would be but fair that it should be taken under the ordinary conditions of compulsory purchase, and he would only support the measure upon the understanding that the private companies were to be dealt with in a large and liberal spirit. For years and years the telegraph companies were anything but prosperous, and it would not be dealing fairly with them, now that the tide of prosperity had set in, unless they were treated liberally. Allusion had been made to the fluctuations which had occurred in the price of these shares, consequent on the passing or withdrawal of this Bill. This, he thought, was not quite a fair light in which to view the subject. It was only proper to remember that the companies during the year had paid dividends which warranted the price. His opinion was that the dividends would rise every year even if the telegraph lines were left in the hands of the present companies, and the longer Parliament delayed the passing of this measure the more difficulty there would be in dealing with the subject. It had been alleged that some of the petitions in favour of the Bill had been got up by the Post Office officials. Now, he had presented a petition in favour of the Bill, signed by nearly every merchant and broker of any eminence in Liverpool, numbering altogether over 600, and he was told that every signature had been given spontaneously and unasked for. This was a recognition of the value which the commercial community placed upon the measure. More than thirty Chambers of Commerce had petitioned in its favour; the Press supported it strongly; and there was greater unanimity with regard to it than had prevailed with regard to any question which had been discussed in the present Session. On the whole, he believed that the advantages were greater than the disadvantages of the Bill; that its passing would give immense satisfaction to the country, and that immense success would follow, both financially and otherwise.

MR. THOMAS CAVE said, he had no interest, either directly or indirectly, in any of the telegraph companies; but, speaking from a public point of view, he thought the objections of the hon. Member for York (Mr. Leeman) were not such as should influence the House to reject this Bill. These objections were tenfold, and he should endeavour to reply to them seriatim. First, the hon. Member said that the safety of the public in railway travelling would be interfered with; but the Chancellor of the Exchequer had clearly stated that the railway companies would still be allowed to use the private wires which they now had, and would therefore have the same means of communicating from station to station for the regulation of their traffic as heretofore. As to the objection suggesting Government *espionnage*, that was rather an appeal to popular prejudice than the use of fair argument. In his business experience he had found that *espionnage* was not always confined to the action of Governments, though he believed that in the hands of the Government they would be safer from it than they were at present. In a recent transaction respecting the insurance of a vessel in which he was interested, he was able to obtain by a moderate fee such information from a telegraph clerk abroad as led to the detection of a serious fraud; and in this country he believed that the contents of telegrams were frequently communicated to parties interested in their contents, who were in that way able to obtain from the poorly-paid clerks information which defeated the object of sending telegrams at all. He hoped that too much weight would not be given to this objection, another answer to which was that, as the hon. Member (Mr. Graves) had suggested, a cypher might be used where secresy was desired. A fourth objection raised by the hon. Member (Mr. Leeman) was the interference of this Bill with private enterprize. Such an objection no doubt required due consideration; but the same might be said of the Post Office, which they would all regret to see in any other hands than those of the Government. A fifth objection—that the telegraphic system had grown and that rates had been reduced under the present management—was really no objection at all. In fact, it proved the case of the Government, and showed the growing requirements of the public. He hoped that when this Bill became law, as in this or the next Session he felt confident would be the case, the telegraphic system would continue to grow, and still more rapidly than before; that the Government would extend the system to every Post Office throughout the country; and, with regard to rates, that a 2*d.* postage stamp would in time cover a telegraphic message from any Post Office in the United Kingdom. The hon. Member (Mr. Leeman) appeared to speak from a narrow point of view and rather as a railway special pleader; and he regretted to see a Gentleman of his high standing and ability seeking to advance the interests of a no doubt highly important, but also from their wealth and influence and power of united action, a body which might easily become highly dangerous to the public weal, and who required quite as much watching as the Government did. The sixth objection advanced by the hon. Member was that telegraphs could never be used by the uneducated in the villages; but if poor people there could not write, it was surely a great advantage to them that they should be able to speak through the telegraph. [Mr. LEEMAN said, that what he referred to was their condition and pursuits.] That still left the argument that it would be useful to those who could not write. The hon. Member had said the scheme would not pay; but the Chancellor of the Exchequer ought to be a good judge on that point; and he had stated that it would not only pay the interest, but that there would be such a surplus profit as in twenty-nine years would clear off the entire capital debt. It was quite true the Government should not interfere with the interests of private persons; but he thought that subject to compensation of these interests they might do so for the sake of an immense public advantage. The hon. Member had also objected to the course taken by the Government in asking the House to affirm the principle of the Bill before sending it to a Committee upstairs. On that point he took direct issue with the hon. Gentleman, and maintained that the proper course was, in the first place, to ask the House to affirm the principle of the measure.

MR. GOSCHEN said, that the hon. Gentleman who had just sat down (Mr. T. Cave) had not treated one of the objections of the hon. Member for York (Mr. Leeman) with the consideration which it deserved—namely, that which related to inquiry into the subject. He regretted that the Chancellor of the Exchequer, on both occasions when the Bill had been before the House, had felt himself under the necessity of curtailing his observations, and therefore had not been able to do full justice to his own proposal. On the occasion when the Bill was introduced there had been no discussion at all, and to-day the right hon. Gentleman had felt it necessary to be somewhat brief in his remarks on a subject, the importance of which, whatever their opinions might be as to the merits of the Bill, no one would undervalue. The right hon. Gentleman had attached too much importance to the petitions presented in favour of the Bill, though in the spirit of those petitions he (Mr. Goschen) quite concurred. It might be that it was desirable that this Bill should pass into law. But at present the House scarcely knew enough to affirm the principle of the Bill. He should not have felt able to vote against the measure if the hon. Member for York had persisted in his intention to move that the Bill be read a second time that day six months, because that would have been a declaration against the principle of the measure. But it appeared to him that it would be better that the whole subject should be referred to a Select Committee than that the Bill, in its present form, should be so referred; and for this reason, that if the Bill was referred to a Select Committee, it must of necessity be a hybrid Committee. It was necessary that the question of compensation to the companies should be dealt with very carefully. If they looked to the great importance of the measure, he maintained that it would be impossible without precedent that a proposal of such magnitude should be accepted without previous inquiry into the matter. He wished the House to understand that he was by no means hostile to the Bill; but there were many difficulties connected with the subject which ought not to be merely argued by counsel before a hybrid Committee, but the policy and expediency of which ought to be decided by the House. The Chancellor of the Exchequer had pointed out the importance of this Bill to the State as a financial measure. Well, that was a subject which could be argued better in the usual Select Committee than in a hybrid Committee, and it was a matter which would require the most serious consideration. The Committee would have to determine how far it might be wise to run the risk of loss to the State. The policy of the Government dealing with matters of private enterprize would also come under the general head of inquiry; but what he feared was this—that if the Bill were read a second time, the discussion on the principle would be considered at an end, and the main points to be afterwards argued would be with regard to the mode of purchase. He did not think that they had as yet arrived at the condition at which they were able to decide whether there should be purchase or not. He agreed with the right hon. Gentleman the Chancellor of the Exchequer in thinking that the country was in the main in favour of the principle of the Bill; but he doubted whether all the difficulties in connection with the subject had been properly thought out. It would tend ultimately to the success of the measure that these matters should be inquired into, and that any difficulties which might exist should not be slurred over at this time of the Session. He put it to the House whether they thought it possible that this Bill should pass into law this Session; for they might judge from the speech of the hon. Member for York (Mr. Leeman) what a strenuous opposition would be offered to it. The Chancellor of the Exchequer had suggested that, in dealing with private interests, it was better to settle the matter at once than keep it in suspense for another year. There was something in that argument; but still he thought it was too late to proceed with the measure now. It was scarcely possible that a Bill dealing with such vast private interests should pass into law in the course of six weeks or two months. He agreed very much with what had been said by the hon. Member for Liverpool (Mr. Graves) that they could not exaggerate the importance of pushing the telegraphic system into every quarter of the country where it was possible. He did not think the hon. Member for York had done justice to the argument of the importance of such extension not only to trade, but to those whom trade supplied, when he contended that it was not so necessary to carry our telegraphic communication into remote places as some people believed. An immense importance was attached to the Bill by the great wholesale houses, who thought they could serve their customers cheaper, as they could economize capital, and need not keep as much stock on hand; nor did he doubt that this could be done without any loss to the State. He believed that Mr. Scudamore had been very moderate in his suggestion, and that the amount he calculated upon would be realized. The surplus of £210,000, estimated by the Chancellor of the Exchequer as accruing to the State, arose, he presumed, from the charge of 1*s*. He was himself much in favour of a uniform rate; and there would possibly be less enthusiasm for the Bill amongst the commercial circles of our large towns if they anticipated that the result would be to enhance the rate of charge. In a very short time, probably, the returns would be such as to make the maintenance of the 1*s*. rate needless, and enable the charge to be reduced to 6*d*. He did not attach much weight to the argument of the companies that, owing to the large number of circulars sent by post in this country, the proportion between letters and telegrams in Belgium and Switzerland afforded no criterion; for he believed that, as soon as people got accustomed to them more money would be spent in telegrams in England than in other countries. The more the charges were reduced the more, he felt confident, would telegraphic communication be resorted to; and he did not think Mr. Scudamore's calculations were too sanguine. He believed that telegraphic communication was at present insufficient, that its extension was desirable, and that such extension under good management would prove remunerative. On those points, the weight of argument seemed to him to be all on one side. He was not, however, inclined to think that the working of the telegraphs in remote villages would be found so easy as some Members supposed; and he thought the House should be informed of the means by which, in the belief of the Post Office authorities, the system could be carried on. As to secresy, greater precautions would have to be taken than were embodied in the Bill. The Post Office, no doubt, stood deservedly high in the estimation of the public; and when engaged in business he was struck by the rarity of cases of miscarriage or of blame being due to it. Indeed, he was convinced that the transfer of the telegraphs to any other Department would have encountered much more strenuous opposition. Now, the Bill incorporated the Electric Telegraph Act of 1863, thus applying to the Post Office the same precautions that were applied to the companies. He did not think there was likely to be any difference in point of discretion or virtue between Government clerks and companies' clerks; but there was a great difference as regarded their employers. A Government might have so great an interest in knowing the contents of telegrams and in applying to its own servants for valuable information, that clauses ought to be framed which would render such a course improbable or dangerous. By the Act as it now stood, ny person divulging secrets intrusted to him for telegraphic conveyance was made liable to a fine of £20; but there were many secrets the divulging of which would be very inadequately punished by such a penalty, and he believed it would be necessary to make this offence a misdemeanour. He did not, indeed, apprehend a systematic disclosure of messages to the Government as was done on the Continent; but stringent precautions ought to be taken against any occasional instances of it. Another defect which he noticed in the Bill was that there was nothing to compel the Government to forward messages. At present the competition between rival companies afforded sufficient protection to the public on this head, and no doubt as a general rule the Government would desire to make as good a revenue as possible; but other motives might come into play which would more than counterbalance this. Under the Act of 1863 the Secretary of State might, by warrant, whenever it was expedient for the public service, take possession of the companies' works and make use of them for Her Majesty's service, the warrant requiring renewal, however, at the end of a week. Now, security must be taken against the permanent operation of such powers, and against allowing a postmaster at his own discretion to refuse at any time to transmit messages. These matters had not been considered sufficiently in the Bill before the House, which deserved the most serious consideration, and was worthy of the most serious inquiry. The principle of the Bill might be easily decided on; but weeks might be necessary for the due examination of the clauses and details. It appeared to him that there was no chance of passing the Bill this Session, and, regretting that this was the case, he should vote for the Amendment of the hon. Member for York.

Sir STAFFORD NORTHCOTE said, that the speech of the right hon. Gentleman (Mr. Goschen) threw a light upon a circumstance which occurred in the early part of the debate, and seemed rather peculiar. The hon. Member for York (Mr. Leeman) had given Notice of his intention to move that the Bill be read a second time that day six months. That was a natural course for him to take, because the hon. Member objected to the Bill, and wished to get rid of it. But some intimation appeared to be conveyed to him from other parts of the House and from right hon. Gentlemen on the front Opposition Bench, that they were not prepared to support him in his Amendment. Strangely enough, after the hon. Gentlemen had declared against the principle of the Bill, he sat down without moving his Amendment at all, but got up to move instead, without explanation, that the whole subject be referred to a Select Committee. It was observed that the right hon. Gentleman (Mr. Goschen), who approved the principle of the Bill, and had argued in favour of it, handed to the hon. Member for York the terms of the amended Notice that he was to give. It was clear that some telegraphic communication had been passing between the Benches opposite which had rapidly altered the strategy of the hon. Member for York, and he congratulated the hon. Member on the promptitude with which he had executed a "change of front" on a very short notice. The hon. Member equally obtained his object whether his original Motion that the Bill be read a second time that day six months were carried, or his amended Motion that the whole subject be referred to a Select Committee. Practically, the result was the same, the only difference being that he would have had a difficulty in carrying his original Motion, but that he expected to get a large number of Members to vote for the amended Motion. The right hon. Gentleman thought there would not be time to pass the Bill this Session. That might be a very good reason for putting the Bill aside and getting rid of it; but it was not fair on the part of those who held this language to come forward and declare that they approved the principle of the Bill. The course which the right hon. Gentleman recommended had not been pursued in the analogous case of the Post Office Savings Banks Bill. His argument was that the Post Office Department were not such good judges of the mode of administering the details of the measure as a Select Committee of that House; but he contended that many of these matters were far better understood by the Executive Government, and might safely be left to the Department. It was incorrect to say that this measure had been hastily dealt with, because it had been under the consideration of the Government for a great length of time. Two years ago, when he was at the Board of Trade, this was one of the first matters brought under his notice. It was discussed by the public Press, and it could not be said in any sense to come as a surprise upon hon. Members. The House was prepared to discuss the principle, and was in possession of quite sufficient facts to enable it to discuss all the questions raised by the Bill. He thought that the hon. Member for Barnstaple (Mr. T. Cave) in a few sentences had completely answered the objections raised by the hon. Member for York. The right hon. Gentleman (Mr. Goschen) said it was impossible the measure could pass this Session; and, no doubt, if the right hon. Gentleman and his Friends were determined it should not pass, they would have very considerable means for preventing it. Certain matters might be referred to a Select Committee, but was not the general sense of the House in favour of the main principle of the Bill? If so, was it not fairly probable that, with a business-like treatment, the Bill might be passed during the present Session? All the questions which had been raised could be dealt with — some by the Committee of the Whole House, some by the Committee upstairs, and some when the Money Bill, which would have to follow this measure, was before them. Only let the House be told on what footing the question really stood; because it would be much fairer if those who wished to throw over the Bill voted for the original proposition to postpone it for six months than to vote for referring the whole subject to a Select Committee, which amounted practically to the same thing. The effect of that would be to cause a considerable inconvenience, so he was informed, to the telegraph companies. It kept them in a state of agitation and uneasiness for an unnecessary length of time, and it deferred a great social improvement, on which he believed the mind of the country was set, and which he believed would be very advantageous to the public; and all for a very insufficient and, to him, incomprehensible reason. The hon. Member for York (Mr. Leeman) had spoken of that as a measure which would be of use only to a very limited portion of the community, because very few people used the telegraph now, and he instanced the village tradesmen as not being likely to avail themselves of it. Now he (Sir Stafford Northcote) maintained that those were just the people to whom it would probably be a benefit if they could introduce the telegraph to every village and corner of the country. He could mention to the House his own case and that of others who were similarly circumstanced — namely, they were constantly in communication with a neighbouring town some miles distant, and the services of the tradesmen of which they occasionally required very rapidly. Where they had to write a letter and wait for an answer next day, they did not avail themselves of the services of those tradesmen; but if they could telegraph for the plumber, the glazier, or the blacksmith to go to them at short notice they would be glad to do so. Thus the system would be found to work in and extend itself in a very extraordinary manner. The argument of the hon. Member for York might have been urged, as he dare say it was urged, against the penny post. It was said they were sacrificing the interest of the country for the sake of the comparatively few people who wrote letters; forgetting that when they had the advantage of the lower rate of postage hundreds and thousands of persons would write letters who never wrote them before. So he believed it would be in the case of the electric telegraph when its advantages were held out to the country. For those reasons he opposed the Amendment, and he earnestly hoped that the House would assent to the Motion for the second reading of the Bill.

MR. CRAWFORD said, he would give no mere party vote upon that occasion;

but he confessed that he had never, in a tolerably long experience, felt so much difficulty in coming to a conclusion on any subject as he had done in reference to that Bill. As the representative of a great commercial interest, he ought to be one of the last persons in that House to interfere with the due progress of a measure calculated, in the estimation of those who proposed it, to confer a great social and commercial benefit on the community. At the same time he must claim the privilege of considering how far the measure was likely to effect the object for which it was introduced. He was one of those who were charged with the care of the interests of the telegraph companies whose property was about to be taken from them, and he was exceedingly desirous that the whole of the facts and circumstances on which that proposal rested should be clearly understood, not only by the House, but by the country, before they came to a decision upon it. It was appalling to look at the amount of literature on that subject with which they had been deluged. First they had a paper from Mr. Scudamore, and then one from Mr. Grimstone on the part of the telegraph companies. Then came a rejoinder by Mr. Scudamore, and another by Mr. Grimstone; and it was somewhat remarkable that there was not one fact stated by one of those two gentlemen which was not denied by the other. How was the House to judge in that matter? He claimed on the part of the public that they should not be led into a premature decision of that question. The only fair, legitimate, and proper manner of arriving at a decision on its merits was by having not the Bill only, but the whole subject in all its details, thoroughly threshed out in a Committee upstairs. For that reason he had cheerfully seconded the proposal of the hon. Member for York (Mr. Leeman), that the expediency and the policy of that measure should be referred to a Select Committee. He could not have seconded his hon. Friend's original proposal that the Bill should be read the second time that day six months. He had been gratified to witness the eager and ardent manner in which the Secretary of State for India supported that proposal for taking into the hands of the Government the whole telegraphic system in England; but he could not help remembering that the other day, when he went with a deputation to ask him for a very moderate amount of assistance towards establishing improved telegraphic communication with the East the right hon. Gentleman met them with a blank refusal. The apparent inconsistency thus displayed tended somewhat to detract from the force of the right hon. Gentleman's arguments on the present occasion. The Post Office savings banks had been referred to; but there was a vast distinction between them and the present proposal. In the former case there was no attempt to deal with private property; whereas they were now asked to deal with an immense amount of such property, the owners of which, according to all precedent and justice, ought to have an opportunity of stating their case before a Committee. It was rather late in the day to go into the general question; but he wished distinctly to say that he was not then prepared to express any opinion on the principle of the Bill. He wanted to see what the real facts were. Mr. Scudamore had mounted on a hobby, and when a great man did that he was apt to be rather enthusiastic. On the other hand, Mr. Grimstone opposed, tooth and nail, everything advanced by Mr. Scudamore. He therefore wished to have the counter-statements of those gentlemen confronted and thoroughly examined in a Committee upstairs. A statistical comparison between this country and Belgium and Switzerland had been adduced; but the circumstances of those countries were not quite analogous. Our Post Office carried an enormous amount of what he must call trash; and much matter of that description was delivered by it for himself at his place of business, also at the Bank of England, and at his private residence, and likewise at his club. Some of these communications consisted of letters begging him to go to some charitable dinner or other, a matter in respect to which he was glad to observe in the Press that day the expression of an independent opinion; while others of them perhaps invited him to visit an Idiot Asylum. He might safely assert that the rubbish brought to him through the post in that way exceeded the number of real *bonâ fide* letters in the proportion of at least five to one. He would like to see these things inquired into, in order to ascertain whether the comparison between the quantity of letters carried in this country and in Switzerland and Belgium would really hold good. He wished, he might add, to know whether, in the event of the Government becoming possessed of the property of the telegraph companies, they would have, in addition to those lines of wire which the railway companies were permitted to use for their own purposes, a complete monopoly of telegraphic communication throughout the country? Would they, for example, take charge of those messages which were brought into the country by the submarine lines, such as the Atlantic Cable? If the answer to that question should be in the affirmative, he did not exactly see how they would very well be able successfully to conduct the amount of business which would thus be thrown upon their hands. Again, he understood that part of the work done by the telegraph companies consisted in supplying the London and other newspapers regularly with information as to proceedings which might have arisen in the country. He was told, for instance, that when the First Minister of the Crown visited Edinburgh last year the whole of the speech which he delivered there was transmitted to London by a telegraph company for the use of the newspapers. Were the Government prepared in like manner to undertake the business of reporting? If so, was it probable that they would report the speech which had been delivered the other day by his hon. Friend the Member for Birmingham (Mr. Bright), at Liverpool, with the same exactitude with which they would have given that of the Prime Minister? The subject was one in which the public was much interested, and, believing that it was one into which further inquiry was desirable, he should vote for the Amendment of his hon. Friend the Member for York.

MR. LIDDELL, having observed that the confidence which was reposed by the public in the mode in which the commercial affairs of the country were conducted by private companies was very great, said he thought further time should be allowed the public outside to express an opinion upon a measure by which it was proposed to make considerable inroad on that feeling, and with the extent and cost of the operations of which they were as yet unacquainted. The only great commercial concern in which we had experience, he added, of Government management was the Post Office, and it was not a satisfactory proof of their fitness to carry other commercial undertakings to a successful issue that that Department had remained for so long a time unprofitable in a monetary point of view, as had been stated by the hon. Member for York (Mr. Leeman). The object which the Government sought to attain in reducing the charge for telegraphic communication was no doubt a good one, and the concentration of the various lines in one hand would no doubt facilitate that object; but then he should like to know whether the telegraph companies had hitherto shown that they were adverse to making such a reduction. Until a proposition of that kind was made to them and they refused to accede to it, he could not help being of opinion that their property ought not to be taken away from them in the hurried manner proposed. In making these remarks he must not be understood as speaking against the principle of the Bill, but only as arguing in favour of that full inquiry which the whole subject and the policy of this measure ought, he thought, to undergo at the hands of a Select Committee.

MR. GLADSTONE said, he rose to take part in the discussion chiefly in consequence of the speech which had been made by his right hon. Friend the Secretary for India (Sir Stafford Northcote), who he regretted should have thought it discreet or expedient, in dealing with a measure such as that under discussion, to speak of those Gentlemen who sat on the front Opposition Bench as acting in a body with a purpose *prèpense* to defeat the Bill. Against the use of such language he desired to enter, in the most distinct terms, his protest. So far as he was aware, those Gentlemen who at that moment occupied the front Opposition Bench were divided nto two classes. One of them comprisedi the hon. Member for York (Mr. Leeman), who founded his objections to the Bill on the broadest basis which could be conceived. He knew that other Gentlemen in the House took the same view; but he had not himself that knowledge of details possessed by his hon. Friend, which would lead him to the conviction that the Bill now proposed was incompatible with the safe and satisfactory working of the railway system. He certainly approached the Bill with favourable prepossessions, expecting to find a practical measure; but he was not to be induced to accept advice that he did not think was good advice in regard to the mode of proceeding with reference to it. He was not convinced that the subject was sufficiently advanced for legislation. The Chancellor of the Exchequer had expressed his opinion with a care proportionate to the difficulty of the question; but, considering that the matter had not gone through the ordinary process of inquiry previous to legislation, it was not possible for a complete case to be made out without many questions, which the Chancellor of the Exchequer, as well as his right hon. Friend the Secretary of State for India, had left untouched, being entered on. The Secretary of State for India had not given them the smallest light on any of those questions in the course of his speech. He (Mr. Gladstone) did not now speak of executory difficulties. He thought that it was quite evident, as regards a very large proportion of the country — namely, the population not dwelling in towns—that the present system of electric telegraphy was exceedingly defective. It was maimed and crippled in every point, from a want of independent and effective means for the distribution of messages. Messages were delivered as best they could, with great delay, and at heavy cost. It was also quite obvious that the Post Office possessed machinery which would afford immense facilities for the distribution of telegraphic messages, if there was no objection to it. An argument to which he attached considerable weight was that the business now carried on by a multitude of establishments competing at different points might be carried on by a single establishment more efficiently and at less cost. These were strong arguments for entertaining the question. And he was not free from official responsibility in the matter. He had very willingly and zealously promoted all the official inquiries that could tend to bring the matter into a state that would make it ripe for legislation. He felt great confidence—founded on experience—in the efficiency of the Post Office authorities generally, and more especially of that distinguished public servant, Mr. Scudamore, who had, perhaps, had more to do than any other person with the recent development of the Post Office for secondary purposes. He did not doubt at all that the promises in Mr. Scudamore's Report would be realized and fulfilled. He was ready to place confidence in the calculations presented to them on the part of the Government relative to the return to be obtained after payment of expenses, and he saw no difficulty in the financial part of the question respecting the means of providing the capital necessary for the purchase of existing interests, and the fresh investment of capital that might be required. But there were a number of questions that had not yet undergone elucidation, and which the right hon. Gentleman the Chancellor of the Exchequer might be reserving for his reply; but they were of such a character that the House was justified in asking that a clear light should be thrown on them, even before being called on to assent to the principle of the Bill. Serious difficulties, as yet unelucidated, were more matters for a Committee on the subject than for a Committee on the Bill. One question was—could the telegraphic system be given to the Government without giving the Government a monopoly? If, however, the Government obtained a monopoly, a great deal might be said in favour of their possessing it, upon the same principle as they had the management of the Post Office. But the Bill did not go to that extent; and the question was an exceedingly large one. Another question which arose was, whether there was any serious objection to a system which placed under the control of the Government that portion of the correspondence of the country which was open to the eyes of those who transmitted it. It was a serious question. He was far from saying they would not get over the difficulty; but it was a serious and broad question, and a Committee on the Bill would find themselves in rather a false position in examining such a question, because it was one which more properly fell under the cognizance of a Committee on the subject. Was the Government competent to manage a system like that of the telegraphs, if it should be found to involve the necessity of working, not merely a fixed tariff and fixed regulations, as was the case at the Post Office, but also of dealing largely with discretionary arrangements with the conductors of the Press and others, analogous to those between railway companies and the people in business for whom they conveyed goods? He believed that the present telegraphic companies, besides enforcing their ordinary fixed tariff, undertook other business, such as the collection of intelligence, which was conducted under voluntary arrangements; and he owned that, however he might be disposed to commit to a Government Department the transaction of business fixed by a tariff, he thought they should hesitate before they resolved to engage it in a work which required the exercise of that discretionary power. Again — though this might appear like an old woman's apprehension—

was it perfectly clear that the transmission of political intelligence—especially during the time of a General Election—could be safely confided to Government officials dismissible at pleasure? The mere order of priority in the delivery of intelligence might involve the most important political consequences. Was it quite clear, too, that a Department of the Government could be properly charged with the duty of considering and accepting or rejecting all supposed improvements in the system of telegraphy? He by no means gave an adverse opinion on these points; but he wanted light and knowledge. But examination was required to satisfy the House whether they could throw into the hands of the Government the main and principal charge of a system of this kind, in which science was continually bringing to bear on executory arrangements all the results of the active human mind. There were many matters connected with the Bill which, quite apart from any hostility to it, opened a wider inquiry than could be dealt with by a Select Committee upon the clauses, which must become a Committee on the whole subject raised by the hon. Member for York.

MR. AYRTON said, the first suggestion of the hon. Member for York (Mr. Leeman) was that the House should express an opinion upon the policy of the Bill; but, in compliance with the feeling of many Members on that side of the House, he concluded with a Motion that the House should not express any opinion upon the policy of the Bill. Thereupon the right hon. Baronet (Sir Stafford Northcote) took an extraordinary course, for he declined to discuss this proposal, because it might have the same effect as one to postpone the second reading for six months. He could only account for this course by supposing that the right hon. Baronet was unable to deal with the considerations involved in this question. As one of the Railway Commissioners, he could not help remembering that a literary agitation was got up which suggested that the purchase of the railways in this country by the State would be a panacea, and that some gentlemen in the Post Office were active in that agitation.

Debate *adjourned* till *To-morrow.*

QUARANTINE AT SUEZ.—QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask the Secretary of State for Foreign Affairs, Whether it is the fact that five days' quarantine have been imposed at Suez upon Officers and Men of the British Army returning from Abyssinia; and, if so, whether he will endeavour to obtain the removal of an impediment to the immediate transmission of the Men to a more invigorating climate, which may otherwise operate in so injurious a manner upon the sick and wounded of the British Troops?

LORD STANLEY said, in reply, that in April last the Egyptian Board of Health imposed five days' quarantine upon all vessels arriving at Suez from ports in the Red Sea; that quarantine to continue during the usual period of the return of pilgrims from Mecca. That arrangement would undoubtedly, if carried into effect, have imposed considerable hardship on British officers and men returning from Abyssinia. In consequence, however, of the representations of the British Consul to the Egyptian Government, permission had been obtained that they should be forwarded from Suez in trains provided for the purpose without any delay.

CASE OF MR EYRE.—QUESTION.

MR. LAMONT said, he would beg to ask the First Lord of the Treasury, Whether Her Majesty's Government now consider that the criminal prosecution against Mr Eyre has concluded; and whether they are prepared to defray the legal expenses Mr. Eyre has incurred in defending himself?

MR. DISRAELI: Sir, the first part of the inquiry of the hon. Gentleman as to whether the criminal prosecution of Mr. Eyre has concluded is one upon which I really cannot give an opinion. It is purely a matter of law, and upon such a point my own opinion would not be worth anything. With regard to the latter part of the question, I may say that, after the indictment against Mr. Eyre was thrown out by the Grand Jury, the Secretary of State, in accordance with an engagement expressed in the Despatch of his predecessor, dated February, 1867, that when the prosecution was concluded the Government would consider the question of reasonable expenses incurred by ex-Governor Eyre, wrote to that gentleman, and requested him to send a statement of the amount of those expenses.

Mr. LAMONT: Do I understand the right hon. Gentleman to say that Her Majesty's Government will protect Mr. Eyre against further proceedings by the Jamaica Committee?

Mr. DISRAELI: I must decline to give an answer to a hypothetical question. When the circumstances occur Her Majesty's Government will consider them, and be prepared to give an opinion.

Mr. LAMONT: The Answer I have received not being what I was led to expect, I shall not withdraw the Motion of which I have given Notice, but shall postpone it till Friday.

Colonel BROWNLOW KNOX: I should like to ask the right hon. Gentleman, Whether, in his opinion, Mr. Eyre is already protected by the Act of Indemnity passed by the Jamaica Legislature, and confirmed by an Order in Council; and, if not, whether it is the intention of the Government to bring in a Bill of Indemnity to protect him against further persecution by the Jamaica Committee or other persons?

Mr. DISRAELI: I am sure my hon. and gallant Friend will, upon reflection, feel that a Question of this importance ought not to have been put without Notice having been given.

METROPOLIS — THE COLONNADE OF BURLINGTON HOUSE.—QUESTION.

Mr. BENTINCK said, he wished to ask the First Commisioner of Works, Whether he is willing to withdraw from public sale the materials of the Colonnade and the Gateway of Burlington House?

Lord JOHN MANNERS said, in reply, that instructions had been given yesterday to withdraw the Colonnade and Gateway of Burlington House from the sale by public advertisement.

ASSISTANT BOUNDARY COMMISSIONERS.—QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the Secretary of State for the Home Department, If he has seen a letter in *The Times* of yesterday from one of the Assistant Boundary Commissioners? He wished to know if one of the Assistant Commissioners was at liberty to write such a letter for publication in the newspapers, whether it would not be better at once to have the Reports of all the Assistant Commissioners on the Table?

Mr. GATHORNE HARDY said, in reply, that a Motion had been made for the production of the Reports of the Assistant Boundary Commissioners, and they would shortly be laid on the table.

LAKE SUPERIOR AND THE PACIFIC, &c.

MOTION FOR AN ADDRESS.

Sir HARRY VERNEY, in rising to move—

> "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into and report upon the capability for settlement and the best means of settling Her Majesty's Territory lying between Lake Superior and the Pacific, especially as to the provision for Telegraphic and other Communication through Her Majesty's Dominions from the Atlantic to the Pacific Ocean"—

said, the subject to which he invited the attention of the House affected territory extensive enough and fertile enough, according to the best authorities, to support a population as large as that of England, and it involved also the performance of a positive duty. This country was not justified in holding possession of vast regions and allowing them to remain in a lawless condition. It was incumbent on us to do what we could to afford protection to our fellow-countrymen and fellow-subjects in the countries that extended from Lake Superior to the Rocky Mountains, and also to use our endeavours to civilize and christianize the Indians who roamed over them. And it was our interest also to do so; for not only were the countries to which he referred very valuable for their natural productions, but they bound together the Eastern and Western portions of British North America. The best communication from the Atlantic to the Pacific was through them, and the shortest way to China and Japan. There was no doubt that the communication with Eastern Asia would be by the regions to which his Motion referred; whether they would remain under the British Crown would depend on the measures taken or sanctioned by that House. The territory from Lake Superior to the Rocky Mountains might be made very valuable to us in another point of view. What was the chief source of anxiety and danger to England at this time? Was it not hostility on the part of the Irish in Ireland and in the United States? And what did the Irish want? They wanted land? They left their homes and reached Nova Scotia and Canada, but they did not easily obtain fertile land in those countries; they passed through them, and in some of the Western of the United States, they obtained the land which they desired, and they settled there, too often with feelings embittered against or hostile to England. But between Lake Superior and the Rocky Mountains were millions of acres as fertile as any in the United States, and which it was our interest to give to emigrants from Ireland, Scotland, or England, at the cheapest rate; and, instead of hostile Irish in the United States, we should have loyal Irish in the New Dominion. The Irish in British North America were perfectly loyal; they enjoyed every freedom that good government could insure; and their countrymen, located on the rich lands in the regions of which he was speaking, would be loyal too; and the formation of only 200 miles of road would render their country accessible through British territory during eight or nine months of every year. Nature afforded remarkable facilities for water communication through these territories, across the whole continent of North America, by means of the St. Lawrence, Lake Ontario, Lake Huron (which it is proposed to connect by a ship canal) and thence to the western shores of Lake Superior. By means of this system of communication, the produce of the territories would be brought, without transhipment, from the North Western States of the Union, as well as from the New Dominion, to Liverpool; and it was worthy of remark that so important was this communication considered in the United States that half the capital required for the Ontario and Huron Canal would be subscribed by American citizens. This carried us halfway to the Rocky Mountains. The rest of that territory, from about the 90th to about the 117th meridian of longitude, consisted chiefly of the hunting-grounds of the Hudson's Bay Company, the greater portion of which was very rich land for agricultural purposes, and was called the Fertile Belt. The Red River, the Assiniboine, and the Saskatchewan watered those regions. There buffalo were found in abundance, and there the Indians hunted. The Hudson's Bay Company's servants had always been on good terms with the Indians, while the citizens of the United States had too generally been engaged in hostilities with them. But it must be remembered that the Hudson's Bay Company and the Indians had had the same interest — that the country should remain unsettled, the hunting-ground for the Indian, the resort of fur-bearing animals for the trapper. Whoever sought to settle the country, whether our own people or any others, must not expect the same amicable reception from the Indians as that which the servants of the Hudson's Bay Company had met with. The difference of King George's men and Boston men, hitherto maintained so much to our advantage, would not always be recognized. The Hudson's Bay Company's servants had brought to the natives those few products of civilization desired by them, and had received in barter all that they had to exchange. Settlers would destroy the hunting-grounds of the Indians, and would not be their customers for what alone they had been able to supply. Whoever the colonists and settlers in those regions, they would probably encounter difficulty and opposition from the Indians who roamed over them. Those difficulties would be made more serious; they might even deter colonists intending to resort there from Canada or Great Britain if the country were left without responsible rulers. People might be found who would think it their interest to prevent our fellow-subjects colonizing those countries, and who might prompt the Indians, and covertly aid them in their hostility. It appeared to him that the best chance of averting such evils would be afforded by having responsible authorities on the spot to negotiate with the Indians, and who should be armed with power to enforce law and afford protection both to natives and settlers. An offender was lodged in gaol at Fort Garry, the Red River Settlement, some few months since, and the following night the gaol was broken open by an armed mob and the prisoner released. The Government there was powerless, and the inhabitants of the settlement were, as he thought they had good right to be, very discontented. There was also much discontent in British Columbia and Vancouver Island. Those distant possessions of the British Crown felt themselves neglected. They were as yet loyal to her Majesty; they wished to be united with Red River and Canada, and to form an integral portion of British North America. One object of his Motion was to determine the best line and mode of communication between these colonies, now so widely separated, and to establish that which was the most desirable. He would not venture an opinion as to which was the best pass across the Rocky Mountains. Many had been examined, and he believed that we should obtain much more information respecting them. An enterprising and indefatigable explorer, who spent some years in examining the country at his own cost, had pointed out that which he considered to be the best, and he read an instructive paper on the subject at the Geographical Society early this year, and his opinion was also that of the latest authorities. Our information with respect to those countries was still imperfect; but we knew far more than we did at the time of the Ashburton Treaty, and when the boundary line was drawn. Our ignorance at that time had cost us the loss of extensive and valuable territory. He was himself in the Pacific nearly forty years since, and one of the routes which he might have taken to the Atlantic coast of America was by the Columbia river; according to the best map then procurable, *Bruce's Atlas*, it was the boundary of the British possessions. That which was now Washington State was laid down as British territory, and San Juan, an island in British waters. And now the United States had purchased the Russian territory of Alaska, to the north of our own territory, which ought never to have been Russian; discovered and named by Captain Cook and by Vancouver, but apparently never valued by our Government, while perhaps the Hudson's Bay Company were satisfied that the seaboard of the vast regions which supplied their trappers and hunters should be in the hands of any rather than of enterprizing British settlers and colonists. That purchase might, perhaps, suggest to the inhabitants of British Columbia the facility with which they might be assailed, and their allegiances ought not to be forcibly transferred from Great Britain to the United States. He did not believe many hon. Members would permit such a transfer, or would hesitate to go to war if necessary to prevent such a conquest, and to protect our loyal fellow-subjects and their homes; our colonies were now fortunately under a Minister personally acquainted with the Queen's North American possessions, and therefore, he hoped, quick to discern and prompt to resist any attempted violation of any portion of them. His object in bringing this subject before the House was that the Government might be urged immediately to adopt measures that would prevent any doubt existing on the part of our fellow-subjects in British North America respecting our sympathy with them, and would also put a stop to any depredatory measures on the part of our neighbours who might cast a wistful eye on countries whose value England seemed to ignore. He desired to maintain the most friendly relations with the United States. Not only did the welfare of both countries depend on it, but the advance of every great and good object—political, moral, and social, throughout the world. But friendly relations could only be secured by a clear understanding with the United States that we do not seek to obtain their territories, and that we will not permit them to take ours. Portions of their country would be very convenient and desirable to us; but we took no steps to possess ourselves of them. They also, no doubt, desired to have portions of ours, and naturally the very portions of value to our fellow-subjects. We, however, desired to render them still more valuable, and were not content to part with them. If citizens of the States cross the boundary from Minnesota, Dacotah, Montana, and Washington, they come into our country and place themselves under British law. It was an indisputable fact that Americans continually crossed it, and it was possible they would do so in such numbers as to make it difficult for us to retain the country in case of war with the States. Already rumours had arisen on that subject, though from quarters entirely unauthorized. He wished to avoid that and every other cause of disagreement with the States. The States had territory enough, and so have we. If we adopted the right measures to establish and maintain our authority the opinion of the world would be with us in case any question should arise as to our territorial rights. We might even assume that the Government at Washington would restrain their own citizens in any aggression; but if we permitted the settlement of foreigners in our colonies and did not maintain our Sovereign rights, we could not complain of the consequences of such settlement. British authorities in America, Colonial Ministers at home, the Government of the United States, and commercial bodies in both countries had all given attention to this subject. [The hon. Baronet proceeded to read extracts from official papers to show that whatever may have been our ignorance in times past we now know that on our side of the boundary, between Lake Superior and the Rocky Mountains, we possess vast regions extending over millions of acres, perfectly well adapted for settlement and cultivation; that the best communication from the Atlantic to the Pacific Ocean is through them; that they are watered by navigable rivers, affording the most easy and cheap transit to near the foot of the Rocky Mountains; that there is an easy pass across that mountain chain into British Columbia; that water and road communication can be opened at a small expense; that companies, consisting of wealthy and responsible men, partly American citizens, partly our own fellow-subjects, are willing to undertake and execute such works; and that when completed they would render it still more the interest of the States and of ourselves to live at peace with each other.] Surely we might believe that the power to wield such influence, to people, inhabit, and rule over these territories, had not been committed to us in vain. They were great talents. Were we not responsible for improving them? Should we not seek to carry into those countries the best of whatever we had here; above all, whatever might be the institutions adapted to the state of society that existed there, that British authority and obedience to law should be gradually introduced. He did not suggest that British institutions should be planted in a soil perhaps not fitted to receive them; but he believed that, whatever they might be, if British authority would make itself felt the high character of our countrymen would pervade them. He earnestly desired that British truthfulness, fortitude, and energy, respect and consideration for the rights of others, that the principles of morality and religion—the best safeguards of all that we prize the most highly here—should be implanted there and have every opportunity to flourish and bear fruit to the honour of the country which was their parent, and the welfare of the inhabitants of those distant regions, and, if he might so speak with reverence, to the glory of God.

MR. KINNAIRD said, he wished to second the Motion, because having served for two Sessions on the Committee which sat on the Hudson's Bay territory, he could confirm the fact that so far from that country being wild and incapable of improvement, much of it, like the Saskatchewan Valley, was a splendid country, fit for habitation and settlement, and which would have been opened up long since by France, Prussia, Germany, or any other country but our own. It was a duty which devolved upon us to open it up, and one which ought not to be any longer neglected. It had been abundantly shown that, though covered with snow at some periods of the year, it contained deer, buffaloes, and other animals, and that it was capable of being made a very valuable territory. It would become one day the nearest route for the carrying trade with China and Japan, and knowing the immense value of that trade to this country, we ought to aid our Canadian fellow-subjects in obtaining a share of the benefit by directing some of the surplus capital of this country in the direction of those magnificent territories which, if much longer neglected, would soon become so peopled with citizens of the United States that, as in the case of Vancouver's Island, we should find one day that we had lost them. He was sure that, by wise and combined action with the Canadian Government, an immense mass of labour that in this country could not find employment, might be transferred to where it would be valuable both to the labourer and to the Empire. The United States, in the course which they had adopted with regard to California, had shown us an excellent example, and one which proved that if this question had fallen under their consideration, instead of our own, they would have dealt with it in a very different manner. The United States had constructed a railway direct to California, and were already doing much to develop the resources of that country. It was a reproach to us that the easiest access to our own Red River Settlement should still be through the United States by way of St. Paul's, when geographically a much nearer route might, at a trifling expense, be constructed from the head of Lake Superior, forming a link in the line of Pacific communication. We should be following a very unwise policy if we allowed such territories to slip out of our hands, by neglecting to encourage the Government of Canada to form a communication with the Pacific. He hoped that the Government would accede to the proposal of the hon. Baronet.

Motion made, and Question proposed,

> "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into and

report upon the capability for settlement and the best means of settling Her Majesty's Territory lying between Lake Superior and the Pacific, especially as to the provision for Telegraphic and other Communication through Her Majesty's Dominions from the Atlantic to the Pacific Ocean."—(*Sir Harry Verney.*)

MR. AYTOUN expressed a hope that Her Majesty's Government would not accede to the Motion for the appointment of a Royal Commission to consider the best means of opening up the country between Canada and the Pacific. There were two reasons which might induce us to extend our territory. The first was that our military positions would be improved, and the second was, that it would be for the benefit of this country. Now, instead of improving our military position, it was a self-evident proposition that by extending our territory without materially increasing the population of the country we should be weakening it. The great source of our weakness in Canada was an enormous territory, with a scattered population. As regarded the benefit to be derived by the people of this country, the hon. Baronet (Sir Harry Verney) thought it would be of great advantage to the Irish, who could not find land in their own country, to find as much fertile land as they could desire in this new territory which he desired to open up. He was in favour of inducing and helping the people of this country who could not find employment here to go to some other country, either to our own colonies or to America; but he could not conceive any necessity for looking for new territories when we had such abundance of unoccupied territory already waiting for settlement. Canada, at the present moment, cost us £1,000,000 a year; and, some time ago, the House voted money towards the construction of an extensive system of fortifications, which it was expected that the colonists would complete, but they had never taken any steps towards that object. Everyone knew that it was impossible to induce colonists to bear their fair share of burdens of this kind, and yet the hon. Baronet asked the House to assent to his Motion, which evidently had for its object to lead the way to a further increase of British territory.

MR. ADDERLEY said, the Government were by no means blind to the value of the territory to which the Motion of the hon. and gallant Gentleman (Sir Harry Verney) related; in fact, he doubted whether any portion of Her Majesty's colonial possessions had occupied to a greater extent the attention of successive Ministers for years past. At the same time the hon. and gallant Gentleman had correctly stated that there was not sufficient information upon the subject at present existing in this country, and not sufficient national appreciation of the value of this territory to cause the pressure that he believed would yet be exerted upon the Government to bring about a settlement of the question. A territory lying at the distance of half the globe from us was not one of which the colonization could easily be undertaken. He agreed with the hon. and gallant Gentleman that the country in question was of the highest value to the people of England, and particularly to the poorer classes and those who were pressed by narrow circumstances at home. No doubt, such a magnificent country must be opened, sooner or later, to the enterprize of mankind. The world was increasing so rapidly in population that a vast tract like that could not long be suffered to remain a wilderness and preserve for wild animals in the hands of a trading company. This great tract was to England what the Far West was to the United States, and ought to stand to it in the same relation. The United States derived their enormous vigour from the fact that there was no pressure for land, and that if poverty overtook a man in one quarter he could easily move off to another where there would be scope enough for his energies; and in like manner this vast territory, if freely open, would afford a similar outlet for poverty and social crowding in the narrow limits of this island. In the interests of our fellow-subjects across the Atlantic, also, it was essential that this vast district should be settled. We had already a very large colony to the west of the Rocky Mountains, and no one knew better than the noble Lord opposite (Viscount Milton), who upon this subject had produced one of the most interesting and able books ever written, how essential it was to the development of the mineral wealth of British Columbia that the agricultural country lying to the east of it should have its wealth also developed, the two together forming, perhaps, one of the finest dominions in the world, but each being supplementary to the other. The hon. and gallant Gentleman and his Seconder had both blamed this country for its remissness in failing to open up this region. It was rather the habit of Englishmen to say that any other country would act better than their own; but happily upon this point their practice always contradicted their theory; and he must remind those hon. Members that the difficulty in the present case had arisen from the subjection of the district during so many years to a great trading company. The first necessity in opening any great region of that nature was to place it under some settled government; for nobody could say that the government of the Hudson's Bay Company over Rupert's Land was of a character to attract enterprize or emigration. Moreover, the enterprize which would naturally lead to the opening up of such a country had been stopped and prevented by the system of the trading company. Even if a good government were established there the hon. and gallant Gentleman was rather sanguine in his expectations of a rapid settlement. Canada, even yet, was not fully settled, and persons possessing capital to invest in land were not likely to push into regions far beyond while as yet Canada, which lay nearer, remained partially unoccupied. The day was yet distant, even if negotiations were concluded, when that settlement could be carried out which the hon. and gallant Gentleman so sanguinely expected. But that was no reason why they should not take every requisite measure for the attainment of the object in view. The best access to the territory, he fully believed, was, after conquering one obstructive region, in our own hands. He had not the slightest objection to emigrants coming freely from the United States to occupy the country; on the contrary, he believed that we might with advantage draw supplies of men from all countries of the globe. Our trans-Atlantic cousins came from a good race; and there was no finer race for occupying new territory than the Anglo-Saxon. But the country must remain under the sovereignty of Her Majesty; that, of course, was essential, and he supposed there was no one present who would not make this condition a *sine quâ non*. There were one or two great natural difficulties to be overcome soon after leaving Lake Superior; but as soon as these had been conquered, the rest of the country lay fairly open; and he entertained no doubt that ultimately the direct route through the British dominions would become the great thoroughfare of the world across to the West. Supposing the marshes near Lake Superior, to which he had referred, to have been made passable, upon the authority of the noble Lord (Viscount Milton) he believed that the easiest country lay beyond, and we had possession of the two most practicable passes over the Rocky Mountains. But the first thing to be accomplished was to make arrangements with the Hudson's Bay Company, for it must be obvious that their system was an absolute obstruction in the way of British enterprize. He did not blame the Company in the slightest degree for the course which they had pursued. Consistently with their own trading purposes, they had carried on their operations in the most honourable manner, and had introduced a government as efficient as circumstances permitted in so wild a country. It was pretty clear, however, that another and a totally different kind of government must be established before the country could be opened up with advantage, and negotiations having for their object the assumption both of the property and of the government of this wide tract of territory were going on at the present moment with Canada. The Government to whom the proposition came considered it was essential that the right to govern and the property in the land should be in the same hands; that the territorial rights of the Hudson's Bay Company, now 200 years old, and asserted by high legal authority, should be handed over to the Canadian Government upon terms that were just to both parties. These negotiations were retarded by the prorogation of the Canadian Parliament, which would not meet again until November; but he could not help thinking that there was a fair prospect of the solution of this difficult question to the satisfaction of all persons concerned. If this were not so, other steps must be taken, which he would not attempt now to indicate; but he looked forward with hope to the success of the negotiations now proceeding. In the first settlement of a new country some assistance is generally necessary from the mother country. Canada must assume the relation of "mother country" to this territory, and no doubt Canada would assist it liberally in surveying and the construction of roads, railways, and telegraphs, and all the first outlay in occupation. Certainly England would not undertake so distant an enterprize; but her race must have gone back in vigour if her greatest colonies could not sub-colonize, as they often had done in the case of the now United States. The hon. and gallant Gentleman (Sir H. Verney) asked for a Royal Commission; but when he (Mr. Adderley) told him what had been done, he would see that they needed no Royal Commission; that information was not wanting, and that it was only necessary that the information in their hands should be applied. There had been a Select Committee in 1857, which recommended that the interest and wishes of Canada should be immediately consulted about the steps to be taken to extend, as they demanded, the Red River Colony. Then there were the elaborate Reports of Dr. Hind to the Canadian Government, and of Captain Palliser, who made scientific observations for the British Government, of the most elaborate and costly kind. He hoped that the hon. and gallant Gentleman would not press for a Commission to obtain further information, but would rather help the Government to make use of the valuable and full information already possessed. The negotiations to transfer both the territory and government of the Hudson's Bay Company to Canada would certainly be pressed to a conclusion as rapidly as possible, and he was sanguine that the result of them would be to promote in the most effectual way the important object the hon. and gallant Gentleman had in view.

Mr. CHICHESTER FORTESCUE said, he thought the right hon. Gentleman opposite (Mr. Adderley) had given too glowing an account of the important territory in question, and he could not agree with the right hon. Gentleman's opinion that the Hudson's Bay territory was to England what the Far West was to the United States. He did not think that the Hudson's Bay territory was our Far West. In fact, the whole of North America was our Far West, and Australia might be included under the head of our Far West. Hudson's Bay territory was indeed by no means the most important part of the Far West of England. As to the access to that territory, he had read most of what had been written on the subject, and he was of opinion that the great obstacle to the settlement of this territory had not been so much its possession by a trading company—which, no doubt, was a hindrance—as the difficulties of access interposed by nature between it and Canada. The arrangements of nature were most inconvenient, physical geography ran counter to political geography, and, in place of the extensive prairies of the United States, a region most difficult to traverse was interposed between the western extremity of Lake Superior and the valley of the Red River. It was by no means easy to establish continuous communication. Although the climate was extremely rigorous, and portions of the territory were unfit for human habitation, while the navigation of the Saskatchewan was so interrupted as to render the through passage of steamers impossible, there was yet a considerable extent of territory well fitted for settlement and colonization, which he hoped at no distant day would be peopled by British settlers. The question arose at whose expense this territory was to be opened up; and he was glad to hear his right hon. Friend say that the task of settling it would fall upon Canada. A section of the Canadian Federation Act provided for its admission into that Union; and pending the realization of settled government, it would naturally be admitted somewhat as "Territories" were brought under the Government of the United States. With this qualification he thought his right hon. Friend's statement on that part of the subject was very satisfactory. He perfectly agreed with the right hon. Gentleman the Under Secretary that there was no occasion for any such inquiry as had been proposed by the hon. Baronet (Sir Harry Verney). As the right hon. Gentleman had truly said, there was hardly any uncivilized portion of the globe which had been the subject of more careful inquiry than this territory; and in particular he would refer to the Canadian Commission, the expedition of Captain Palliser, who was sent out when he was at the Colonial Office, and the investigations of the Hudson's Bay Company, who had posts in every part of the country. Besides, there were many excellent books of travels, among which the works of Lord Milton and Dr. Cheadle occupied the foremost place. All possible information was already in our hands; and therefore, while he thanked the hon. Baronet for having brought this interesting subject before the House, he hoped the Motion would not be persevered with.

Viscount MILTON felt bound to say it was no longer a question of more or less difficulty with regard to making and maintaining a road, as the time had arrived when this country must consider whether it wished to keep in their present state of loyalty the colonies on the Pacific. He was very much astonished at the remarks of the right hon. Gentleman the late Under Secretary (Mr. C. Fortescue). In his humble judgment, if anything were to be done in regard to establishing through communication from the Atlantic to the Pacific, we ought to look to the Pacific colonies rather than to Canada. The right hon. Gentleman (Mr. C. Fortescue) had very much understated the value of the territory which was the subject of this discussion, for he was in a position to state that the Fertile Belt was at least equal in value to Minnesota, one of the finest of the United States. The British Pacific colonies had no direct means of communication with one another, but derived even their food from the United States, although the interior of the country was well calculated to supply their wants. There was every year a great influx of Americans, who went to the gold mines during the fine season; and while we in this country had been pondering and wasting time the staple commodity of the colony had been, to a great extent, worked out and depreciated. This state of things was an injustice to those who had been induced to settle there. The gold went out of the country never to return, and no labour or improvement could replace its value. This had been going on for some years, and unless active steps were taken it seemed likely to continue. He had reason to know that there was a growing desire on the part of the colonists to join the United States; and he, for one, could not blame them for entertaining such a wish under the circumstances of the case. They derived their living from the United States, and paid for it with the gold which was obtained in the colony. With regard to native woods, he might say that he had not been through them himself; but he knew the Hudson's Bay Company always found it practicable to pass through them, as did the Indians a few years ago. The right hon. Gentleman, however, stated that such a thing was impracticable. [MR. CHICHESTER FORTESCUE remarked that he had said nothing of the kind.] It was clear, then, that it was practicable, and this was all he desired to show. The more southern road had been pressed for through the interest of Minnesota. That State joined the Red River Settlement, which was at present dependent upon Minnesota for its supplies, America having, unlike Canada, opened communications to its territory. The consequence was that there was going up in the Red River Settlement a feeling similar to that which was so general in British Columbia. He trusted the present discussion would not terminate in vague promises as to what would be done in the future; for the time had come for something more substantial to be given. Much as he disagreed with many things in the United States, it was but just to say that a great deal of the limited amount of prosperity in our Pacific colonies was due to the energy and enterprize of individual Americans. The various accounts sent home showed that the interior of British Columbia was one of the most promising and most fertile regions owned by Her Majesty; and if the resources of Vancouver's Island and British Columbia were to be developed it must be done by developing the resources of the interior, unless they wished to delay until the Americans had done it for them.

MR. CARDWELL said, he had listened with the greatest interest to the discussion, and was very glad to learn that the Government had no intention of issuing a Commission from this country to inquire into the subject. Not only was inquiry already exhausted; but a fresh investigation would reverse the policy settled by the Committee of 1857, whose recommendations were incorporated in the Act of Parliament passed last year with so much unanimity. The proposed inquiry, therefore, would be a retrograde step, and would be a fatal indication of a vacillating policy on our part. It would lead to false expectations, and do a great deal of mischief; and he was glad to hear, therefore, that it was not about to be sanctioned by the Government. On the other hand, he sympathized entirely with the spirit in which this Motion had been brought forward, and he learnt with great interest that negotiations were in progress to terminate the right and interest of the Hudson's Bay Company, so that the territory might be surrendered to the Government of Canada.

SIR HARRY VERNEY, in reply, said, he would not ask for a Commission if the Colonial Department thought they could effect what was desirable by a better mode. He trusted, however, that the subject would receive immediate attention.

Motion, by leave, *withdrawn.*

ADULTERATION OF FOOD OR DRINK ACT AMENDMENT BILL.

LEAVE.

Mr. DIXON, in moving for leave to bring in a Bill to amend the "Act for Preventing the Adulteration of Articles of Food or Drink, 1860," and to extend its provisions to Drugs, said, that the existing Act had entirely failed to carry out the wise intentions of Parliament, and the main reason was, that individuals were averse to prosecute tradesmen. The object of the present Bill was to make provision that the penalty which was already imposed upon those who knowingly sold adulterated articles, should be extended to the manufacturers of the adulterated articles; to render it compulsory upon districts to appoint analysts; and to apply the provisions of the law to drugs as well as to articles of food. But the most important clause was one to appoint some public officer whose duty it would be, on proper information laid before him, to prosecute persons suspected of making or selling adulterated articles. He believed that these provisions would make the law effective.

Motion *agreed to.*

Bill to amend the "Act for preventing the Adulteration of articles of Food or Drink, 1860," and to extend its provisions to Drugs, *ordered* to be brought in by Mr. Dixon, Sir Joseph M'Kenna, and Mr. Goldney.

House adjourned at a quarter after Eight o'clock.

HOUSE OF COMMONS,

Wednesday, June 10, 1868.

MINUTES.]—Public Bills—*Ordered*—Inclosure (No. 2)*; Poor Law and Medical Inspectors (Ireland)*; Investment of Trust Funds Supplemental.*

First Reading—Adulteration of Food or Drink Act Amendment* [161]; Inclosure (No. 2)* [162]; Judgments Extension* [163]; Investment of Trust Funds Supplemental* [164].

Second Reading—Revenue Officers' Disabilities Removal [76]; Married Women's Property [89]; Municipal Rate (Edinburgh)* [99]; New Zealand Company* [156].

Referred to Select Committee—Married Women's Property [89].

Committee—Burials (Ireland) [5]—r.p.; Voters in Disfranchised Boroughs* [128]; Consecration of Churchyards Act (1867) Amendment* [152].

Report—Voters in Disfranchised Boroughs* [128]; Consecration of Churchyards Act (1867) Amendment* [152].

Third Reading—Fairs* [126] and *passed.*

REVENUE OFFICERS' DISABILITIES REMOVAL BILL.

(*Mr. Monk, Sir Harry Verney, Mr. Otway.*)

[Bill 76.] SECOND READING.

Order for Second Reading read.

Mr. MONK, in rising to move that this Bill be read a second time, said, he was astonished at the state of the Benches opposite—there being no one upon the Treasury Bench, and only six Members upon the Ministerial side altogether. When a Bill of this nature was before the House, he thought some Members of Her Majesty's Government should have been present to hear the arguments he intended to urge in support of it. [*Cries of* "Move!"] Under the circumstances, he should, without further preface, move that the Bill be now read a second time.

Mr. OTWAY seconded the Motion.

Motion *agreed to.*

Bill read a second time, and *committed* for *Friday.*

MARRIED WOMEN'S PROPERTY BILL.

(*Mr. Shaw-Lefevre, Mr. Russell Gurney, Mr. Stuart Mill.*)

[Bill 89.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Shaw-Lefevre.*)

Mr. LOPES, in rising to move that the Bill be read a second time that day six months, said, it had been introduced in a very plausible manner by the hon. Member for Reading (Mr. Shaw-Lefevre); but would, in his opinion, if passed, materially affect the existing relations between husband and wife, and introduce discomfort, ill-feeling, and distrust where hitherto harmony and concord had prevailed. As the hon. Member had stated in introducing the Bill, it was similar to one which had been introduced in 1857 by Sir Erskine Perry, and which received some amount of favour from the House, having been read a second time and afterwards referred to a Select Committee. But at that time there were admitted grievances with regard to the law of husband and wife. Thus, no facilities existed for obtaining a dissolution of marriage—a privilege then confined to the wealthy—and the earnings of a married woman deserted by her husband received no protection from the law. The Divorce

Act of 1857, however, provided a remedy for these grievances, and since then little or nothing had been heard on this subject. Reference had been made to the fact that the law of the United States had recently been something like that proposed in the Bill. That change in the law had had but a short trial, and he was not at all prepared to admit that the institutions or the jurisprudence of the United States were suited to this country. He would rather appeal to English law, and ask whether, under it, the relations of husband and wife were not rightly adjusted, and whether the characteristics of an English home ought not to be preserved? It had been said that the present Common Law of the land pressed severely on the industrial classes, while wealthier people evaded its operation by settlements and by the help of Courts of Equity. But the proposal of the hon. Member to give the wife uncontrolled dominion over her property was not analogous to the operation of settlements, the object of which was not to protect the wife against the husband, but to protect the property brought into settlement, and make an inalienable provision for wife, husband, and children. Thus settlements tied up property, and prevented the very thing which the hon. Member desired—namely, that a wife should retain the absolute control of her own property. By the existing law the personal property of the wife passed upon marriage to her husband, as well as (to a limited extent) her chattels real, the husband having a right to deal with these while he lived, but not to dispose of them by will. With regard to the wife's realty, the husband was only entitled to the income; the destination of the property rested with the wife; he could only deal with it during his life with her assent, and subject to certain conditions as to her separate execution; and, after her death, if there were children of the marriage, he enjoyed her real estate for his life as tenant by the courtesy. On the other hand, the wife upon marriage obtained perfect impunity. Her husband became liable for her antenuptial debts; he was bound to support her children by a prior marriage; he was liable in the event of any action brought against the wife for civil tort, and any property purchased or acquired by him was subject, in case there was no will, to her thirds or dower. Thus there was nothing unequal or harsh in the law, which was consistent with the whole relations between husband and wife. It was founded on the principle that in return for the confidence of the wife the husband gave her protection and support; that he was most competent to deal with any property belonging to either; that there must be one head of the family, and that he was the proper head. That principle of law had worked well for centuries, and there was no reason why it should be altered. Now, the Preamble of the Bill was drawn with a very bold hand. It said—

> "Whereas the law of property and contract with respect to married women is unjust in principle, and presses with peculiar severity upon the poorer classes of the community."

And then the 1st clause went on to enact that—

> "A married woman shall be capable of holding, acquiring, alienating, devising, and bequeathing real and personal estate, of contracting, and of suing and being sued, as if she were a *feme sole*."

In his opinion such a change in the law was uncalled for, and would be most pernicious. Among the upper classes it would have no effect whatever, because they would still resort to settlements. But suppose the husband and the wife each had £500 a-year, and the marriage was not a well-assorted one. When the rent, taxes, servants, and other expenses of an establishment came to be met, what would happen? The utmost dissension. Again, suppose there was an extravagant wife, to whom the husband was, nevertheless, fondly attached. She might be arrested for debts, perhaps at the dinner-table, and the husband would either have to pay them or allow her to go to prison. The probability was that he would pay and be impoverished by this change in the law. But would the Bill be any real protection to the wife? Suppose a man married a woman for her money. According to the Bill he might still influence her after marriage to convey to him the whole of her property. Then it could not be doubted that women were more liable to be imposed upon than men. Take, for instance, such cases as that of Mrs. Lyon, and that of Mrs. Borradaile, who had actually paid £4,000 in order to be made "beautiful for ever." He now came to the case of the industrial class. It could not be denied that in 499 cases out of 500 women of that class had not a halfpenny of their own, and what good could a Bill of the kind be to them? They would take nothing by it, but some liability. At present the wife could not be sued; but what was likely to happen if the Bill passed? The husband was away from home all day providing the means of subsistence for the family. The wife was the person who made the purchases for the house, and, being the contracting party, she might be sued. In that case she would not be likely to thank the hon. Gentleman for having introduced a Bill by which she took nothing except that very unpleasant liability. And then where a brutal husband was concerned did hon. Gentlemen think that when the wife got some money he would not go and take it away from her at once? His hon. Friend had provided some machinery for the protection of the wife by means of the County Court; but the man would get the money into his own hands long before that protection could be obtained. He maintained, therefore, that this Bill was uncalled for; that it would be inefficient and pernicious; and he honestly believed that if the married women of England were appealed to they would be found opposed to it. They would prefer that spirit of mutual confidence, which was the great element of happiness in marriage, to the possession of the most unlimited power over their property. He would like to know for whom the hon. Gentleman proposed to legislate? It was, in the words of the hon. Gentleman, for "the reckless, the improvident, the vicious, the self-indulgent, and the indolent—" [Mr. SHAW-LEFEVRE: Husbands.] Well, but why were those reckless, improvident, and vicious husbands to be legislated for to the prejudice of the community? This was exceptional kind of legislation; it was legislating for a certain class to the disregard of the interests of the greater portion of the population, and therefore he begged to move that the Bill be read a second time that day six months.

MR. KARSLAKE, in seconding the Amendment, said he objected to the Bill as the most revolutionary measure that had been introduced to the House since he had had the honour of a seat in it. He objected to it on two grounds—in the first place, because it would effect an entire revolution in the social status of husband and wife; and in the next, because it would work a like revolution in regard to the law of property; and it was difficult to say under which head it was most open to objection. He would ask the House to judge of the Bill upon its own merits, and by that test to throw it out. There was an extreme discrepancy between the Preamble and the enacting part of the Bill. The recital in the Preamble was that the law of property with respect to married women was unjust in principle, and pressed with considerable severity upon the poorer classes of the community. Anyone would suppose from such a Preamble that the Bill was intended to amend the law with regard to the property of the poorer classes; but for every pound's worth of their property affected by the Bill there would be hundreds of thousands of pounds worth of property affected belonging to those classes upon whom, according to the Preamble, the law did not press harshly in any way whatever. Now, what were the objections to the Bill as regarded the first point? The law of this country had not grown up suddenly; it was the growth of ages, and they must go to the time of the Conquest to trace it to its source. It was founded upon the assumption that the husband and wife were one person—that position was denoted by the word "coverture"—that there should be but one head of the family, and that the husband should be that head. One of our best legal writers (Blackstone) had laid down more than once that such a state of things showed how great a favourite the woman was with the Law of England. The result of only one person being at the head of the family involved, according to text writers on law, "supremacy" on the one hand, and "subjection" on the other; or, as he would say in modern language, authority on the one hand, and obedience on the other. But the hon. Gentleman desired to alter the law—the growth of ages—and to make two heads of the family instead of one, which could have no other effect than that of introducing discord and confusion into family life. The second branch of his objection related to the law of property; and the revolution that would be brought about in that respect could hardly be conceived. The change proposed had been advocated with great plausibility. But it was the superficial character of the measure which enabled it to be presented to the House in a plausible form; and the moment they looked into the existing state of the law it would be seen how utterly impossible it would be for such a measure to work. He maintained first of all that the Bill was utterly unnecessary, for the existing law did full justice to married women; and next, that if the poorer classes of the community were subject to any injustice, the so-called remedy proposed in the Bill would not only not touch the evil, but would even aggravate it. There existed no necessity whatever for such a change, so far as the upper classes were concerned, for the rights of a married woman could be protected by marriage settlements; and any person who wished to make over to her individually any property had only to insert the words "for her separate use." Under the present law married women were better protected than they would be if this Bill passed, for they had the protection of trustees. On the other hand, the alteration now proposed would have no other effect than to take away from married women of the poorer classes a great part of the protection which was afforded by the existing law. The proposed Bill was unnecessary, and would prove inefficient, and even disadvantageous to those whom it was intended to protect. It would be wrong to give to a woman the sole possession of property as against her children. Then with respect to real estate, it was proposed that the husband should hold the land for an estate by the courtesy; which was inconsistent with the principle of the Bill. He objected also to the County Courts having jurisdiction to any amount in cases of quarrels between husband and wife. If this Bill passed, a hardworking journeyman, whose employment took him from home, might find, on his return, that his wife was in gaol instead of taking care of his family, and all on account of the very questionable benefit of her liability to sue and be sued, as if she were a *feme sole.* He contended that whatever inconvenience was experienced under the present state of the law might be easily removed by the introduction of a short Bill to extend the provisions of the Divorce Act of 1857, so as to give the magistrates the power of determining in cases of cruelty as well as in those of desertion, that the earnings of the wife, or any property which she might afterwards acquire, should vest in her. He begged of hon. Gentlemen opposite to re-consider the subject between this time and the next Session of Parliament; and if they did he trusted they would come to the conclusion that there was no necessity whatever for interfering with the law, which, he repeated, had ripened into its existing state after the lapse of many centuries. The only thing he could see in favour of the Bill was that on the back of it was the name of the right hon. Gentleman the Recorder (Mr. Russell Gurney), and also that of the hon. Member for Westminster (Mr. Stuart Mill). He entertained the very highest respect for the Recorder; but that right hon. and learned Gentleman was not in his place to state his reasons for supporting the measure, and with all deference to so high an authority as the hon. Member for Westminster, whose writings they had read with pleasure; he thought hon. Gentlemen would agree with him when he said that, in spite of that hon. Member's great ability and research, he had treated the matter as regarded husband and wife in a philosophical rather than a practical spirit. He recollected one passage in the hon. Gentleman's work on political economy which had struck him very much. The hon. Gentleman had mentioned in that valuable work that in cases where the husband and wife were most nearly assimilated in regard to labour—as, for instance, in handloom weaving—their condition was most precarious, and they were very badly paid. Where, therefore, there was an assimilation in the position of the man and his wife, poverty and consequent degradation were pointed out as the result. With reference to other passages in the hon. Member's work, he would say that he did not think the hon. Gentleman appreciated sufficiently the difference between a man and woman in this country. There were more things with respect to this important relation in heaven and earth "than were dreamt of in his philosophy." He did not mean to disparage the writings of the hon. Gentleman for they all knew that one of the greatest of philosophers had written the most fanciful and even the most irrational things with regard to women. In conclusion he would say here you have a building raised up by the labour of a great number of years; it existed as a whole—one great and entire edifice, but so far as he was able to understand this Bill, if it were passed in its present form, under the pretext of interfering with a few bricks or repairing a few rents, it would pull down the whole structure.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Lopes.*)

MR. HEADLAM said, he should support the Bill. Whatever doubts he might have entertained on the subject would, he felt bound to say, have been removed rather than strengthened by the exaggerated statements of hon. Gentlemen opposite. They had spoken of a social revolution. But those who used that language in one place maintained in another that the Bill would have no effect whatever with regard to the larger portion of society. With regard to marriage settlements, they would continue to be made if the Bill passed, so that there was no pretence for saying that it would create a social revolution or produce domestic discord. There was no better proof of the hardship of the Common Law than the Judge-made law to which successive Chancellors had contributed, and which had materially mitigated it. The poorer class, however, could not afford to go to the Court of Chancery, and were exposed therefore to the full hardship of the Common Law. When that law sprang up personal property scarcely existed. There were no railway shares, for instance. It was therefore not unreasonable that a husband, on becoming liable for his wife's debts, should take possession of her effects; but even then an exception was made with respect to paraphernalia, and in the case of real property a wife's rights were to some extent recognized. He admitted that, practically, the present state of things, though anomalous, worked very fairly among the higher classes; but a serious evil existed with regard to the poorer classes, and he thought there was a decided necessity for legislation. He was not altogether satisfied with the changes proposed by the Bill, but he would vote for the second reading, if only for the sake of the 4th clause.

MR. GOLDNEY said, he thought that the question was one quite worthy of legislation, though he could not approve of all the provisions of the Bill. It was undoubtedly hard that a drunken husband should be allowed whenever he chose to sweep up all the earnings of a woman so unfortunate as to have married him; and he would support a provision by which a married woman should be permitted to put her earnings into a separate bank, from which they should not be withdrawn except by her consent, but it would be unadvisable to permit married women to sue or be sued separately from the husband, and he could not help thinking that if such a measure were passed it would give great facilities to fraudulent debtors to set their creditors at defiance. It would enable a man to use his wife's money in business, and if unfortunate to hand over her share at the last moment to his wife, and thus deprive his creditors of their rightful claim. To recognize a separate interest for the wife was contrary not only to our Common Law, but to the practice of ancient and modern States. The Bill would practically render marriage a common partnership, the wife enjoying all its advantages with none of its risks. He also feared that it would introduce the elements of discord into domestic circles, and lead to a great deal of immorality, because it would so free a woman from restraint that in any quarrel she might have with her husband she would be enabled to say, "I have my own property, and if you don't like me I can go and live with somebody who does."

MR. POLLARD-URQUHART contended that cases of hardship ought to be provided for, and reminded the House of a noble poet who married a lady with a large fortune, the greater part of which, on their early separation, he spent in a way which could not be approved. No doubt such cases were exceptional, and hon. Members might perhaps recall the poet's lines—

> "But oh! ye lords of ladies intellectual,
> Inform us truly, have they not henpecked
> you all?"

The liability of the husband for debts contracted by his wife before marriage was another question which required revision, for, as the same poet had said—

> "The milliners who furnish 'drapery misses'
> . . . . gave such credit
> That future bridegrooms swore and sighed,
> and paid it."

He hoped the Bill would be allowed to go into Committee, where the legal objections which had been offered might be considered.

MR. MELLY disputed the statement that 499 women out of 500 in the humbler classes possessed no property, remarking that 800,000 women were in receipt of weekly wages in factories, and one in four of the married women are employed in manufacturing industries. Protection against dishonest and reckless husbands was urgently required, and he was not terrified at the epithet "revolutionary," remembering how systematically it was applied by hon. Gentlemen opposite to measures designed to improve the social condition of the masses. In the homes of many thousands in the manufacturing districts the passing of such a measure would be regarded as an inestimable boon.

MR. JACOB BRIGHT said, he believed that what he was about to say would represent the feeling of a large portion of the population of Manchester. The hon. Member on the opposite side (Mr. Lopes) who moved the rejection of this Bill, said that there were not 5 per cent of the married women of England in favour of the Bill. But if he (Mr. Jacob Bright) was not misinformed, some ten years ago a very similar Bill was before the House, and on the question of the second reading received the votes of a large majority of the House. Such a result would imply a strong opinion in favour of the Bill out-of-doors. Some important petitions had been presented, and he himself had presented a petition from Manchester signed by 5,000 persons in favour of this Bill. If they had party organizations such petitions would not be remarkable; but when no such organizations existed these petitions showed that there must be very strong reasons indeed in favour of the measure. An hon. Member spoke of the great danger of such a change, and of the difficulty of reconciling it to the general laws of the country; but he (Mr. Jacob Bright) believed that the laws of England would have to adapt themselves to the feeling among the people of what was just, and he was never more certain of anything than that the principle on which this Bill rested would ultimately receive the assent of the great majority of the people of England. He did not happen to be in the position which had been referred to by an hon. Member in having married a woman with a much larger property than himself. He could not agree with the hon. Member in thinking such a position a degradation; but he certainly should think it a degradation if he took upon himself to spend such property without the consent of the person whom he believed to be the rightful owner. If the House agreed that it was a discredit to the husband to spend the money of the wife against her will, the wife ought to be in such a position as would prevent such a thing taking place. If, indeed, it could be shown that women were mentally incapacitated from holding and managing property to the advantage of themselves and their families, he would acquiesce in the existing disqualification; but it was impossible to endorse such a proposition when they remembered that widows and unmarried women who, unfortunately were more numerous in this than perhaps in any other civilized country, possessed the full control of their property and managed it successfully. No doubt there had been recent instances of women investing their money imprudently; but they had invariably been preceded by numbers of the other sex, and some of the leading commercial men in the country had been sharers in their misfortunes. It was pointed out by the late Mr. Cobden that women in France generally held the purse, and it was the opinion of that great statesmen that they had certain moral qualifications which entitled them to hold the purse. This was not in any sense a party question, and he was sure that if the hon. Member for Reading (Mr. Shaw-Lefevre) went to a division hon. Members on both sides of the House would be found in the same Lobby with him. It might be a class question, but it was not so in any disagreeable sense. It was a class question only in this sense—that women of the upper classes had already to a great extent protected themselves, and the object was to enable those in the lower ranks to do the same. It would be easy to bring many illustrations to show the hardships of the present state of things. But it was hardly necessary, because everyone knew that where no protection was given wrong was inevitable. It would not be necessary, for example, to prove that if there was no law against burglary, burglaries would be committed. If married women were not protected they would be sure to suffer wrong. A letter that had been placed in his hands from a lady in Manchester gave some striking instances of the cruel and oppressive operation of the present law. One was that of a woman who had a good business as a shopkeeper, and whose husband sold off her stock-in-trade and household furniture, which were her property before marriage, and went away to America, leaving her quite destitute. This led to an application to a magistrate; but the magistrate could only say he was sorry, but there was no remedy, as the husband had not exceeded his legal power. Another was the case of an elderly lady of considerable property in Manchester, who had married a much younger man than herself. Her husband wasted all her property and deserted her. She was taken to the workhouse and died there. If she had had the power she would doubtless when half her property had been squandered have secured the remainder. The letter further mentioned that a woman employed by the writer as a laundress told her that during her husband's life, when she earned a pound or two she dared not put it in the bank, but had to conceal the money.

Since he (Mr. Jacob Bright) had had the honour of a seat in that House, confiscation appeared to be the strongest charge that could be brought against any public man or measure, but it seemed to him that confiscation, or something just as cruel, was taking place in thousands of cases every week in this country. It was said that England was on a par with other countries in its legislation for the protection of the property of women, but this was a mistake. In the United States and in Canada women had received the protection which was now sought to be given them by this Bill, and in some of the most important countries in Europe women were entitled to much greater protection than they received here. It was well-known that the husband could not alienate the wife's freehold; if, then, land which was the property of women should be secured to them, Consols and bank shares or cash should also be secured to them; and, on the other hand, if the husband had the right to spend the wife's money invested in railway or bank shares, or in the bank, he had just as much moral right to alienate the land and squander the value of the freehold. If there were one title to the possession of property stronger than another, it was that which attached to what a man had himself created; but to his mind property created or earned by a woman was still more sacred, because she had given a much larger portion of her life for every pound sterling she earned than a man would have to do. Nature had put barriers in the way of her earning her own subsistence, and the law, instead of assisting her weakness, denied her the commonest protection. If the Bill were not now passed, he believed that the time was not far distant when either this or a similar measure would be passed. It would be an act of justice to women and children; and there could be no such act which was not also an act of justice to men, for the children of one generation were the men of the next. With an increase of independence, such as the Bill would secure, there would be an increase of respect for women—of real respect, which is a thousand times more valuable than the conventional politeness which it is always so easy to pay. If this Bill were passed thousands of homes would be less miserable, many children would be educated who are now neglected, and many families would be supported by the industry of the mother who are obliged to seek parish relief. A stimulus would be given to the industry of women; they would be enabled to earn money happily, and in the light of day, whereas in many cases they had now to earn it by stealth. He believed no measure the public was likely to obtain through that House in his lifetime would confer a greater benefit on the entire community than that now proposed by the hon. Member for Reading.

MR. LOWE: Sir, the question before the House is simply this — ought the Common Law with regard to the property of married women to stand or not? There is not the slightest occasion for going into minute details or technicalities. It is that large question which we have before us. Now, the Common Law is this—that the personal property of married women, whether possessed before or acquired after her marriage, is not hers at all, but is the absolute property of her husband, and that the land of a married woman is for the benefit of the husband during her life, and in the event of his surviving her is his property, in case there are children by the marriage, till his death. Is that right or not? The question is not that which was stated by the hon. and learned Member for Colchester (Mr. Karslake), whether this can be traced up to a long succession of ages in the most barbarous times, and whether it has been confirmed and consolidated and built up into an edifice—the question is, on what is that edifice founded? Is it founded on justice and righteousness, equality and fairness, or is it founded on injustice, tyranny, and oppression? That surely is a very simple question, and there is no need to talk about disturbing social order in families and about destroying the husband's influence over the wife, which is saying in so many words that unless you put the whole property of a married couple into the hands of the husband and give him, like this House, the power of stopping the supplies whenever he thinks proper, there is no chance of concord and harmony in the marriage state. Let us dismiss considerations of this kind, because we have to go to those which are much more elementary. The law holds that when a man or a woman has got property they are not bound to show that they will make a good use of it, so as to make it conduce to social good or to anybody's good. They have got it, it is their possession, and it is respected as such, with the single exception of married women. If a woman possesses property and is married, the law, being no doubt afraid the husband might tyrannically take it from her, puts that temptation out of his reach by taking the property away and giving it to him all at once. That is the simple state of the law. Now show me what crime there is in matrimony that it should be visited with the same punishment as high treason—namely, confiscation, for that is really the fact. The property is as much confiscated and taken from the woman and her children by the husband as if she had committed a capital offence; it is gone from her for ever. It is for those who uphold this, not to talk about social strife, but to show how, on any principles of equity and justice, it can be justified. Now let us take the opinion of mankind on the subject. Suppose a girl has a considerable property, and that she has a father or a guardian, what, in the view alike of those who oppose and those who support this Bill, is the duty of the father or guardian? Clearly to make a marriage settlement in order to protect her property. Why so, if the Common Law is just? The common sense of mankind, the natural affections of mankind, the practice of mankind, utterly condemn this law, and its operation is systematically avoided by special contracts made to remedy its injustice. Every marriage settlement that is made is a tacit protest against it. Well, now, what is the duty of the law?—for we sitting here as legislators have just as much a duty to perform as fathers or guardians. The only occasion when our duty comes into play is when from any reason, whether accident or improvidence, no marriage settlement is made; and what ought we to do? Why, surely we ought to put ourselves *in loco parentis*, and show towards the persons we are bound to protect just the same feelings of kindness and beneficence, and the same wish to protect and spare them from injury, which the parent or guardian is bound to show to his child or ward. We cannot make the same provision that they can, because we do not know the circumstances of each case, and can only deal with cases generally; but I maintain that where a change of condition has not been provided for by special contract it is the duty of the law to make as just a settlement as it can for the generality. And what is the most just settlement? Is it to give over the whole of her property to her husband? Is that discharging the duty we undertake? We have Courts of Equity to temper the severity of the Common Law, and which themselves order a settlement to be made in certain cases. A ward of the Court of Chancery has a settlement made for her by decree of the Court; and if a woman have a legacy left to her after marriage the Court will compel the husband to make a small settlement upon her. That is an admission on the part of the Court of Chancery that the present law is unjust. Thus the practice of mankind and the voice of the higher Courts are alike against it. In ordinary cases we allow persons to retain the property to which they are entitled until a case is made out for depriving them of it. Is there no practical mischief arising from the present state of things? Observe this, that the mischief does not occur through the negligence of the parties, but through the action of the law, because a woman is in a condition to make terms after marriage as well as before. But the law steps in, and that which occurs is principally and primarily owing to the operation of the law. Cases sometimes occur in which a man without a shilling marries a woman with landed property. He becomes the tenant for his own life by the courtesy of England. He takes a dislike to her, he studies the law of cruelty, and having adopted a course which just prevents her from getting a judicial separation, he drives her from her home, and his children with her, to live in poverty, and almost in need, where they are unknown, while he keeps a great establishment, perhaps on her estate and at her expense, and is a great person in the county. And that is done not through her fault or negligence, but by the iniquity of the law, which puts it in his power to do this by taking her property from her, and enables him to fatten upon the spoils of her whom he has sworn to love and cherish. Then there is the very common case of the legacy left to the wife and taken and squandered by the husband. We are responsible for this if we allow these things to be done. Let us put aside all questions of social policy and marital rights, and ask ourselves whether anything can be shown to justify us in taking away property from one person and giving it, without any consideration, to another? We are actually giving a premium to a man to run away with a girl and marry her without the consent of her parents. If a man makes honourable love to a girl the matter is carefully looked to by her parents and guardians, and her property is settled upon her. But if a man can induce a young woman to leave her father's house and marry him her property becomes his absolutely, so that it is to the interest of the man to marry her without the knowledge of her parents and without settlement. For these reasons I cannot let this Bill pass a second reading without bearing my testimony to the flagrant iniquity of the present law. Should we make such a law for India, or any dependency into which we were introducing a law of marriage? The hon. Member for Chippenham (Mr. Goldney) says that a husband might use the property of his wife so as to get credit; but if a woman allowed her husband to use her property in business she would become a dormant partner, and her property would be fairly liable to pay the debts thus contracted. I trust that my hon. Friend will persevere with his Bill.

THE ATTORNEY GENERAL: Sir, I agree that we ought not to discuss this question from a party point of view; but although it may be necessary to give greater protection to married women in the disposal of their property and earnings, the change proposed to be made in the law by this Bill is so great that in its present form I am not prepared to assent to it. The right hon. Gentleman says that women in the upper classes are protected by a settlement made before marriage, and that this is the best proof of the errors and wickedness of the Common Law. But marriage settlements are framed not only to protect the wife; but to take care that on her part she does not make away with the property and prevent the children of the mariage from being benefited by it. A marriage settlement is never made for the benefit and protection of the wife alone. Hon. Members who have argued in favour of this Bill have forgotten the extent of the change which it proposes to make in the present law. It is true that the wife gives up a certain amount of interest in her property to her husband, but what does she get in return? Perfect immunity from the debts contracted by herself. A wife may order goods for which her husband must pay. The Bill proposes to treat the married woman as if she were a *feme sole.* What is the object of so treating her? That if the husband falls sick or otherwise and the wife can make an income, she is to be entitled to prevent the husband from spending a single shilling she gets. The next consequence is that she must be entitled to be sued in her own name. But if you sue the wife for the debts she contracts are you to sue the husband also? The husband will still be liable for the debts she contracts, so that you will have an action brought against her, and the screw will be put upon the husband so that he must pay the debts or allow the wife to go to prison. Again, if the husband refuses to provide for his children, he is under a Common Law liability to maintain them. But by this Bill, even if the wife should be earning an income of £3, £4, or £5 a week, the Common Law liability will still attach to the husband to maintain his children, while the wife will be under no liability to contribute to their maintenance. After this we come to the property of the married woman. The principle laid down appears to be that if no settlement is made at marriage everything that is the wife's will remain hers. She may engage in any trade or speculation and the husband will have no control over it. I do not think that this would be a wise or a prudent law. The next clause is also objectionable. It has a retrospective effect, and clauses of this kind always require great care and attention. Up to this time persons have married on the assumption that the law will dispose of their personal estate as it has hitherto done. But the clause alters the law by enacting that—

> "Every woman married before this Act has come into operation shall, notwithstanding her coverture, have and hold all the real and personal estate her title to which shall accrue after this Act shall have come into operation, free from the debts and obligations of her husband and from his control and disposition, in all respects as if she had continued unmarried."

So that persons who have married on the assumption that the estate shall belong to the husband will find that the Bill makes an entire change in the rights enjoyed by the husband. The next clause enacts that—

> "The earnings of a married woman in any trade or other occupation carried on by her separately from the trade or other occupation of her husband shall be deemed to be her personal estate."

Then comes a clause the extent and scope of which the hon. Member cannot have observed. A husband is not to be liable "for the debts of his wife contracted before marriage, and shall not be liable in damages for any wrong committed by her." What is the effect of that clause? The effect of making the wife a *feme sole* will be that if the lady drives out in a carriage with the servants under her own control and the carriage comes into collision with anything or anybody, she commits a wrong possibly against some one. But is the wrong committed by her or by her husband? You say that the wife acts as a *feme sole,* and, whether she has a shilling of her own or not, you are tō sue her and not her husband. If a husband supplies his wife with a horse and carriage, and a wrong is thereby committed, is not that a wrong that ought to be redressed by the husband? Then it is said that a great deal of suffering exists among the lower class of women in consequence of the present state of the law. But why should you alter the whole law of England to meet particular cases? The hon. Member for Manchester (Mr. Jacob Bright) has told us of the number of persons who have petitioned in favour of this Bill. No doubt the persons who sign these petitions think that the wrongs of a certain class ought to be redressed or remedied; but they could not have known the extent of the change which it proposed to make in the law of this country. The 20 and 21 *Vict.* contains a clause to the principle of which I entirely assent, and which protects women of the poorer class in the enjoyment of their earnings. I would be the first to assist the hon. and learned Member for Reading (Mr. Shaw Lefevre) in extending the benefit of that law, and in giving protection to the poorer classes, but I protest against making a change in the whole law to effect this object. The Bill, in fact, proposes such an immense change in the law as to make it necessary in Committee to strike out a great number of the clauses. By the Act to which I have referred — the Divorce Act — a clause which has been productive of very beneficial consequences enacts that where the husband has deserted the wife she shall be allowed to go before a magistrate and obtain protection for the enjoyment of her earnings. It may be that this clause does not go far enough, and that in cases of cruelty or ill-treatment arising from dissipation some further protection may be necessary, but the powers of the Divorce Act might be extended without altering the entire law of this country. I think that this Bill would create a great social change, and that you are proposing by it to put a married woman on the same footing as a man. If she is to be entitled to her separate earnings she ought, at least, to be equally liable to maintain his and her family. If these and other necessary alterations are to be made the Bill would, I fear, require more consideration than can be given to it in the present Session. I have considered the subject without party feeling, but the Bill goes far beyond what the hon. Gentleman really wishes to effect, and a much simpler measure would meet the hardships which, no doubt, often occur among the labouring classes.

MR. J. STUART MILL: Perhaps, Sir, those who, like myself, support the extension of political rights to women, should desire the rejection of this Bill, because it is quite certain that its rejection would give an extraordinary impulse to the movement for giving the suffrage to women which has already advanced with so much vigour. But I confess that I should like my own sex to have the credit of giving up unjust and impolitic privileges before they are brought under the influence of other motives than their own good feelings. The debate has produced several most gratifying expressions of feeling, more especially the able and persuasive speech of the hon. Member for Manchester (Mr. Jacob Bright) and the logical and high-principled address of the right hon. Member for Calne (Mr. Lowe). The hon. and learned Member for Colchester (Mr. Karslake) said with great truth that the real authors of the Bill are not present, and he seemed to think they must be persons in whose eyes any change in existing institutions must be an improvement. I am sorry the hon. Gentleman has left the House, as I could have informed him who some of those persons are. I do not suppose the hon. Gentleman was aware that among the persons whom he was condemning were those eminent socialists and revolutionists the noble Lord the Secretary of State for Foreign Affairs and the right hon. Gentleman the Secretary for War; the noble Lord having been, along with that distinguished Judge, Sir Lawrence Peel, a member of the committee of the Social Science Association by whom the Bill was drawn up which was introduced into the House by Sir Erskine Perry; and the right hon. Gentleman having taken the chair at a public meeting held in support of its principles. The hon. Gentleman is aware that the right hon. Recorder of London (Mr. Russell Gurney) is a supporter of the Bill, because his name is on the back of it; but he seems to think that Gentleman's absence intentional, though, as a lawyer, it is strange he should not have known that the Recorder's absence is caused by his presiding in his Court. That conscientious and feeling Judge was very desirous of being present, and would, from his judicial experience, have put the House in possession of the real effects of the present law, and afforded to the Attorney General and the hon. Member for Colchester some information as to the true working of that power in the Divorce Act to which allusion has been made. It is only in cases of desertion that this power comes into exercise, and that the magistrate has power to make orders of protection; but cases are continually happening, some within my own knowledge, in which the husband just avoids the amount of desertion which would enable the magistrate to give protection to the wife. He stays away for a sufficient time to enable her to accumulate a small sum, and then lives with her just long enough to squander it. As, however, the Attorney General has expressed a willingness to extend and improve the operation of that Act, I trust that he will himself introduce a Bill on the subject. There has been, indeed, on the part of the Legislature a wonderful overlooking of the need of some such protection. Even in cases where the words "to her separate use" introduced by the Court of Chancery for the wife's protection, have been employed, the sole effect of the words is that the trustees cannot pay the income of the settled property except upon the wife's receipt. That is a perfect protection if the wife is living away from her husband; but if she is living with him, the money immediately becomes the husband's income, and he has a right to take it from her the moment she receives it. A large portion of the inhabitants of this country are now in the anomalous position of having imposed on them, without their having done anything to deserve it, what we inflict as a penalty on the worst criminals. Like felons they are incapable of holding property. And the class of women who are in that position are married women, whom we profess a desire to surround with marks of honour and dignity. It seems to be the opinion of those who oppose the measure that it is impossible for society to exist on a harmonious footing between two persons unless one of them has absolute power over the other. This may have been the case in savage times, but we are advanced beyond the savage state; and I believe it is not found that civilized men or women cannot live with their brothers or with their sisters except on such terms, or that business cannot be successfully carried on unless one partner has the absolute mastery over the other. The family offers a type and a school of the relation of superiors and inferiors, exemplified in parents and children; it should also offer a type and a school of the relation of equality, exemplified in husband and wife. I am not insensible to the evils which husbands suffer from bad and unprincipled wives. Happily the sufferings of slavery extend to the slave master as well as to the slave. But if you want to give the wife the strongest possible motive to strain to the utmost her claims against the property of her husband, what step more effectual for this object could be taken than to enact that she should have no rights of her own, and should be entirely dependent upon what she can extract from the husband? It is only by doing justice to people that we can hope to prevent their encroaching on the rights of others. Would the hon. Member for Colchester accept for himself exclusion from all rights of property, on condition that some one else should pay his debts, and make atonement for his wrongs? The Attorney General certainly hit the weakest part of the Bill when he pointed out that, if the rights of husband and wife were to be equal, their obligations ought also to be equal. If the Bill gets into Committee it will be necessary to alter some of the clauses so as to establish an obligation equally on both parties. The Bill will no doubt require a great deal of consideration, not so much in regard to the omission of any of the clauses as to the addition of others. It is very true that if the Bill passes, many other alterations of the law will be necessary; for when the law is founded on a bad principle much re-adjustment is necessitated by the adoption of a good one. But if it should please the House to refer the Bill to a Select Committee, there are hon. and learned Gentlemen on both sides of the House quite capable of proposing such alterations as will make the Bill work smoothly.

Mr. DENMAN said, he could only agree to support the second reading of this Bill on the understanding that the whole subject was then referred to the consideration of a Select Committee. As the Bill at present stood it contained much that neither accorded with the existing principles of the law, nor the social happiness of the community. Many changes would be required in the Bill; many clauses of great importance were doubtful; many fresh clauses would be required, and a large amount of law was involved in the discussion. The technicalities with reference to the subject, he need hardly say, were but little known to the majority of the Members of the House. He doubted if many hon. Members knew what the courtesy of England meant, which was to be reserved by the Bill. Nothing but a Select Committee would be a sufficient tribunal for the consideration of this Bill in the first instance; and this was so important a subject that it also ought to be understood that even after the Bill came back from the Select Committee hon. Members reserved to themselves the right to support or oppose any portions of it. For his own part he thought much more good would be effected by altering the 20 & 21 *Vict.* than attempting to pass so sweeping and mischievous a Bill as the present was in the shape in which it had been introduced to the House.

VISCOUNT GALWAY said, he thought it a pity the author of the Bill had not considered that question in connection with the marriage service. After the speech of the hon. Member for Westminster it was impossible that the marriage service could remain as it was. A woman could hardly say that she would love, honour, and obey a man when it was distinctly averred by the hon. Member for Westminster that she was to be a *feme sole.* Instead of the words hitherto used in the marriage service, the woman should in future say she was to enter into a partnership with the man on equal terms.

MR. SHAW-LEFEVRE pointed out that the noble Lord who had just spoken appeared to have forgotten that the words of the marriage service were not now in harmony with the existing law, because they declared that the husband endowed his wife with all his worldly goods, whereas, in fact, everything which the wife possessed became her husband's. The tendency of the speech of the hon. and learned Member for Colchester (Mr. Karslake) reminded him very much of the lines in "The Taming of the Shrew," addressed by Petruchio to Katharina—

"I will be master of what is mine own:
She is my goods, my chattels; she is my house,
My household-stuff, my field, my barn,
My horse, my ox, my ass, my anything."

The question before the House was, after all, one which ought to be discussed upon social grounds. The first point to be considered was whether the Common Law was just or not; and the second was whether the Bill he proposed would remedy the evils, or at least one which would not be accompanied by evils equal to those he sought to remove. If he wished to condemn the Common Law he had only to go to the Courts of Equity for that purpose. If they looked at the decisions of the Judges of those Courts they would find them constantly speaking of the severity of the Common Law, and they had introduced a system under which, by means of marriage settlements, all the wealthy classes really escaped from its operation. The system, however, of settlements and trusteeships was quite inapplicable to persons of small means, on account of the difficulties and expenses attending it. It was particularly, however, with reference to the labouring and poorer classes that the evil effects of the Common Law were to be perceived. Since the introduction of the Bill he had received a great number of communications pointing out cases of hardship arising from the law, but would not weary the House by reading more than one or two of them. In a letter which he had received from the Rev. Septimus Hansard, the rector of Bethnal Green—a clergyman of great experience among the labouring classes—the writer said—

"My own experience leads me to believe that to raise the social position of women among the lower classes, by securing to them their separate property, would be of great benefit. Cases come before me constantly of idle and profligate men taking the earnings of the industrious wife for their own selves. Not long ago I had to help a poor woman through her confinement, who had saved from her earnings a little money to meet this emergency. Her husband was a drunkard, and finding she had a supply, ascertained the source, and beat her in her weak condition in the most brutal manner until she delivered up her money. I do not think he would have done this if he had not known that legally the money was his own."

Mrs. Phillips of Manchester wrote to him that that subject excited much interest among the working classes, many of whom had signed petitions in favour of the Bill remark that they had near friends or relations who needed its protection. One married woman in signing the petition, said—

"I have a husband who is a clever workman, and can earn good wages when he pleases, but I go out as a daily cook and make money. This he takes from me, leaving me penniless whenever he chooses. So I have left him, and for the present taken refuge with friends who would put me into some way of earning money but for fear of his coming and seizing all."

He admitted that these were exceptional cases; but still they were numerous; and it should be remembered that laws were wanted to restrain not the good and generous, but those who were the very reverse. The remedy of protection orders, referred to by the Attorney General, was wholly inefficient, many poor women naturally objecting to apply to a magistrate against their husbands. The right thing to do was to repeal the Common Law, which gave everything the wife had to the husband. It was said the measure would introduce divisions into families; but the experience of its working in America refuted that assertion. During the last twenty years almost all the Northern States had legislated in that direction, and had now arrived at the very point at which he wished to place the law of England. That was the case especially in New England, where the principle of his Bill had been in operation twelve years; and in regard to that experiment in New England, he had received a letter from Judge Washbourne, once the Governor of a State, and now the Professor of Law in an American University, in which he said—

> "It is now more than twenty-five years that the subject of the independent ownership by married women of their separate property has been a subject of consideration by our Courts and Legislatures, and the course of action has from time to time uniformly been in the direction of a more rather than a less independent right over their property by married women. I believe any attempt to go back to the Common Law would find little favour at this day. So far as my own observation extends, I have seen no mischievous consequences growing out of the change. It certainly makes wives more independent in the matter of property than the Common Law did. But I have never known it to breed discord or discontent in families; it often saves a family from the consequences of the recklessness or misfortunes of the husband or father by saving from the reach of the creditors the estate which belongs to the wife. I am free to say that although I regarded the first inroad upon the Common Law as to the rights of husbands in their wives' estates with apprehension that it would cause angry and unkind feelings in families, and open the door for fraud, so far as his creditors were concerned, I am so far convinced to the contrary that I would not be one to restore that Common Law if I could."

Similar testimony was given by the head of one of the largest manufacturing firms in New England, and also from Mr. Dudley Field, the eminent jurist, of New York. The latter gentleman said that in the State of New York the law had been changed twenty years ago as regards property, but had been extended to earnings only six years. The only part of the Union in which the new system had not been adopted was the Southern States, where, since the emancipation of the negroes, great dissatisfaction had arisen from the state of the law. Formerly, marriage being illegal between slaves, what property the masters allowed the negresses to hold was their own; but when the slaves were set free, and got married in great numbers, it was found that the black men were very willing to see their wives work while they themselves remained idle, because the law, like our Common Law, gave them power over the wives' earnings. The result was that the rage for matrimony abated, the negresses preferring to remain single and enjoy their own property as they did before emancipation. He had heard it stated that in some of the manufacturing towns of our own country where women worked for high wages a similar phenomenon presented itself—a matter which those who felt strongly about the sanctity of marriage would do well to ponder. There were many collateral questions, such as the extent to which the wife should contribute to the expenses of the household, and others into which he could not then enter, but which had been carefully considered, and with which, whether in Committee of the Whole House, or in a Select Committee on the Bill, he would be prepared to deal. The clause with reference to tenants by courtesy he was ready to omit from the Bill. In conclusion, believing that the measure would confer a great boon on the labouring classes, he hoped the House would not refuse it a second reading.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 123; Noes 123.

AYES.

Akroyd, E.
Allen, W. S.
Amberley, Viscount
Baines, E.
Bass, M. T.
Bazley, T.
Beaumont, W. B.
Berkeley, hon. H. F.
Blake, J. A.
Bonham-Carter, J.
Brady, J.
Bright, J. (Birmingham)
Bright, J. (Manchester)
Browne, Lord J. T.
Bruce, rt. hon. H. A.
Buxton, C.
Candlish, J.
Cave, T.
Cavendish, Lord F. C.
Cheetham, J.
Childers, H. C. E.
Clay, J.
Clinton, Lord A. P.
Cowen, J.
Cowper, hon. H. F.
Craufurd, E. H. J.
Crossley, Sir F.
Davenport, W. B.
Davey, R.
Davie, Sir H. R. F.
Denman, hon. G.
Devereux, R. J.
Dillwyn, L. L.
Dixon, G.
Dimsdale, R.
Duff, M. E. G.
Dutton, hon. R. H.
Edwards, H.
Ewing, H. E. Crum-
Fawcett, H.
Fildes, J.
Fordyce, W. D.
Forster, C.
Forster, W. E.
Gavin, Major
Gibson, rt. hon. T. M.
Glyn, G. G.
Gorst, J. E.
Gray, Sir J.
Grenfell, H. R.

Greville-Nugent, Col.
Hadfield, G.
Hankey, T.
Hardcastle, J. A.
Headlam, rt. hn. T. E.
Henderson, J.
Holden, I.
Hornby, W. H.
Hughes, W. B.
Hurst, R. H.
Hutt, rt. hn. Sir W.
Ingham, R.
Jervoise, Sir J. C.
Kavanagh, A.
Kinglake, A. W.
Lawson, rt. hn. J. A.
Leatham, W. H.
Leeman, G.
Lloyd, Sir T. D.
Locke, J.
Lowe, rt. hon. R.
M'Laren, D.
Mainwaring, T.
Melly, G.
Mill, J. S.
Moffatt, G.
Moncreiff, rt. hon. J.
Monk, C. J.
Moore, C.
Morrison, W.
Neate, C.
Nicol, J. D.
O'Brien, Sir P.
O'Conor Don, The
O'Donoghue, The
Ogilvy, Sir J.
Padmore, R.
Parry, T.
Peel, A. W.
Peel, J.
Percy, Mjr.-Gn. Lord H.
Pim, J.
Pollard-Urquhart, W.
Potter, E.
Potter, T. B.
Power, Sir J.
Price, W. P.
Pryse, E. L.
Ramsay, J.
Robertson, D.
Roebuck, J. A.
Russell, A.
St. Aubyn, J
Samuda, J. D'A
Samuelson, B.
Sherriff, A. C.
Smith, J.
Smith, J. A.
Smith, J. B.
Stacpoole, W.
Synan, E. J.
Taylor, P. A.
Thompson, M. W.
Trevelyan, G. O.
Vernon, H. F.
Villiers, rt. hon. C. P.
Vivian, H. H.
Waldegrave-Leslie, hon. G.
Watkin, E. W.
Whitbread, S.
White, J.
Whitworth, B.
Winterbotham, H. S. P.

TELLERS.
Lefevre, G. J. S.
Martin, P. W.

NOES.

Antrobus, E.
Ayrton, A. S.
Barnett, H.
Barrington, Viscount
Barttelot, Colonel
Bass, A.
Beach, Sir M. H.
Beach, W. W. B.
Beecroft, G. S.
Bentinck, G. C.
Bernard, hn. Col. H. B.
Booth, Sir R. G.
Bruce, Sir H. H.
Bruen, H.
Calcraft, J. H. M.
Carter, S.
Cartwright, Colonel
Cave, rt. hon. S.
Chambers, M.
Clive, G.
Cochrane, A.D.R.W.B.
Cole, hon. H.
Cole, hon. J. L.
Corry, rt. hon. H. L.
Cooper, E. H.
Cox, W. T.
Dalglish, R.
De La Poer, E.
Dodson, J. G.
Dunne, rt. hn. General
Dyott, Colonel R.
Eckersley, N.
Edwards, Sir H.
Egerton, E. C.
Eliot, Lord
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Floyer, J.
Galway, Viscount
Garth, R.
Goldney, G.
Goodson, J.
Gore, J. R. O.
Gore, W. R. O.
Graham, W.
Graves, S. R.
Griffith, C. D.
Grove, T. F.
Guinness, Sir A. E.
Gwyn, H.
Hamilton, Lord C.
Hamilton, I. T.
Hardy, rt. hon. G.
Harris, J. D.
Hartley J.
Hay, Sir J. C. D.
Henley, rt. hon. J. W.
Herbert, rt. hn. gen. P.
Hildyard, T. B. T.
Hodgson, W. N.
Holmesdale, Viscount
Horsfall, T. B.
Hotham, Lord
Howes, E.
Huddleston, J. W.
Hunt, rt. hon. G. W.
Karslake, Sir J. B.
Kekewich, S. T.
Kelk, J.
Kendall, N.
Keown, W.
Knatchbull-Hugessen, E
Knight, F. W.
Lacon, Sir E.
Laird, J.
Lamont, J.
Langton, W. G.
Lefroy, A.
Liddell, hon. H. G.
Lindsay, hon. Col. C.
Lindsay, Col. R. L.
Lopes, Sir M.
Lusk, A.
M'Lagan, P.
Mahon, Viscount
Manners, rt. hn. Lord J.
Mayo, Earl of
Montagu, rt. hn. Lord R.
Montgomery, Sir G.
Morgan, O.
Morris, G.
Neville-Grenville, R.
Noel, hon. G. J.
Paget, R. H.
Paget, T. T.
Patten, rt. hon. Col. W.
Pease, J. W.
Powell, F. S.
Pritchard, J.
Read, C. S.
Russell, Sir C.
Sclater-Booth, G.
Scourfield, J. H.
Seymour, G. H.
Simonds, W. B.
Speirs, A. A.
Stanley, Lord
Stronge, Sir J. M.
Sykes, Colonel W. H.
Taylor, Colonel
Thorold, Sir J. H.
Tottenham, Lieut.-Col. C. G.
Turner, C.
Turnor, E.
Vance, J.
Vandeleur, Colonel
Walpole, rt. hon. S. H.
Waterhouse, S.
Welby, W. E.
Whitmore, H.
Williams, F. M.
Wise, H. C.

TELLERS.
Lopes, H. C.
Hogg, Lieut.-Col. J. M.

And the numbers being equal, Mr. Speaker stated that he should follow the wise rule usually adopted in similar cases, by giving the House a further opportunity of considering the merits of the Bill at a future stage, and accordingly declared himself with the Ayes.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

And, on June 23, Committee *nominated* as follows: Mr. Shaw Lefevre, Mr. Solicitor General, Mr. Lowe, Mr. Russell Gurney, Mr. Headlam, Mr. Baggallay, Sir John Simeon, Mr. Beach, Sir Colman O'Loghlen, Mr. Ayrton, Mr. Goldney, Mr. Baines, Mr. Bentinck, Mr. Jacob Bright, and Mr. Powell:—Power to send for persons, papers, and records; Five to be the quorum.

BURIALS (IRELAND) BILL—[Bill 5.]

(*Mr. Monsell, Mr. Sullivan.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Monsell.*)

The Earl of MAYO said, he would ask the right hon. Gentleman whether, under existing circumstances, it was advantageous to proceed further with this Bill this Session? When it was under the consideration of the House last year, he (the Earl of Mayo) stated that he was favorable to its principle. Since then a considerable and influential deputation from the North of Ireland had waited upon the Lord Lieutenant and himself, and expressed themselves strongly in support of this measure. He (the Earl of Mayo) informed them that though he had declared himself in favour of the general principle of the Bill, he nevertheless thought that many alterations ought to be made in it before it became law. The question had, however, now assumed a different form. It was most probable that in the next Session a discussion would arise involving the very existence of the Church in Ireland. Seeing, then that such a measure was likely to be so soon discussed, he submitted to the right hon. Gentleman (Mr. Monsell) that it would be more desirable to let the matter rest until the new Parliament had decided upon the great constitutional question, which would no doubt be shortly submitted to it. The grievance complained of in the present Bill was really, after all, not a very serious one. By the Act known as Lord Plunket's Act permission was given to persons of all creeds to bury, without asking leave of the incumbent, their dead in the burial-grounds to which the Bill related. Conditions were, however, imposed with regard to the burial service. In respect to the reading of any other burial service than that of the Established Church it was required that a formal application should be made to the minister of the parish for leave to read such service. But it was further provided that in case any incumbent should refuse to allow such interments, he should be obliged to state in writing to those who made application for permission his reasons for that refusal as well as to transmit a copy of those reasons to the Bishop of the diocese, so that the refusal could not be a matter of course, but must be based on sufficient grounds. Some hardships had, no doubt, arisen under the operation of the present law, and he by no means wished to defend the conduct of the incumbents in some of those cases; but, on the whole, the causes of complaint were very few, and under the circumstances to which he had referred he trusted his right hon. Friend would see the expediency of acceding to the appeal which he made to him for the postponement of the Bill.

Mr. MONSELL said, he had no wish to re-open the discussion on the principle of

the Bill, which the House affirmed on the second reading; but if the noble Lord had been present on that occasion he would have been aware that great hardship had been inflicted by the existing law, especially on the Presbyterians. It would be a great disappointment to the people of Ireland if immediate steps were not taken to provide against the continuance of the grievance of which they complained. In whatever way the question of the Established Church should ultimately be settled, he saw no reason for not proceeding with the Bill on the present occasion.

Mr. NEWDEGATE denied that there was any case of hardship proved to justify the present Bill, except it was considered a hardship that the Roman Catholic priests—the arrogance of whose disposition was well-known—should be compelled to ask permission of the clergyman of the parish to read their burial service over their dead in the Protestant burial-ground, which was the property of the Church. He did not think that the project of the right hon. Gentleman opposite and his party for the disestablishment and disendowment of the Episcopal Church in Ireland would ever become law. But even supposing that it should become law, this property—like all the other property of the Church—would fall into the hands of the Executive, to be disposed of at the pleasure of Parliament. It appeared to him that the appeal of the noble Earl to the right hon. Gentleman opposite was reasonable. The right hon. Gentleman and his Friends either believed or did not believe that the property of the Irish Church would fall into the hands of the Executive, and if their anticipation was well-founded, Parliament would ultimately have the disposal of it in any way it deemed fitting. Then there was no reason for proceeding further with this measure. If they did not believe it their grievance amounted to this — that it was a degradation to the Roman Catholic priests to have to write a letter to the owner of a graveyard for leave to read the burial service over the remains buried in it. He looked upon this Bill as a part of the system of aggression to which the Church of England was now exposed. The people of this country were gradually conscious of the fact that, under the plea of grievance, aggression upon the rights and property of the Church was constantly perpetrated.

Mr. SYNAN said, that the instances of hardships drawn from the North of Ireland alone had induced the House, on the second reading, to affirm the principle of the Bill. It was not so much the Roman Catholics as the Dissenters in Ireland who demanded this measure.

SIR GEORGE BOWYER said, he could not see why the progress of the Bill should be at all affected by the question whether the Irish Church was or was not to be disestablished. In the former event the churches would, in accordance with the plan of the right hon. Member for South Lancashire, still remain in the hands of the Protestant clergy, and there would in that case be the same need for such legislation as his right hon. Friend the Member for Limerick proposed as now.

Motion, "That Mr. Speaker do now leave the Chair," *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Where Burials of Persons not belonging to United Church of England and Ireland take place in Burial Grounds of such Church, Priest, &c., of other denomination may perform Service).

MR. LEFROY moved the following Amendment in line 22, after "chapel," to insert—

"Nor within one hour before the commencement or after the conclusion of such celebration, nor during the time at which the incumbent or minister of such church or chapel, or any other minister or other ecclesiastical person, shall be performing the burial service in such churchyard or graveyard: Provided also, That nothing herein contained shall be deemed to authorize the burial of any dead body within the walls of any church or chapel, or within twelve feet of the outside of wall thereof."

Amendment *agreed to.*

MR. MONSELL moved to insert, in line 23, after the word "chapel," the words—

"Nor during the performance of any other burial service in the said churchyard or graveyard."

LORD JOHN BROWNE moved to add at the end of the clause the words—

"Provided always, That nothing in this Act shall confer any right of burial where no such right already exists."

Amendments *agreed to.*

MR. VANCE moved an Amendment that a day's notice, in writing, of burial, should be given to the officiating minister of any such church or chapel.

Amendment proposed, at the end of the Clause, to add the words—

Provided always, That notice in writing of the day and hour at which such burial is intended to take place shall have been given by such priest or clergyman of such religious denomination one day at least before such burial to the officiating minister of such church or chapel, or shall have been left at his place of abode."—(*Mr. Vance.*)

Question proposed, "That those words be there added."

MR. MONSELL objected to the Amendment as unnecessary.

MR. HENLEY said, that when the second reading of the Bill was under discussion he pointed out to the right hon. Gentleman the necessity there was for providing some means to preserve order and prevent collision between parties of different religions. He thought the most ordinary feelings of decency would recommend such a course. Whether the present provision was the best adapted for that purpose he did not know; but he thought some provision ought to be adopted.

MR. CANDLISH was afraid that in certain circumstances the notice would be more likely to cause disorder than to prevent it, as in the case of the funeral being, however unavoidably, behind the time fixed.

MR. VANCE said, he would alter the word "burial" in his Amendment to "religious service."

Question put, "That the words, as amended, be added to the Clause."

The Committee *divided:* — Ayes 91; Noes 122: Majority 31.

MR. ORMSBY GORE said, it would certainly be necessary that some notice should be given, and he would propose the addition of the following words:—

"Provided always that notice in writing of the day and hour on which such burial is intended to take place shall be given to the police by such priest or clergyman at least twelve hours before such burial."

MR. LAWSON said, that the adoption of the Amendment would invite collision between contending parties.

MR. ORMSBY GORE intimated that if the right hon. Gentleman could effect the object he desired to accomplish in proposing the Amendment by the insertion of different words he would be perfectly satisfied.

SIR HENRY WINSTON-BARRON asked what was to be done in the case of a parish where there was no Protestant clergyman and no Protestant Church. That was the case of a parish in the county of Waterford.

MR. DARBY GRIFFITH said, that the Bill was only intended to apply to

Protestant churchyards, and not to the case to which the hon. Baronet referred. Matters of this sort should not be hurried on for an ulterior purpose.

MR. VANCE said, it should be the object of all classes to prevent collision in the churchyards; and the right hon. Gentleman (Mr. Monsell), as he had rejected the Amendment proposed, should bring up a clause of his own on the subject. A great deal of ill-feeling would be created, and a great deal of outrage would occur, should this Bill be passed in its present shape.

MR. MONSELL said, that he had already brought up a clause founded upon a suggestion made on the second reading by the right hon. Member for Oxfordshire (Mr. Henley) to prevent two funeral services going on at the same time. He felt the same interest as the hon. Gentleman in the preservation of law and order, and he thought that the means he had adopted for that purpose were sufficient. Was it to be supposed that any ministers of religion would take a course that would cause disturbance? There had not been any disturbance under the existing law, and he thought the danger of disturbance was not increased, but rather diminished, by this Bill.

MR. VANCE remarked that contending parties might unwittingly and without knowledge meet in the churchyards, and under such circumstances a collision would be inevitable.

Amendment *negatived.*

Clause *agreed to.*

Clauses 2 and 3 *agreed to.*

MR. LEFROY proposed to insert the following clauses after Clause 1:—

"It shall not be lawful for any person to enter the churchyard or graveyard attached or belonging to any rectory, vicarage, church, or chapel of such church, for the purpose of opening or making any grave in such churchyard or graveyard, or to open or make any such grave, unless such person shall be the sexton of such church or chapel, or shall be duly authorized thereto by the incumbent or minister of such church or chapel.

(Penalty for offences against this Act).

"Every person who shall offend against this Act shall be liable, upon a summary conviction for the same before any justice of the peace for the county, riding, division, liberty, city, borough, police district, or place where the offence shall be committed, to a penalty not exceeding ten pounds for every such offence."

Clause *brought up* and read the first time.

Mr. Darby Griffith

MR. MONSELL opposed the clause.

Question put, "That the Clause be read a second time."

The Committee *divided:*—Ayes 73; Noes 123: Majority 50.

MR. J. COLE moved the insertion of the following clause:—

"Nothing herein contained shall authorize the burial of any person not belonging to the United Church of England and Ireland in any churchyard or graveyard where heretofore no such burial has ever taken place, and when there exists within the parish another churchyard, graveyard, or burial ground in which persons not belonging to the United Church of England and Ireland can be buried under the provisions of this Act."

MR. MONSELL said, he had no objection to the clause.

Clause *agreed to,* and *added* to the Bill.

SIR HERVEY BRUCE moved the following clause:—

(Form of burial service).

"That it shall not be lawful for any priest or minister authorized by this Act to perform the burial service, to use any ceremonies, or perform any acts other than read, or say the burial service which it would not be lawful for a minister of the Established Church to use or perform."

He should have no objection to the addition of the words after "service" of "appertaining to the Church to which he belonged;" but he was anxious that it should not be able to be said that Members of the Established Church would allow the ministers of any religion, Hindoo, Mahomedan, or any other, to go to any churchyard and perform their objectionable rites there without the permission of the parish minister.

MR. MONSELL said, he concurred in the object the hon. Member had in view, but did not think the proposed clause would accomplish it. He hoped the clause would be withdrawn, and he would promise that a clause should be introduced to prevent the performance of anything beyond a regular burial service.

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

INCLOSURE (NO. 2) BILL.

On Motion of Sir JAMES FERGUSSON, Bill to authorize the Inclosure of certain Lands, in pursuance of a Special Report of the Inclosure Commissioners for England and Wales, *ordered* to be brought in by Sir JAMES FERGUSSON and Mr. SCLATER-BOOTH.

Bill *presented,* and read the first time. [Bill 162.]

POOR LAW AND MEDICAL INSPECTORS (IRELAND) BILL.

On Motion of The Earl of Mayo, Bill to extend the powers of Poor Law Inspectors and Medical Inspectors in Ireland, *ordered* to be brought in by The Earl of Mayo and Mr. Attorney General for Ireland.

INVESTMENT OF TRUST FUNDS SUPPLEMENTAL BILL.

On Motion of Mr. Henry B. Sheridan, Bill to supplement the Investment of Trust Funds Act, *ordered* to be brought in by Mr. Henry B. Sheridan and Mr. Ayrton.

Bill *presented*, and read the first time. [Bill 164.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, June 11, 1868.

MINUTES.]— Public Bills—*First Reading*— Pier and Harbour Orders Confirmation (No. 2)* (139); Lee River Conservancy* (140); Fairs* (141); Salmon Fisheries (Scotland)* (142).

Third Reading— Sea Fisheries* (125), and *passed.*

ARMY CHAPLAINS BILL.—(No. 116.)

(*The Earl of Longford.*)

COMMITTEE. ADJOURNED DEBATE.

Order of the Day for the House to be put into Committee read.

Moved, "That the House do now resolve itself into a Committee."—(*The Earl of Longford.*)

The Archbishop of **CANTERBURY** said, he wished to make a few remarks, as, owing to a mistake, he had not been present on the occasion of the Bill being read a second time. The noble Earl (the Earl of Longford) then stated that the Bill had been submitted to him, and that he had intimated his general approval of it. Now, the main object of the measure undoubtedly had his entire approval; for it was highly inexpedient that the army chaplains should be subject to the control of the parochial clergy, and it was desirable that the army chaplains should be subject to some Bishop. Those two points were aimed at by the Bill, which, however, contained some provisions that called for very serious and careful consideration. One alteration which he had suggested in the 4th clause had not been introduced. That clause enacted that after any scheme for constituting a precinct or district had been laid before the Queen in Council, and there ratified—

> "Such precinct or district shall thereafter be and be adjudged and taken to be, a Royal Peculiar, and shall be for all ecclesiastical purposes under the immediate and exclusive jurisdiction of the Crown."

What he (the Archbishop of Canterbury) had suggested was the insertion after "jurisdiction" of the words "of an ecclesiastical authority appointed by the Crown." This would make a great difference, as it would place the jurisdiction in proper hands. As regards Royal peculiars, it was very doubtful what authority was to be exercised. These matters were of no slight importance, and he trusted, therefore, that they would be carefully considered in Committee.

The Bishop of **GLOUCESTER** and **BRISTOL** thought very great inconvenience would arise from the establishment of Royal peculiars—indeed, all recent legislation, as far as he had observed, had been to diminish these exemptions from regular ecclesiastical jurisdiction. It was very difficult even for ecclesiastical lawyers to define exactly what they were, and certainly the establishment of Royal peculiars in the way apparently contemplated by some of the clauses of the present measure was wholly unprecedented. He trusted therefore their Lordships would give their serious consideration to those provisions of the Bill. He was still unconvinced that the Bishop of the diocese in which these districts were situate was not the authority with whom the Crown ought to communicate when necessary. In his opinion, there was no need to go further in order to carry out the general principles of this Bill than to make the districts within which it was desired the chaplains should officiate extra-parochial, and to leave them subject to the general authority of the Bishop of the diocese. The 6th and 7th clauses provided for the appointment of army chaplains by the Secretary of State, and defined the limits within which they were to officiate. Thus far no one could object; but there was no reason why the Bishop of the diocese should not, in case of any offence being committed against the laws ecclesiastical, be invited by the authorities of the Crown to exercise the powers with which he was legally invested. Nay, more, the general authority of the Bishop of the diocese, especially in spiritual matters, ought clearly to be considered. In such a practical matter as confirmation, for example, it was surely desirable that the Bishop of the diocese, and not a Bishop coming from without should administer the rite to the persons who needed it in these districts. Thus, then, he saw no reason whatever why their Lordships should not be content to establish extra-parochial districts, reserving to the Crown the power of appointment under the 6th and 7th clauses, and leaving the Bishop of the diocese with his general episcopal powers to be called in when needful.

EARL GREY was understood to express a doubt that the position of the Presbyterian military chaplains might be unfavourably affected by the Bill.

THE ARCHBISHOP OF YORK said, the Bill applied only to consecrated not to unconsecrated buildings. The Bill was not intended to exempt military chaplains from episcopal jurisdiction; but on the contrary to provide for them more effectual superintendence. It was the privilege of every incumbent to have his own Bishop and his own diocese. But the case of the army chaplains was an exception; they were a moveable body, and they complained — as they had complained for years—that they were in the special care of no one; that there was no Bishop to whom they could look up for advice and guidance. He did not think that that would be remedied by placing them under the jurisdiction of the several Bishops in whose diocese the stations might happen to be placed. His own suggestion had been that all the camps and barracks, should be made peculiars under the charge of one Bishop—of the Bishop of London, for instance. But a Bishop of London might find that a jurisdiction over so widely scattered a body might be too much in addition to his ordinary diocesan duties. He had, therefore, come to the conclusion that the plan proposed by the Bill was the best—namely, to make each district or precinct a Royal peculiar, leaving it to the Crown to appoint any Archbishop or Bishop to be dean of the peculiar to whom the Secretary of State might refer any matter that might arise touching the ministrations of the army chaplain within it.

THE LORD CHANCELLOR desired to remind their Lordships that until recently we had not had in this country extensive military stations or camps. But in every other country, where there was a connection between the Church and State, an encampment in the field was exempted from the ordinary territorial jurisdiction of the episcopacy. Under the jurisdiction of the Crown, some Bishop, generally a suffragan, was appointed to perform episcopal duties in respect of the encampment. There were three sorts of "peculiars"—a Royal peculiar, an Archbishop's peculiar, and a Bishop's peculiar. The result of making the English encampments Royal peculiars would be that the peculiar jurisdiction would be exercised by a Bishop, whom the Crown would appoint dean of the Royal peculiar. Having a Bishop so appointed by the Crown would secure uniformity in the exercise of episcopal jurisdiction over the army chaplains. Besides, there would be the difficulty in vesting the jurisdiction in the Bishop of the diocese that an encampment, if extensive, might be in two dioceses. The Amendment on the 4th clause, suggested by the most rev. Primate, could be considered in Committee.

THE BISHOP OF OXFORD said, he was of opinion that the object of the measure was a good one; but, after listening to the explanation of the noble and learned Lord on the Woolsack, it appeared to him that the fundamental conception of the Bill was at variance with the whole of the Church system in this country. He could not understand what were the difficulties this Bill was framed to meet, nor could he see what injury would be inflicted by having the army chaplains placed under the control of the Bishop in whose diocese they might happen to be stationed. It was said that they were liable to be removed from one diocese to another. The same might be said of all curates. It was suggested that great inconvenience would arise from the introduction of different rules. If, indeed, there was room for individual action on the part of the Bishops he could see that inconvenience might arise from different rules existing together. But this was not so. The only subject of appeal to the Bishop as against the clergyman would be some breach of ecclesiastical discipline; but the determination of such a question would be governed by ecclesiastical law, and would not depend upon rules made by any particular Bishop. There was, therefore, no gain in creating for this purpose a wholly new machinery. The object of the Bill was not that the chaplains should be removed from the power of the Ordinary, but that they should be removed from the power of the common Ordinary, and put under the jurisdiction of another. The system of peculiars was one which we had inherited from the days of the Papacy. The Pope claimed the right to remove the power of the Ordinary from the Bishop in whom it had been vested and to confer it on another authority—on religious houses in some instances; but it would be a new thing for Parliament to step in and exercise the semi-spiritual power of removing army chaplains from the power of their proper Bishop and putting them under the control of another—we should then have the spectacle of one of our Bishops exercising episcopal power in the diocese of another prelate. Let them take the case of the great camp at Aldershot. It was in the diocese of Winchester, and the Bishop of that diocese looked upon himself as the Bishop of the camp, confirmed the soldiers' children, and performed other episcopal functions there; and another Bishop could not be introduced without a grievous interruption to the whole system of the Church. And the only reason assigned for this interference was that given by his most rev. Friend (the Archbishop of York) that the army chaplains were not now in a position where they could look for the same amount of episcopal patronage as other curates. [The Archbishop of YORK: No, no! I said "advice and guidance."] As to the argument drawn from the fact that the chaplains were liable to be moved about from one station to another, that was no more than happened to the other curates of the Church. It was no uncommon thing for a curate to be in his diocese one week and in that of London on the week following. That being the case, he could not see that the fact that, like all curates, they were liable to removal should prevent the army chaplains from being placed under the spiritual jurisdiction of the Bishop of the diocese, to whom they might apply for advice and guidance. But it was said that the War Office would be put to great difficulty in having to communicate with so many different persons. He did not see what it would have to communicate with them for. The War Office appointed the army chaplains, moved them from one encampment to another, and removed them from their appointments if necessary. These things were not in the hands of any Bishop; they were in the hands of the War Office, and the exigency of the case required that they should be so. Except the War Office meant to transfer its authority in these matters to the Bishop of the diocese, he did not see that there would be any communication between that Department and the Bishops unless in the rare case of a breach of ecclesiastical discipline being alleged, when the decision would be in accordance with settled ecclesiastical law. He knew that the Bishop of Winchester appreciated most highly the opportunity which the episcopal functions exercised by him in the camp at Aldershot gave him of doing good among Her Majesty's troops, and would be most sorry to be deprived of it. He repeated that he did not see why the army chaplains should not be placed under the spiritual jurisdiction of the Bishop of the diocese; but, at the same time, he thought they ought to be extra-parochial: the clergyman of the parish should have no power to interfere with them in the discharge of their duty as chaplains to the army. He was satisfied that the Bill ought to be confined to that point alone—all the rest might more conveniently be done by the Bishop of the diocese than by any other authority.

THE BISHOP OF LONDON said, he was glad this discussion had taken place, for the subject was an extremely difficult one; but he could not help thinking that there was another view of the matter than that which his right rev. Brother (the Bishop of Oxford) had just put forward; and that if some of the parochial clergy could be present to look after their interests, they would be able to show as conclusively that it was improper for a place to be taken out of a parish as the Bishops had shown that it should not be taken out of a diocese. As to the evil of peculiars, in the system of the Church of England there were peculiars at the present moment. There was one very notable instance just over the way. Westminster Abbey was a peculiar, and a peculiar it was likely to remain to the end. His right rev. Friend would no doubt remember that there was a time when the Bishop of the diocese proposed to reduce it within his jurisdiction; but he was met by a certain formidable Dean of Westminster, who came forward and successfully defended the rights of his Chapter, and a peculiar it was allowed to remain. And that was not the only instance of a peculiar; for if he rightly read the law, every Bishop's house in which he resided as his see-house outside of his diocese was his peculiar, and was not under the control of the Bishop of the diocese; so that the Bishop of Winchester, who had a house opposite his in St. James's Square, lived in his own peculiar, and not under his (the Bishop of London's) jurisdiction. Then there were several Royal peculiars in London. His venerable predecessor when he resigned the see, still continued, by Her Majesty's request, to hold the office of Dean of the Chapels Royal, and continued to exercise his authority with great benefit to all connected with the Chapels Royal; and he had never heard any doubt expressed as to the legality of that course. No doubt, the tendency of recent legislation had been to diminish these peculiars, but that was only on the ground of their inconvenience; and if their Lordships found that, in the present instance, it would be a convenience to create peculiars, the same reason that was good for abolishing them would be good for sanctioning them. The question was—whether there was any other equally efficient way of attaining the proposed object? It might be said that the chaplains of prisons and workhouses were in the same position as army chaplains. But the cases were not parallel. From correspondence which he had held with army chaplains, he knew that they felt a great want of episcopal authority to whom they could refer; they considered themselves treated to some extent as civilians and wished to be recognized in their ecclesiastical status. Correspondence from one of these gentlemen reached him one day from Woolwich and another day from Hounslow; the very nature of their office rendering them liable to be moved continually from diocese to diocese. It was true that the clause did not in terms refer to consultation with a Bishop; but the reference to the jurisdiction in case of offences carried with it the meaning that the dean of the peculiar was to be the Bishop to whom army chaplains were to have access upon all questions of difficulty. What they wanted was some one Bishop whom they could consult on all emergencies, and they would not have the same feelings if they were to be brought into relations with every Bishop in England. Neither did he see how the business of the War Office was to be conducted if a correspondence were to be carried on with the Bishops of all the dioceses in which army chaplains might happen to be placed for a few days.

The Earl of CARNARVON, seeing that every speaker had differed from the other as to the precise manner in which an object upon which they were all agreed should be carried out, suggested that the Bill should be placed in the hands of a Select Committee, who would soon agree as to the best mode of rendering the details of a valuable measure generally acceptable.

The LORD CHANCELLOR said, he could not agree with his noble Friend. The differences of opinion to which expression had been given were confined to a single point, which he thought their Lordships could decide quite as well in the House as in a room up-stairs. The sole point was whether jurisdiction over these army chaplains should be reposed of necessity in the Bishop of the diocese where the camp was situated, or in a Bishop to be assigned by the Crown. With reference to the argument of his right rev. Friend (the Bishop of London), it had always seemed to him that a very strong case was capable of being made for the minister of the parish in which the camp was established, the army chaplain being well paid for his services among the military, while the parish clergyman, who received no extra pay, had thrown upon his hands the followers and off-scourings of the camp. But if the necessity of the case compelled them to disregard strict rights, and even inconvenience to the minister of the parish, the argument as to interference with the diocese could hardly be insisted upon. As to episcopal superintendence over a number of peculiars, that difficulty had to be met and surmounted already. He understood that in the province of Canterbury there were as many as 100 peculiars. [The Archbishop of Canterbury was understood to dissent.] Well, at all events, a considerable number. After all, the whole question resolved itself into one of work, and whether it was not better to subject all army chaplains to a common head.

Earl STANHOPE said, he thought the matter was one which might be very conveniently considered in a Select Committee.

The Archbishop of YORK thought it was quite unnecessary to refer the Bill to a Select Committee; the point in dispute was fundamental and very narrow; their Lordships could express an opinion on it at a moment's notice without any inquiry whatever.

EARL NELSON said, he did not think that any one of the episcopal Bench could possibly find time to supervise the military chaplains over the whole country. It would be quite a different thing if it were proposed to make the Chaplain General a Bishop, and give him episcopal jurisdiction over these chaplains.

THE BISHOP OF OXFORD urged that the Bill should be referred to a Select Committee.

THE DUKE OF BUCKINGHAM suggested that the debate be adjourned. The Under Secretary for War (the Earl of Longford) had been compelled to be absent from sudden severe indisposition, and had asked him to take charge of the Bill; but it was evident his noble Friend was at the time unaware of the views of the Bishops on some portions of the measure. The points raised were very important, and as he had not ascertained the opinion of the War Department on them, he thought it best to suggest the postponement of the Order until to-morrow, when he hoped to be better furnished with the views of his noble Friend. Considerations of a legal nature, he believed, made it unadvisable to put off the Bill until Monday. He moved that the debate be adjourned.

LORD REDESDALE suggested that all proposed Amendments be printed, that their Lordships might better understand the rather complex issues raised.

Further debate *adjourned* until To-morrow.

SALMON FISHERIES (SCOTLAND) BILL [H.L.]

A Bill to amend the Law relating to Salmon Fisheries in Scotland—Was *presented* by The Duke of RICHMOND; read 1ª. (No. 142.)

House adjourned at a quarter past Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, June 11, 1868.

MINUTES.]—PUBLIC BILLS—*Ordered*—Registration (1868); Ecclesiastical Commissioners*; Drainage Provisional Order Confirmation.*

First Reading—Registration (1868)* [167]; Ecclesiastical Commissioners* [168]; Drainage Provisional Order Confirmation* [169].

Second Reading—Local Government Supplemental (No. 3)* [121]; Local Government Supplemental (No. 4)* [159]; Local Government Supplemental (No. 5)* [160].

Referred to Select Committee—Local Government Supplemental (No. 3)* [121].

Committee—Boundary [78]; Court of Chancery and Exchequer (Ireland) Fee Funds* [146]; R.P.; Thames Embankment and Metropolis Improvement (Loans) Act Amendment* [133]; Duchy of Cornwall Amendment (*on re-comm.*)* [136].

Report—Boundary [78-165]; Thames Embankment and Metropolis Improvement (Loans) Act Amendment* [133]; Duchy of Cornwall Amendment (*on re-comm.*)* [136],

Considered as amended—Representation of the People (Scotland) [166]; Consecration of Churchyards Act (1867) Amendment* [152]; Voters in Disfranchised Boroughs* [128].

EGYPT—THE VICEROY AND THE SOCIETE D'AGRICOLE.

QUESTION.

SIR GEORGE BOWYER said, he would beg to ask the Secretary of State for Foreign Affairs, If his attention has been called to a statement made in the City Article of *The Times* of June 6, relative to the conduct of the Viceroy of Egypt towards the shareholders of the Société Agricole et Industrielle d'Egypte, if that statement be correct; and, inasmuch as the Government of the Viceroy is now trying to raise a loan in this Country, whether Her Majesty's Government have any objection to state the steps they have taken on behalf of British subjects who have been thus treated?

LORD STANLEY, in reply, said, his attention had been called to the statement in the City Article of *The Times* of June 6, alluded to by the hon. and learned Member, and he (Lord Stanley) had received representations on the same subject from a company calling itself the Egyptian Commercial and Trading Company of London, and also from other parties. In consequence of those representations, Colonel Stanton had been instructed to bring the matter under the attention of the Egyptian Government. All the papers connected with the subject were in the hands of the Law Officers of the Crown, and at present he could not answer more in detail.

ARMY—MILITIA QUARTERMASTERS.

QUESTION.

COLONEL STUART KNOX said, he would beg to ask the Secretary of State for War, Whether he has had under his consideration the grievance under which Quartermasters of Militia suffer by not being allowed any retiring allowance or pension, some of them having served their Country for upwards of fifty years; and whether he will remedy this by a Clause in the Militia Pay and Clothing Act?

Sir JOHN PAKINGTON said, in reply, that the case of the quartermasters of Militia had been very frequently brought under his notice; and there were several instances, undoubtedly, in which not only hardship to individuals, but considerable inconvenience to regiments, arose from the great age at which some of those gentlemen arrived in consequence of not having the power to retire on a pension or retiring allowance. He therefore quite admitted that the case required some consideration; but he could not consent to remedy the grievance in the way suggested by his hon. and gallant Friend. It would be a very irregular mode of proceeding if he were to attempt to increase the expenditure of the country by introducing such a clause into an annual Act of the kind.

THE FOREIGN CATTLE MARKET.

QUESTION.

Mr. SHAW-LEFEVRE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether the five Foreign Cattle Market Commissioners who may be appointed under the provisions of the Metropolitan Foreign Cattle Market Bill are to be paid out of monies to be provided by Parliament; and whether, in case the Commissioners should be the market authority, and the market should not pay its expenses, it is intended that the deficiency shall be charged upon the public Revenues; and, whether he proposes to introduce a Money Clause in the Metropolitan Foreign Cattle Market Bill to provide for the above charges?

The CHANCELLOR of the EXCHEQUER said, in reply, that he understood from the Privy Council that they supposed the Foreign Cattle Market would be self-supporting. At all events, he did not propose to place any sum on the public expenditure, either for the payment of the Commissioners or the expenses of the market.

EGYPT—QUARANTINE.—QUESTION.

Sir J. CLARKE JERVOISE said, he would beg to ask the Secretary of State for Foreign Affairs, seeing that the Egyptian authorities have removed the quarantine restrictions on arrivals from Abyssinia, Whether the impediments to the navigation between the Black Sea and the Mediterranean have been removed; and whether the Correspondence on the subject with the Turkish Government will be distributed, and when?

Lord STANLEY, in reply, said, he did not see any close affinity between the two Questions put by the hon. Baronet; but he might observe that those restrictions, although they had been modified, in favour of our troops returning from Abyssinia had not been removed altogether. With regard to the impediments to the navigation between the Black Sea and the Mediterranean, he had stated some weeks ago that representations upon the subject had been addressed to the Turkish Government, but he had as yet received no answer to those representations. When the Correspondence was concluded, he would be prepared to lay it before the House.

DUNSTABLE ROAD.—QUESTION.

Colonel W. STUART said, he would beg to ask the Secretary of State for the Home Department, If the Provisional Order, in the case of the Dunstable Road, referred to in page thirteen of the Seventeenth General Report on Turnpike Trusts, fixes a day for the expiry of the Local Act of 1821; and, if not, if he will include such Local Act in the Fourth Schedule of the Continuance Act, so that the parishes and parties at the cost of maintaining the road may have the opportunity of stating their grievance to the Select Committee on the Continuance Act?

Mr. GATHORNE HARDY said, he must complain of the inconvenience of putting Questions with respect to Committees on Bills which stood for Committee a week hence. With respect to the Dunstable Road case, that, inasmuch as the debts were between £3,000 and £4,000, the local Act could not be included in the Fourth Schedule of the Continuance Act.

COURTS OF JUSTICE—NATIONAL GALLERY.—QUESTION.

Mr. GOLDSMID said, he wished to ask the Secretary to the Treasury, Whether it is true that Mr. Street has been appointed architect of the Law Courts, and Mr. Edward Barry of the National Gallery; and, if so, whether those gentlemen have been informed of their appointment; and whether it is proposed by Her Majesty's Government to ask the House for Votes on account towards the erection of those buildings?

Mr. SCLATER-BOOTH: Sir, it is not only true that Mr. Street has been appointed architect to the Courts of Justice, but he has received official notice of his appointment. Mr. Edward Barry has also been appointed architect for the National Gallery, and has received private notice of his appointment, but I believe the official letter has not yet reached him. A Vote has been taken for acquiring the site of the National Gallery, and no other Vote will be taken this year. I also laid on the Table an Estimate, and afterwards took a Vote on account of the site for the Courts of Justice; and I believe no further Vote will be required within the present Session, but it is possible some small sum may be required at a future period.

Mr. BOUVERIE said, he wished to ask whether the hon. Gentleman will lay the Papers connected with the subject on the Table?

Mr. SCLATER-BOOTH replied that they had been already moved for by the hon. Member for Whitehaven (Mr. Bentinck).

AGRICULTURAL LABOUR, &c.

QUESTION.

Mr. FAWCETT said, he would beg to ask the Secretary of State for the Home Department, When the Reports of the Commissioners appointed to inquire into the condition of Persons employed in Agriculture will be ready for publication; and also to ask a similar Qustion in reference to the Report of the Commissioner appointed to inquire into the operation of the Print Works and Bleach Works Act?

Mr. GATHORNE HARDY said, in reply, that he had been informed that both those Reports would in all probability be laid on the table before the end of the Session.

SIR CHARLES DARLING.—QUESTION.

Sir ROBERT COLLIER said, he wished to ask the Under Secretary of State for the Colonies, Whether there is any truth in the Reports which have appeared in the public journals that Sir Charles Darling has withdrawn his letter announcing his retirement from the public service, with a view to receiving a pension under the Colonial Governors Act?

Mr. ADDERLEY: It is true, Sir, and will appear in the promised additional Victoria Papers, that Sir Charles Darling has written to express his wish to retract his relinquishment of the Queen's service, which, he had been told, must be the inevitable concomitant of his accepting any grant from the Colony.

REGISTRATION BILL.—LEAVE.

FIRST READING.

Mr. GATHORNE HARDY: In moving for leave to bring in a Bill to facilitate the registration for the present year, I will endeavour to notice as briefly as possible the details which it will be necessary to lay before the House. Hon. Members are aware there are a great many steps which have to be taken with a view to the registration of voters, both in counties and boroughs, beginning with the step which was taken yesterday—namely, the issuing of precepts to overseers, giving them instructions how to proceed. From that time various steps have to be taken by overseers and other public officers until the publication of the list upon the 1st of August. First there are notices issued on the 10th of June persons are to send in claims; these claims have, in the ordinary course, to be sent in on before the 20th of July, and by the last day of July overseers have to revise the register and prepare the list of claims, in order to publish such list on or before the 1st of August. I am speaking now of counties; but the preliminaries in boroughs are in many respects the same, though more steps have to be taken. After that there is the publication of the list for a fortnight, including two Sundays, to allow persons to inspect it, and then come the objections. Practically, therefore, we may say that the time is fully occupied until the end of August or the beginning of September. At present the revision commences in boroughs on the 15th, and in counties on the 20th of September, and it is necessary that some time should elapse between the publication of the lists and the commencement of the revision, in order to allow of communications between Revising Barristers and the clerks of the peace, and others, as to the time which will be occupied in particular places. The revision, therefore, cannot begin immediately after the publication. In considering the question how far it is possible to shorten the interval between the dates at which the various steps or processes are fixed, I confess that I have felt there is very little opportunity of shortening those occupied in the preliminary making out of the lists. So many persons are affected by them; and the House must remember that we have disfranchised seven boroughs, which cannot be put into the counties until the Scotch Reform Bill has received the Royal Assent, because the disfranchisement will not till then have been completed, and therefore time must be given to send in claims in those cases. Moreover, until the Boundary Bill is passed, it is not certain with respect to many voters whether they will be within counties or boroughs. In those cases, again, time must be allowed, and under these circumstances it appears to me—the question will be for the consideration of the House in Committee—that there is no possibility of shortening with advantage that which is preliminary to everything, the thorough making out of the lists, so that everybody who is entitled may have an opportunity of making their claims, and everybody also may have opportunities of objection equal to those which are given under present circumstances. Probably, with increased numbers, at least as much time will be required as at present, and I have not attempted to shorten it. I propose, therefore, that the revision shall commence both in counties and boroughs on the 14th of September. I have taken that day, because at least one Sunday must intervene for the purpose of publishing the lists, and though it might possibly be done by the 7th or 8th, it is more advisable to compress the revision; for you can multiply the Revising Barristers more easily than you can interfere with the voters, who are not so capable of taking care of themselves, and might fall into mistakes. It seems to me, therefore, most advisable to compress the revision, and I think that with an increased number of Revising Barristers, three weeks will be sufficient. I have proposed in the Bill an addition of one-third to the number; but that will be for the consideration of the House, and possibly the best plan will be to enable the Judge who remains in town to appoint additional barristers where they are wanted, for the Judges on circuit go abroad or to different parts of the country as soon as their labours are finished. It seems advisable, therefore, to place in the hands of the Judge who remains in town the power of sending additional Barristers, upon the application of other Revising Barristers, where there is a pressure of business, so as to complete the revision within the time I have stated. One of the great difficulties hitherto in connection with the completion of the lists has been that, in consequence of the necessity of numbering the lists from the beginning to the end, the printing could not be begun until the whole revision was complete. If, however, Revising Barristers are allowed either to number by parishes and send in parishes to the clerk of the peace as they are completed, or to number by polling districts and send them in as they are completed, the printing might be begun almost within a day or two of the commencement of the revision, so that both might proceed together; and though so long a time as the present could not be allowed for printing, it might be completed by the last day of October, thus allowing from the 14th of September to the last day of October. Having got so far, and the lists being completed, the next step will be to let them get into the hands of the public for the necessary purposes of the elections. I think it would not be proper to issue the writs immediately on the publication of the lists. It seems to me that at least seven or eight days should elapse; that interval, however, I think, would be sufficient, because we all know that registration agents more or less supply themselves with the lists beforehand, and that they know a good deal about the results of the registration before the lists are actually published. I should also propose that, instead of thirty-five days being required between the proclamation and the meeting of the new Parliament, that period should be reduced to twenty-eight days. In that way, it seems to me, the new Parliament might assemble by the 8th or 9th of December. There would then be sufficient time to swear in the Members in the course of that week, so that on the 14th of December we might proceed with whatever business the House might think proper to take. For my own part, I wish the meeting of Parliament could be still more expedited; but I do not believe that, with justice to the voters, it is possible further to facilitate matters. It would not be just to shorten the time in which the voters are to send in their claims, especially when it is considered that we have not settled by Act of Parliament who are to be the voters in the counties in which we have disfranchised the seven boroughs, and who cannot come into the list as county voters until the

Scotch Bill is completed. Also the claims of lodgers must be considered. The consideration of these will not begin until late, and they will take more time than is usually occupied. I have not felt that I could recommend the House to cut off any period of the time allowed for claims; but with respect to the revision, printing, and proclamation, I really believe that in the way I have suggested matters may be expedited. What, after all, is it that the House requires? The House wishes that a decision should be come to as early as possible as to whether or not certain principles are to prevail in the ensuing Parliament. Well, we wish also for as early a decision as possible, and I believe it might be arrived at in time to allow hon. Members to get to their homes again before Christmas. This would also allow —what I think would be only justice to any Ministry, whichever side might be in power—six or seven weeks to prepare for the meeting of Parliament in February, and to decide on the measures they might think proper to propose in the course of the Session. I can assure the House that I really believe this can be done, and I have brought forward what I believe are the most feasible means for bringing it about. There may, I am aware, be an objection that there will be no appeal from the Revising Barristers to the Court of Common Pleas. It must be remembered, however, that an appeal can only be allowed by the Revising Barrister; and I believe that in such cases the names are almost always inserted on the list, and that if an election comes on those persons may vote, the subsequent decision of the Common Pleas in no way affecting the validity of such votes. Nothing material, therefore, depends upon the hearing of appeals. If the House wishes for more information as to the details, I am prepared to give it. With regard to the Bill, I propose to fix the second reading for as early a day as the House will permit, and immediately afterwards to refer the Bill to a Select Committee to examine the details. That examination would not, I believe, occupy more then a few hours, and thus we might arrive as rapidly as possible at the object which we all have in view. The right hon. Gentleman opposite (Mr. Gladstone) proposed a preliminary inquiry; but by referring the Bill to a Select Committee I think there will be more prospect of coming to a definite and reasonable conclusion than in any other way. There are some small Amendments in the Bill which I need not enter into until the second reading. The object of them is to effect certain improvements in matters connected with registration, and to get rid of certain doubts which have been raised. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

Mr. GLADSTONE: The statement of the right hon. Gentleman, although very brief, has been perfectly clear and intelligible; and we have likewise come to the subject with very great advantage on account of some previous discussions which have brought all the points of it with considerable clearness to the minds of hon. Members. As far as I am able to judge, the proposal of the right hon. Gentleman has been conceived with an earnest desire to meet the two great objects that are in view. In the first place it gives full and ample time for the registration of voters, and to make an arrangement that would run no serious risk of interfering with the legal and formal exercise of those electoral rights which have been conceded by statute to the people of this country to take part in the election of representatives. If the right hon. Gentleman entertains a doubt—and I think there is great ground for doubt —whether the previous stages down to the commencement of the revision can be shortened, he has certainly erred on the safe side—if I may so speak—in leaving perfectly intact all the time now allowed for the completion of those lists. Diligence will be required, and in a degree even greater than usual, on the part of the officers concerned, on account of the augmented number of electors; but we have no reason to doubt that that diligence will be shown. With regard to the subsequent stages, I think the plan of the right hon. Gentleman is a good one, and that by an inquiry before a Select Committee the expenditure of considerable time will probably be saved in the House itself. If that were done, it would enable the House to carry this bill through its various stages without any lengthened discussion. It is plain that we are all agreed upon its objects—first, the facilitation of the registration, and, secondly, a dissolution of Parliament at as early a period as possible. The right hon. Gentleman has himself given what is really the most conclusive practical reason for desiring an early dissolution. We are going to submit a very great issue to the country. We have been compelled, in consequence of the necessity for submitting that issue, to maim very considerably the objects of the present Session. The Government have, with very great propriety, withdrawn important measures which they had prepared for the consideration of Parliament; and it is possible that they may likewise have to withdraw other important measures. Now, if this heavy arrear of business is to pass over until 1869, and if that year is to bring—as every year does bring—its own great and proper subjects for discussion, it is most important that the Administration which is to be responsible for the general conduct of the business of the country should have some time for the preparation of the measures to be submitted. And that observation applies quite as much to the present Administration — supposing that the verdict of the country should be favourable to them—as to any other Administration which may take their places. I am quite sure, from old experience, that it will not be practicable for the Government to make much progress either in the preparation of the Estimates or their measures until they know whether they are to be the parties responsible for carrying them through. So far as I am concerned—and I venture to say it is an opinion generally shared on this side of the House and in other places—I think it will be for the general convenience to fix on the earliest possible day for the second reading of the Bill, after we have seen the Bill and have had one or two days to consider its details; so that it may pass through the ordeal of a Select Committee. When it has assumed the best form of which it is capable, we can then enter upon a discussion of the provisions of the Bill. For my own part I shall be ready to use every effort to forward the progress of the measure.

Mr. BOUVERIE: I think I am entitled to say that the remarks I made a few weeks ago as to the possible date at which the new Parliament might assemble were not conceived altogether in that unjust spirit towards the Government which the right hon. Gentleman at the head of the Government on a subsequent occasion chose to assert. He said that my suggestions were conceived in a sceptical spirit, and that my conclusions were not to be depended upon. But the Home Secretary has now come just to the same conclusion as myself, within a day or two, as to the date at which it will be possible to take a dissolution of Parliament. There is one point mentioned by the right hon. Gentleman as to which I am still sceptical —as to shortening the dates for the return of the writs. There will be no difficulty in carrying out this suggestion in regard to the whole of England and the bulk of the Irish and Scotch seats. The real difficulty in shortening the thirty-five days would be in respect to Shetland and the Orkney Islands. I have not been there myself; but I know those who have, and I understand there is a stormy sea to be crossed, which is at times so rough in the winter that no steamboat can go, and it sometimes takes a week or ten days at that season of the year to cross between Orkney and Shetland. The Scotch Reform Act fixes by a special clause no less a period than thirty-five days as the maximum. The sheriff is to have the election proclaimed, and the poll taken within thirty days from the time at which he receives the writ. If that period has been fixed after due consideration, the period of twenty-eight days for taking the election in the Orkneys will not be sufficient in case of bad weather.

Mr. CHICHESTER FORTESCUE: I wish to know whether the right hon. Gentleman proposes in the Bill to deal with Ireland. If not, I hope the Chief Secretary for Ireland will be prepared with clauses to be introduced into the Irish Bill for the purpose of shortening the registration.

The Earl of MAYO: I have made deliberate inquiries on this subject. It will be necessary to introduce a separate Bill for Ireland, and I apprehend there will be no difficulty in arranging so that the Irish elections shall be fixed for about the same time as the English elections.

Motion *agreed to.*

Bill to amend the Law of Registration so far as relates to the year one thousand eight hundred and sixty-eight; and for other purposes relating thereto, *ordered* to be brought in by Mr. Secretary Gathorne Hardy and Sir James Fergusson.

Bill *presented*, and read the first time. [Bill 167.]

BOUNDARY BILL—[Bill 78.]

(*Mr. Secretary Gathorne Hardy, Mr. Chancellor of the Exchequer, Sir James Fergusson.*)

COMMITTEE. [*Progress, June* 28.]

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 3 *agreed to.*

Clause 4 (Alteration of Boundaries of old Boroughs).

Mr. HIBBERT, in rising to move an Amendment to carry out the recommendation of the Select Committee, said, that when the Boundary Bill was previously before the House he had moved the omission altogether of the 4th clause. He had regarded the appointment of a Select Committee as a kind of compromise. He had thought that that Committee had been appointed with the full consent of the Government, and that whatever conclusions they might arrive at would be accepted by the Ministry. He regretted to find that this was not the case. The Committee had acted with diligence and impartiality, and the Government would be justified in at once accepting their Report in the place of the recommendations of the Commissioners. What the Government had to do was to expedite the remaining business of the Session as much as possible; and that would best be done by accepting the recommendations of the Committee; because otherwise there must be considerable discussion and a great deal of time must be lost. The object of his Amendment was to carry out entirely the recommendations of the Select Committee so far as the towns named in it were concerned. With regard to these fifteen boroughs, the Committee recommended that the boundaries should not be altered. The Commissioners had certain Instructions given to them by the House, but they were very vague and indefinite, and were certainly such as to allow the Commissioners to make the recommendations they had done. The House, however, when they came to legislate on matters of a permanent character, were justified in not laying down boundaries that would not give satisfaction. In the case of Oldham, which was something like eighteen square miles in extent, the Commissioners recommended that the borough should include an adjoining district with about 6,000 inhabitants; but the Assistant Commissioner recommended a still further extension—namely, the addition to Oldham of a considerable portion of agricultural Yorkshire, because some houses lay on the other side of the border of the county. The Assistant Commissioner had an opportunity of stating his views before the Select Committee; and, as Member for Oldham, he had himself also appeared before them, and the Committee had recommended an alteration of the boundary of Oldham that had been proposed by the Commissioners, and that was satisfactory to most of the parties concerned. There were fifteen large towns in regard to which the Committee recommended no alteration of boundaries, among which were Birmingham, Manchester, Wigan, Nottingham, and others. The Committee had the Assistant Commissioners before it, and also the Members for those places, together with the memorials from the inhabitants; and the conclusion to which it came—at which he was not surprised—was that, so great was the difficulty of making extensions of those large towns that it would be better their boundaries should not at present be dealt with, but be left over till some future time. When the House considered what a borough was, it would see that the Committee was perfectly justified in its conclusion. Some persons thought a borough represented trading and commercial interests, and a county agricultural interests; but if they looked into the facts they would find that to be far from the truth. Our whole borough system was a complicated system of anomalies. The boroughs of largest area were agricultural, and the smallest were mercantile and manufacturing. That made it very difficult to deal with the boundaries. Of the English boroughs, there were eighty in which there were more acres than houses, and it could not be said that they represented trading and commercial interests. For example, Cricklade comprised fifty parishes, and had an average of twenty acres to each house. New Shoreham, Wenlock, and Wilton presented illustrations of the same character. It was not easy to say what a borough really was; and when they came to deal with places like Liverpool, Manchester, and Marylebone a very great difficulty must arise in extending their boundaries. The Commissioners had proposed to add to constituencies already overgrown populations of 20,000 and 30,000, which, if they had a claim to be represented, were entitled to have a separate Member for themselves. If the recommendations of the Commissioners were adopted in their entirety they would land us before long in electoral districts. The Report of the Commissioners carried us a step further to electoral districts, but to electoral districts that were decidedly unequal. He would take the case of Liverpool, which by the last Census had 443,000 inhabitants, and was supposed now to contain 500,000. Its present number of electors was 20,618, and by the Reform Act of 1867, 20,000 additional persons would be eligible to get upon the register, which would give a total of something like 40,000 voters. Well, the Boundary Commissioners recommended that West Derby and several other adjacent districts, having together a population of 43,233, should be added to the already overgrown borough of Liverpool. If that outlying population was to have justice done it, it wanted an additional Member. Again, the borough of Birmingham contained 350,000 inhabitants; it had 15,000 electors, and it was supposed that under the Bill of last year 35,000 more persons would be eligible to be put upon the register. The Commissioners proposed to add to the existing boroughs, Aston with 20,000 inhabitants, and Balsall Heath with another 10,500. The people of Aston had memorialized the House against the annexation, 4,500 of its male inhabitants having signed the memorial; and the people of Balsall Heath had also petitioned very numerously against it. The inhabitants of those districts admitted that they were engaged in trade, and formed part of the town of Birmingham; but they claimed, if they were to be represented, to have a Member of their own. Then, Manchester had 383,000 inhabitants with 21,000 electors already, and upwards of 35,000 more persons eligible to become electors under the new Reform Bill, thus giving a total constituency of some 57,000 voters. At present Manchester had boundaries which were well-known and properly defined; but the Commissioners proposed to add to it portions of seven townships with 37,000 inhabitants—a very objectionable proceeding. Indeed, the Commissioners admitted that to draw the boundary in the case of Manchester, so as to include all the outlying places which ought to be included, was a matter which presented very considerable difficulties. It could not be otherwise, because it was impossible to say where one town ended and another began. There were, he might add, other instances not connected with such large towns as he had mentioned, which he might lay before the Committee in support of the view which he took, but which he would not trespass upon their time by mentioning. He would, instead, briefly advert to the difference of population which would, if the scheme of the Commissioners were carried into effect, exist between counties and boroughs. Middlesex had now a population of only 368,424 persons, but the new borough of Chelsea and Kensington would take from it a considerable number of that population; and, as if that were not sufficient, it was proposed to abstract from it 28,000 more, and add them to Marylebone. Again, in the case of South-West Lancashire, which had now a population of only 263,000, it was proposed to take out of that number 20,000 and add them to Liverpool, which had already a population of 500,000, and which would then have 520,000 inhabitants, while West Lancashire would have only 243,000. It ought, he thought, to be left to a future Parliament to say how the case of those larger towns should be dealt with; and to determine whether the plan of dividing them would not meet the difficulties which beset the question better than adding great numbers to places which were already overgrown. Instead of finding fault with the recommendations of the Committee, he thought the House ought to express its thanks to them for getting it out of a difficulty. He hoped, therefore, his present proposal would receive the assent of the Committee.

Amendment proposed,

In page 3, line 16, to leave out the words "old Boroughs specified in the First Schedule to this Act annexed shall be altered in manner therein mentioned," in order to insert the words "viz. Abingdon, Ashton under Lyne, Aylesbury, Barnstaple, Bath, Bewdley, Blackburn, Bolton le Moors, Bridgwater, Brighton, Cambridge, Chatham, Cheltenham, Chester, Chichester, Cirencester, Coventry, Derby, Droitwich, Dudley, Durham, Exeter, Finsbury, Gloucester, Greenwich, Guildford, Halifax, Hastings, Hertford, Huddersfield, Kidderminster, King's Lynn, Kingston upon Hull, Lewes, Macclesfield, Monmouth District, Morpeth, Newport (Isle of Wight), Northampton, Oldham, Oxford, Penryn and Falmouth, Peterborough, Plymouth, Preston, Richmond, Rochdale, Salisbury, Stafford, Stamford, Stoke upon Trent, Stroud, Sunderland, Taunton, Wakefield, Walsall, Wilton, New Windsor, Worcester, Beaumaris District, Cardiff District, Cardigan District, Carmarthen District, Carnarvon District, Denbigh District, Flint District, Merthyr Tydvil, Pembroke District, Swansea District, shall be altered in manner specified in the First Schedule to this Act annexed."—(*Mr. Hibbert.*)

MR. ADDERLEY said, he thought a considerable amount of time might be saved in discussing the comparative merits of the Reports of the Committee and the Commission if the decision as to which of them should in the main be adopted were taken upon the Amendment which had just been moved. The hon. Gentleman in moving that Amendment advocated the adoption of a principle totally different from that proposed by the Commission in dealing with the large boroughs, and he should briefly state why he differed from the views which he had advanced. In doing so he would take the case of Birmingham, with which he was best acquainted, and which he regarded as affording a good illustration of the question at issue, premising that he believed the hon. Member for that town was very much the originator of the appeal which was made from a Parliamentary Commission to a Select Committee, and that he had managed to indoctrinate that Committee with the principle which he advocated. ["No, no!"] That was his opinion, and it was of the utmost importance that the Committee should be clearly aware of the issue before it, which was whether those large towns throughout the country which had greatly increased since they had been enfranchised should be treated as integral towns, or whether, to follow out the hon. Member's own view, a new system of representation should be commenced in this country, tending to the creation of electoral districts, and having for its basis the representation of numbers. [Mr. BRIGHT: That is not my principle at all.] Birmingham, as the Committee knew, had very largely increased in size and population since it was enfranchised, and there was the singularity about its case, that none of the reasons applied to its disintegration which had been so clearly stated a few nights ago by the Chairman of the Select Committee as having induced him and his Colleagues to arrive in particular instances at the new idea of ignoring the growth of towns. It was, in the first place, alleged that a borough should have some property in that portion of the town which it was proposed to identify with it. Now, the borough of Birmingham had property in Aston to a very considerable extent. It had bought its principal park there, and its rates and jurisdiction extended over it. It was, in the next place, contended that there should be identity of interest and character between the old borough and the part of the town proposed to be amalgamated with it. In the case of Birmingham there was the most perfect identity in every respect, so that no distinction could be drawn between the one and the other. In fact, it was impossible to draw any line between that part of the town which it was proposed to include and the old borough. It was further contended that it was important that the political and municipal boundaries of a borough should coincide; but surely a very easy way of doing that was after rectifying the one to bring the other up to it. But how, he would ask, did the hon. Member for Birmingham wish the Committee to deal with the town which he represented? In the first place, by means of the influence which he most deservedly possessed in that House, he had last year succeeded in procuring for Birmingham an additional representative on the ground of the increase of its population. Now, he should not waste the time of the Committee by protesting incidentally against the principle which, under the influence of the hon. Gentleman, had been, he thought, too much adopted by the House, that representation should simply be measured by the number of a population, who should be indicated by Members per so many thousands to act as mere counters in a division, and not, as heretofore, give a voice to every locality to take part in a consultative council. But, be that as it might, it required the audacity of a party who consider themselves possessed of a dictatorial majority to make the monstrous proposition that the representation of a town should first be increased on the ground of its increased numbers, and in the same breath to contend that the numbers in the represented area should not be increased at all. ["No, no!"] Hon. Members might cry out "No!" but that was the fact. Birmingham had had a third Member heaped on it upon the numerical principle and now its increased numbers were refused to be included in the represented borough. He must also call attention to the point upon which great stress was laid by the right hon. Member for South Lancashire—that the investigations before the Select Committee was not an appeal from the decision of the Commissioners, because the Select Committee had fresh ground on which to form their judgment. It was true, on the contrary, that the Committee were not so well-informed as the Commissioners, and had not the same grounds to form their judgment on. But what constituted the fresh ground? Why, the wishes of the inhabitants of districts proposed to be added to boroughs; but the wishes of the inhabitants had never before been considered as an element of consideration in deciding the question of enfranchisement or disfranchisement, which question had always been governed by great reasons of State. It seemed to be absurd to appeal to the wishes of the inhabitants of suburbs; for their wishes, no doubt, were that they might enjoy the advantages of an adjoining borough without being subject to increased taxation. He was present during the inquiry before the Assistant Commissioners at Birmingham, and he could state that that was the sole objection which any portion of the contiguous community had to be identified with the rest of their town. It appeared indeed from this that the value attached to the franchise was not considered equivalent to the burden it entailed; but such calculations were out of place in deciding the representation of a town. But what he chiefly wished to expose was the contrast between the grand principles of extension of the franchise enunciated by professed Reformers, and their resistance to any such extension when it comes in their way. The hon. Member for Birmingham had placed himself before the House and the country at large as the advocate of the greatest possible extension of the suffrage. The hon. Member had taken to himself the credit of the Reform Act of last year, and, in blowing his own trumpet as the champion of Parliamentary Reform, he had insisted that the essential principle was that in a free country the greatest possible number should have the rights of citizenship. He enunciated that principle in the Liverpool Theatre only a fortnight ago. But applying that principle to the present question as relating to Birmingham; if Birmingham were treated as an entire locality a great accession of numbers would be the result of the Bill of last year: 6,200 inhabitants would have the franchise given to them, if the town had been treated as the Commissioners proposed to treat it. But the hon. Member for Birmingham's grand principle was abandoned by him as soon as he found that it would operate against his object to keep half the town of Birmingham for leavening the county with. He prefers, with two Colleagues, representing only half the town, that the other half may get two more Members by swamping the county. Town and county are so far different interests, that the one has always been considered the movement, the other the conservative interest; and to crush the latter the franchise of 6,200 citizens is sacrificed though they were considered the more intelligent of the two. He hoped that the hon. Member would never enunciate those grand principles again, now that we knew the difference between his principles and his practice; and that when he found an extension of the suffrage inimical to his interests he became as active a disfranchiser as he had ever depicted the extremest Tory to be. The hon. Member was arguing the other day in the spirit of Pericles "that it was essential for the success of a free country that in every part the greatest number possible should take an interest in public affairs." But across this noble sentiment now intervened the object of the hon. Member to swamp the influence of the country. The hon. Member felt, no doubt, that the present limits of the borough of Birmingham was quite sufficient to carry three of his senatorial indexes of population, and he wished to reserve one-half of the community which could not be distinguished from the other half, in order that four more counters on his side of the House of Commons might be got out of Birmingham in the name of the county constituencies of Warwickshire and Worcestershire, so that, in fact, Birmingham would have seven representatives — three elected for half the town and two for each of the adjoining county divisions. For his (Mr. Adderley's) part he preferred to sustain the recommendation of the Commissioners, and he maintained that those who did so were the real Reformers. On the broad principle of extending the franchise to the greatest possible number, the Ministerialists were now proved to be the Reformers, and the Opposition the disfranchisers. If the principle of the Committee were adopted enormous numbers in the aggregate of the boroughs now under discussion would be excluded from the franchise; while large numbers would be admitted if these urban areas were included in the boroughs to which they belonged, and were properly recognized, as in fact they are, according to the Report of the Commissioners. The unwieldy size to which some of these boroughs had grown was no argument for using parts of them to swamp the counties, though it might be an argument for dividing the largest towns, such as Manchester and Glasgow, into two urban constituencies. He had treated Birmingham as a sample of the other boroughs, and as a sample he considered that it afforded a strong and unanswerable argument in favour of the recommendations of the Commissioners and against the proposal of the Committee to upset them, and in the division about to ensue the issue might fairly be taken on the general principle.

Mr. BRIGHT: The right hon. Gentleman (Mr. Adderley) has undertaken, I presume, to answer some observations which I made in the House on this subject a few nights ago. I wish he had been a little more accurate. He has said many things which I will not contend against by argument; I shall simply contradict them. For instance, he said that I was the author of the Select Committee. I understood that the Committee was proposed from his own Benches—and I supported the proposition for it, as I do frequently support propositions from those Benches, when they seem to me judicious for the purposes of the House. The right hon. Gentleman said further—I do not give his exact language, but he intimated that I had forced my views regarding this matter upon the Committee—that I indoctrinated them, I am told, was his expression. I do not know whether he means that I entered into any conspiracy with the right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole) on this question. What I did was just what the hon. Member for North Warwickshire (Mr. Newdegate) did. I appeared before the Committee, at their request and by their permission, to state what I thought on this matter. All I have done is before the House and before the Committee. I will not say my arguments had no effect; but at least the facts of the case were sufficient to justify the conclusion at which the Committee arrived. He said, further, that I had been in favour of driving towards electoral districts. The general impression out-of-doors is that the right hon. Gentleman and his Colleagues are driving in that direction; but I have never advocated electoral districts, nor a representation exactly in proportion to numbers. All I have said is that numbers must be taken into consideration in agitating the question of the distribution of seats; and if on such a point the right hon. Gentleman will have no regard whatever to numbers, there will come a day when numbers will speak to him in a voice which he will be just as little able to resist as he and his Colleagues were able to resist a certain voice that made itself heard last year. Well, then, he further stated that, seeing I was an advocate for the widest extension of the franchise, it would be most inconsistent in me to oppose an extension of the borough boundaries, as this would extend the franchise to a much larger number of persons than would receive it if the disputed districts were still to be assigned to counties. Now, the right hon. Gentleman never heard me advocate the widest extension of the franchise. The extension which I have advocated ever since I have been in Parliament is precisely that extension which he and his Colleagues adopted in the Bill of last year. Therefore these are charges which, to those who know me are, on the face of them, absurd; and the right hon. Gentleman, speaking on behalf of the Government, ought really to be more careful when he makes them. Throughout the whole of his speech he has been imputing motives to me which I am not conscious of having incurred the blame of. It can be no disadvantage to me to see the population of Birmingham doubled; it does not cost me anything for my seat; but it costs much to those who return me here, and therefore I am anxious that their expenses should not be increased. It would not make me sit any more or less certainly for Birmingham whether you added to its numbers or not; but I presume it will be admitted that if the population of Birmingham be increased by one-half, or be doubled, to a certain extent the representatives of so great a population would have, I will not say a corresponding increase of weight, but in some degree an increased influence in this House. Therefore I have no object whatever, but that we should do that which is just towards the population of Birmingham, and I shall argue the question exactly the same as if it referred to the population of Manchester. Now, the right hon. Gentleman's motives are obvious. He has no influence whatever in Birmingham, nor has the hon. Member for North Warwickshire, though he says he rejoices that he is the representative of the county, and that he has many friends in Birmingham; but he has nothing whatever to do with the borough in matters of representation. What he has to do, however, is this. He knows, or believes, that the question now before the House will affect in some degree the balance of power in the two counties; that the manor of Aston, being in North Warwickshire, gives a considerable number of votes to that county, and no doubt, with the increase of votes under the Act of last year, will greatly strengthen the hands of the Liberal party; while the same process will occur in the division of East Worcestershire, where I believe the district of Balsall Heath is situated. The right hon. Gentleman was very free in imputations of motives to me, every one of which was contrary to the fact; but he will not deny that his motive is to weaken the party to which he is opposed in the counties of North Warwickshire and East Worcestershire; that is the whole object of the fight he is making. Now, I have stated the figures before, but I can repeat them in a sentence. The right hon. Gentleman, in his multifarious knowledge of this matter, did not give the House any one of the figures important to its decision. He should have told us that North Warwickshire had a population of only 120,000 with two Members, and that Birmingham had a population of 350,000, and if this plan were carried out would have more than 380,000, and was rapidly increasing. With three Members still given to them, in that division at the beginning of December, to which, no doubt, the right hon. Gentleman (Mr. Disraeli) is anxiously looking forward, Manchester or Birmingham will count for but one vote, and will be equal in influence to the most wretched borough still retained in the representation. North Warwickshire has two Members, and the proposition is to take 25,000 from North Warwickshire, with its population of 116,000, and add them to Birmingham, with its population of 350,000. If the Government advocates in the House of Commons measures that will increase these gross inequalities, I want to ask whether the right hon. Gentleman or myself is the greatest promoter of that change which he has described by the term "electoral districts." You may be quite sure that if this policy is pursued, the very next time it is my privilege to stand before my constituents in the Town Hall of Birmingham I shall have to point out to them how the right hon. Gentleman, his Colleagues, and his party have forced a vast increase of population upon them, with a corresponding decrease in the population of the surrounding districts, but without giving to Birmingham any corresponding increase of power in this House. I say the right hon. Gentleman is not pursuing a wise course in advocating the views he has taken in this House. The right hon. Gentleman the Member for Cambridge University (Mr. Walpole), at the conclusion of the admirable speech he addressed to the House the other night—I call it so not because it agreed with my views; but because it was admirable in every respect

—made an observation upon a point which I have once or twice mentioned, and spoke of the importance of having the boundaries of boroughs well-defined, without at the same time drawing too sharp a line between them and the neighbouring county, so as to make the borough Members represent one great interest in the country, and the county Members another great interest. I have said before, and I repeat it now, that whenever this House comes to be so divided, it will be one of the most calamitous things that ever happened for our Parliamentary system, and those who will suffer the most from it are the right hon. Gentlemen who are now striving in that direction. The right hon. Gentleman the First Minister reminds me of a passage in the life of a celebrated statesman, of whom some have said — I know not with what authority — that he made his profit by varying his course according to the vicissitudes of the times in which he lived. After the death of Queen Anne, when Bolingbroke was deprived of power, he denied many of the charges made against him; but he acknowledged that he had intended to make a very important change in the representation, and that he—

> "Wished to restrain the influence of the monied interest in the Legislature and matters of State, because the country gentlemen were vexed, put to great expense, and were baffled by the traders in their elections."

Fortunately, political calamity overtook the author of this scheme, and he had no opportunity of carrying out its principle; but that is the principle of the right hon. Gentleman at the head of the Government. He has over and over again stated it to the House in different words, but coming to the same meaning; that is, by altering the boundaries of boroughs he wishes to give the country gentlemen and the landed interest a more exactly defined and influential power in Parliament than they had hitherto possessed. He would be the worst enemy of the country gentlemen and the landed interest if he could by possibility carry out that principle. But fortunately there is a power in the House and in the country which will prevent him. There is no Select Committee, no ingenious Minister, no ready tools, no Spofforth, who can so manipulate the boundaries of boroughs in this country as to bring about a change in the preponderance of political power. In the case of Birmingham there is no proof that the change proposed will lead to any party advantage; but there can be no doubt that it would be a great inconvenience as far as Birmingham is concerned; and therefore I oppose it. The right hon. Gentleman (Mr. Adderley) said, "You are not Reformers; we are the real Reformers." Well, the right hon. Gentleman and his Friends take so many new faces that one hardly knows where to fix them. Does he know that in one of these outlying districts in Birmingham, out of 6,000 occupiers 4,600 have petitioned not to have the franchise which the right hon. Gentleman wishes to thrust upon them? There is only one other point I need mention. I have heard it said that if we would only consent to allow the sacrifice of Birmingham, hon. Gentlemen opposite would compromise with us and allow the decision of the Committee to be taken in block. ["No!"] I do not know whether that is true or not; but if it be true, I appeal to hon. Gentlemen whether that is a very honourable and very noble sentiment. It cannot be that hon. Gentlemen opposite have such an interest in North Warwickshire, East Worcestershire, or Birmingham, as to make that an exception to the policy they would adopt in the rest of the boroughs. I trust that in this House—discussing the question with fairness but with earnestness—I have not made myself liable in any degree to such personal feelings that hon. Members opposite wish through me to injure and stab the constituency I represent. I am satisfied that the House will do itself credit by accepting the decision of the Committee to which this question was referred, and—I speak without hesitation, though I do not pretend, as the right hon. Gentleman says, to represent the great body of the people—that if the decision of the Committee be adopted as it stands, the House will act in accordance with the views of the vast majority of all the population of the districts which are concerned in this question of boundaries. I say no more; but I hope that the Committee will accept the Amendment of my hon. Friend the Member for Oldham (Mr. Hibbert), for which I shall vote with the greatest pleasure.

MR. RUSSELL GURNEY: I shall not, in the few observations which I have to make upon this question, impute any motives to any Gentlemen on either side of the House in the views which they have expressed. I should have been glad, indeed, if I could have avoided taking any part in this discussion. It is not pleasant to find one's work in the Boundary Commission pitted against the Report of the Select Committee presided over by my right hon. Friend (Mr. Walpole); and what makes it especially unpleasant is that, while in a matter in which I have been engaged during many months with men of wholly different politics, and have not heard during that time a single party observation, the discussion has now, in a very great degree, assumed a party character, and the question is to be decided apparently according to the strength of parties, without reference to the particular merits of the question at issue. Having been responsible for the Report of the Commission that is laid on the table, I think it due to myself, to my brother Commissioners, and also to those by whom we were appointed, to state the grounds upon which we proceeded in the consideration of the matters referred to us, and to show what appear to me sufficient reasons why this wholesale disagreement with the recommendations of the Commission should not be at once adopted by the House. It has been stated during the discussion that the Instructions we received were imperfect, and that consequently our Report could not be adopted. I am not going to enter into that question; but it will be remembered that those Instructions, whatever they may have been, were not given merely by this House, but by Parliament, and that it was on the faith of those Instructions being followed out that the Reform Bill of last year was passed. But I contend that the principle upon which we acted was not only sanctioned by Parliament, but it was the right principle. As I understand it, it was that in future those who were to sit here, with all the weight and importance to be given to them as appearing for great towns, should be in fact the Members for those towns. I do not mean to make any personal allusion—I should be sorry to say anything which might appear to be of a personal character — but I must repeat that the principle, as we understood it, was this—that the Members for Birmingham and Manchester should be elected by the towns of Birmingham and Manchester, and that while they had all the weight and importance given to them as the representatives of those great towns, they should not be elected merely by a portion of the towns, and represent in fact only a portion of them. I think that is a right principle on which to proceed. Well, what are the objections to such a course? The main objection urged a few nights ago by my right hon. Friend (Mr. Walpole), and which has been referred to again and again, is this —that it is important that the municipal and Parliamentary boundaries should be the same, and we were told in the concluding passage of the speech of my right hon. Friend (Mr. Walpole) that it was a matter to which he attached immense importance that Members should in that way represent not a mere mass of individuals, but a well-known and acknowledged body bound together by municipal ties. I admit that was the principle in force previously to the passing of the Reform Act of 1832, but no such principle was acted upon by the framers of that Act, nor has any such principle been recognized since that time. When we entered upon the inquiry we found no less than fifty boroughs in which the boundaries, municipal and Parliamentary, were different. Since the time of the Reform Act we have had various great towns incorporated by the Crown, and in those cases it has not been thought necessary that the Parliamentary boundary should be followed. The great town of Manchester, which has been referred to, was incorporated some years after the passing of the Reform Act. The Parliamentary area included between 6,000 and 7,000 acres, but the district incorporated consisted of only 4,000. The same thing has been done with other towns. The Parliamentary borough of Brighton was created by the Reform Act, and included a large and populous district called Hove; but when, some years afterwards, Brighton was incorporated Hove was excluded. The same thing happened with the town of Warrington. These are three cases that I happen to remember; and in none of them was the Parliamentary boundary taken as the boundary of the municipality. Therefore I say it is idle to contend that we are to be bound by the municipal limits; we have not been bound in that way hitherto; Parliament has not considered itself so bound, nor has the Crown considered itself so bound. What, then, are the other objections urged to the principle upon which we proceeded, and, as I maintain, proceeded rightly? The next great point relied upon is that we have not sufficiently considered the wishes of the inhabitants. It is not true that their wishes have been altogether disregarded. In doubtful cases we gave weight to the wishes of the inhabitants; but we thought that in considering their wishes we were bound to see what were the prevailing motives for those wishes. It was not that there was any objection on the part of the inhabitants of the excluded district to obtain the Parliamentary franchise, or to be admitted within the Parliamentary borough; but the objection was this, as it was reported over and over again by our Assistant Commissioners. The inhabitants said, "This is the thin end of the wedge, and if included within the Parliamentary boundary we shall be subsequently included within the municipal boundary also, and then we shall have to pay the municipal rates." These were exclusively the representations that were made; and I put it to the House whether such "wishes of the inhabitants" ought to have been allowed to influence us? They were wrong, indeed, in the idea that they formed; because the cases of Brighton, Manchester, and Warrington, which I have already cited, show that it was not a necessary consequence that, if taken within the Parliamentary boundary, they would therefore become subject to the municipal rates; but there was a great dread that such would be the case. In many instances persons had gone just outside the municipal boundary in order to avoid the payment of rates, while they had themselves the whole benefit of the town's expenditure. In these cases they would no doubt be taken, and rightly taken, within the municipal boundary. But in the one case and the other the fear was either groundless or unreasonable. It was groundless in cases where the outlying district did not really form part of the town; it was unreasonable where it did, because it was only right that in the latter case the persons now exempt should share the burden with those who had now to pay all the necessary rates. Another objection which had been urged with great force by the hon. Member for Birmingham was founded on the comparative populations of the county from which the district was proposed to be taken, and of the borough to which it was proposed to be added. That objection would be of immense force if the Members for the county did not still continue to represent the borough. But in the case of Birmingham, out of 6,000 persons on the Register for North Warwickshire, upwards of one-fourth derived their qualifications from the town of Birmingham. How, then, could it be said that the population of Birmingham would be taken out of the county constituency? But he had understated the number; more than one-fourth of the electors were taken from that particular portion of Birmingham already included in the Parliamentary borough. The number in the other districts was also very considerable, and would be immensely increased by the reduction made in the qualification for the franchise last year. In that particular division we were informed by a gentleman of great knowledge and experience that the county constituency from the qualifications for the town of Birmingham would be nearly doubled in consequence of the change made last year. The county Members represent not only the constituency derived from the population of 116,000 in North Warwickshire, but also the constituency which exists within the borough, and by which the election is very materially influenced. Nor was the case of North Warwickshire a singular one. In many of the counties affected by our recommendations the proportion of town to county voters on the County Register will be found to be much larger. In South Lancashire, out of 21,555 voters on the Register, 8,783 derive their qualifications from represented towns; in Middlesex, 6,137 out of 14,847; in South Hants, 2,858 out of 5,677; in North Durham, 3,189 out of 6,042. I hardly know what other points there were to which I need refer; but there was one thing which was referred to by the hon. Member for Birmingham on a former occasion, and on that I would wish to make a remark. The hon. Gentleman spoke of the great interest which semed to have been taken in his town; and he referred especially to a visit paid to Birmingham by one of the Commissioners, Mr. Walter, and seemed rather to throw a slur upon that gentleman, as if there had been some kind of undue feeling in the matter. The fact was that there was a certain degree of fear entertained of the opposition which we anticipated from the hon. Member, and there was a considerable anxiety on the part of the Commission that no part of the town population should be included in the limits of the Parliamentary borough which did not, beyond all question, belong to it. When, therefore, an enlargement of the boundary was suggested, and before it was adopted, one of the Commissioners kindly went down with the Assistant Commissioner in order to look over the ground before we came to a final decision; and the result was to make out a clear distinction between one of the districts proposed to be added and the two others which we finally recommended. I think, therefore, the hon. Member had no reason to complain of anyone, or to suggest that the visit was made with any other view than what was perfectly fair towards the town of Birmingham. Then it was said it was exceedingly undesirable to draw a strict line between the urban and rural population. I fully admit it, and I may refer to one part of our labours to show that that feeling was entertained generally by the Commission. When counties were to be divided, as it would be easy to see, one of the points kept in view was not to draw a too hard and fast line between the urban and the rural population, but to have an admixture of both in each division. We felt at the same time that practically the principle of county and borough representation proceeded upon the fact of there being some distinction between the population of the county and the borough. What we felt throughout the whole matter was this — that we had to consider what really did form a part of the town, in order that for the future the Member for Manchester should represent the whole importance of Manchester. There was another point to which we felt bound to attach importance. We felt bound to look to what districts there were the inhabitants of which ought for the purposes of elections to be included. In that matter it seemed to us that the course we were to pursue was one of enfranchisement. What would be the effect of adopting the Amendment of the hon. Member for Oldham (Mr. Hibbert)? Why, between 30,000 and 40,000 persons would be excluded from the Parliamentary franchise, and thereby kept, as we used to be told last year, outside the pale of the Constitution. Now, is it desirable that such a thing as that should be done merely that there might not be an increasing inconvenience at elections in consequence of the large constituencies which would be created. Birmingham, with all these additions, will not be so large as several other boroughs; and, therefore, I do not think that the size is sufficient reason for depriving that large number of people of the franchise. I do not wish to go particularly through the different boroughs; but I will take one instance, just to show how undesirable it would be to adopt the Amendment proposed. I will take the town of Nottingham, and I will refer to perfectly independent testimony on the subject—namely, the Report of the Municipal Commissioners, who were appointed so far back as 1837, to inquire into the different municipal boundaries. What was their Report as to Nottingham? It said—

> "The increasing population, unable to find room within the limits of the town, has resorted to the neighbouring parishes of Radford, Linton, and Sneinton, and in these three parishes upwards of 20,000 people, closely connected in every way with the town of Nottingham, are now congregated. New Sneinton forms actually a portion of the town of Nottingham. New Radford may also be said to form a portion of the town, though the connection is not quite so close as is the case at Sneinton. The remaining population of the three parishes occupy blocks of buildings lying detached at small distances from each other. Their proposal, therefore, was to add Sneinton and parts of Linton and Radford to the town of Nottingham."

These are the very districts which we proposed to add. Will it be contended that thirty years afterwards they cease to form part of the town of Nottingham? It was then recommended that they should be brought within the municipal boundary, because they essentially formed part of the town, and it is now proposed to exclude them from the Parliamentary boundary, though every year that has passed has tended to unite them more closely to the town of Nottingham. The only reason for this that I have heard urged is that Nottingham is a county of itself, and that the freeholders in Nottingham have a vote for the borough instead of the county. By the Reform Act it was provided that the freeholders in districts added to such towns should in the same way vote for the county, while no such provision is contained in the present Bill; and for no better reason than this thousands of working men are to be deprived of the franchise. The recommendation of the Commissioners in 1837 was not carried out, because at that time the Government was very weak; for then it was felt, as we have since learnt, what a misfortune it is to have a weak Government. Lord Melbourne, indeed, was reported to have said that, however opinions might differ as to whether a Whig or a Tory Government was the best, certainly the worst of all Governments was a weak Government. The Bill then drawn was abandoned because the Government, from their state of weakness, could not carry out the views they entertained, opposed, as they were, by some of their ordinary supporters. I will only add a word or two to remind the House what were the views entertained on this subject by the hon. Member for Oldham (Mr. Hibbert) last year. At that time the hon. Member for Birmingham (Mr. Bright) proposed that the Parliamentary and municipal boundaries should be conterminous, and the hon. Member for Oldham said—

> "He could not agree with his hon. Friend the Member for Birmingham that it was desirable that the boundaries of the Parliamentary boroughs should always be conterminous with those of the municipal boroughs. There were many large and growing towns situated outside of the municipal boroughs to which the franchise ought, in his opinion, to be extended, though the inhabitants would not desire to be incorporated with the municipalities. . . . The borough which he represented (Oldham) was an instance of this, and he thought it was a fortunate thing that the Parliamentary area was made so wide in 1832, for otherwise those townships would virtually have no representation."—[3 *Hansard*, clxxxviii. 277-8.]

I now appeal to the hon. Member for Oldham, and I appeal to this House, not to inflict upon the inhabitants of the districts forming parts of the towns of Birmingham, of Manchester, of Bristol, and of Nottingham, what he considered to be virtual disfranchisement, but to extend to them the same protection which he last year rejoiced had, in 1832, been extended to the people of Oldham.

SIR HEDWORTH WILLIAMSON expressed regret that a Member of the Government, the Under Secretary for the Colonies (Mr. Adderley), had spoken in a manner calculated to excite party dissension on a subject which ought to be treated with judicial calmness and fairness. The right hon. and learned Gentleman who had just sat down (Mr. Russell Gurney) said that in doubtful cases the Commissioners had yielded to the wishes of the inhabitants; but in the case of South Shields, and other places in which he (Sir Hedworth Williamson) was most interested, he was afraid that had not been the case. The right hon. and learned Gentleman omitted a very material point—namely, that if these places were annexed to the boroughs they would be debarred of their privilege of being able to collect their rates on the compounding system. Much stress had been laid upon the fact that the Commissioners had been very careful not to recommend annexation of any place to a borough when it was not closely allied to it; but this had been done at Gateshead. In this instance a place had been tacked on to a borough which did not wish to receive it. The interests of the two places were opposed; the outlying districts had their own Board of Health; they had borrowed money for their own improvements, and the borough also had borrowed considerable sums of money from which the outlying districts could receive no benefit. He hoped the Amendment of the hon. Member for Oldham (Mr. Hibbert) would be accepted, which would render it unnecessary to bring forward the Motion of which he had given Notice, for the omission of South Shields and Gateshead from Schedule A.

MR. BROMLEY DAVENPORT said, he was one of those who really thought it a great mistake to refer this matter from the Commission who had bestowed on it seven months of great labour to a Committee which disposed of the whole question in eleven days. He could only say, for himself, that the notice he received to appear before the Committee did not reach him till the evening of the day on which he was to go before them. He wished to recall to the attention of the hon. Member for Birmingham (Mr. Bright) the words he had used in thanking the electors for his unopposed return at the last election. The hon. Member then said—"We have had a very quiet time here; dont let it be quite so quiet next Thursday"—the day of the election for North Warwickshire. The hon. Member added, "You are non-electors; it is true you have got no votes, but you have got influence; let it be felt." He was happy to say, however, that although at the election for North Warwickshire there was a considerable amount of animation, yet it passed off without any very serious consequences. Under these circumstances he was glad to hear that the hon. Member had no intention that the changes proposed should have the effect of interfering with the election for North Warwickshire. His party were in a minority in Birmingham, and he thought that if the recommendations of the Commissioners were carried into effect that minority would become larger. [Mr. BRIGHT: Smaller.] He hoped that, if the hon. Member for Birmingham did not propose to interfere with the election for North Warwickshire, he should again be returned as the representative of that constituency.

MR. BRUCE: I am not at all disposed to undervalue the differences that have arisen between the Committee and the Commissioners; but I think there is a tendency greatly to over-rate the importance of the changes that have been proposed. Those who have listened to the speeches of the right hon. Member for North Staffordshire (Mr. Adderley) and of the right hon. and learned Gentleman (Mr. Russell Gurney) would almost be of opinion that the present Members for Birmingham, Manchester, and Liverpool are not really the representatives of those great populations, but are simply the representatives of the nucleus of great modern towns. ["Oh, oh!"] What are the facts? Birmingham has a population of 350,000, and the increase of population within its Parliamentary limits in thirty years has been from 152,000 to 294,000. Within these limits there is an unoccupied area, pointing to the possibility and probability of a further increase of 200,000; so that there is no reason why the future Members for Birmingham should not be the representatives of 550,000 people within the limits of the existing town. The evidence taken before the Assistant Commissioners proved that fact. What did the Commissioners propose to do, in order to render the Members for Birmingham the real representatives of that borough? Why, they proposed to add to the existing population an additional population of 35,000. They also proposed to add 35,000 to the 400,000 forming the the present population of Manchester, and 25,000 to the 500,000 forming the present population of Liverpool. In these cases it may be assumed that the Commissioners had followed the overflow of the population of the boroughs, and these proposed additions might have been fairly made upon that ground, had it not appeared to the Committee that there were weighty counterbalancing reasons why the recommendations of the Commissioners should not be followed. The case is still stronger with regard to the metropolitan boroughs of Marylebone and Lambeth. The Commissioners proposed to add Hampstead, with its 28,000 inhabitants to Marylebone, which already contained 436,000 persons. But can Hampstead be regarded as the overflow of Marylebone? The population of Middlesex has been reduced to 179,000 by the recommendation of the Commissioners, and it would be further reduced to 151,000 if the population of Hampstead were to be also subtracted from it. But even this case is weak when compared with that of Lambeth. This borough has a population of 319,000, and it is proposed to take Clapham and several other distant suburbs of London out of the small divisions of East and Mid Surrey for the purpose of adding an additional population of 57,000 to that borough. But this is the least objectionable part of the proposal. East Surrey was divided by the

Reform Act of last year by reason of its increased population into two portions—one consisting of a population of 97,000, and the other of a population of 111,000; the general rule upon which the House acted being that these divisions should only be made when there would be a population of 50,000 to each Member of the division. It is from these two constituencies, which have been subdivided on account of their population, that it is now proposed to take the very population which was the cause of their being divided. It is most reluctantly that I am obliged in these instances to disagree with the Commissioners. I cannot shelter myself under the statement that the Committee disagreed with the Commissioners simply and solely on matters of detail — they differed on matters of principle, because they believed that the addition of Clapham and Hampstead to the boroughs I have mentioned were not the additions contemplated by the House. With respect to the boroughs of Gateshead, South Shields, Tynemouth, Portsmouth, and Warwick, in every case the evidence showed that the population proposed to be added to the existing boroughs was not the overflow of the old boroughs, but were independent populations which would have existed whether the old boroughs existed or not. The case of Nottingham stands on peculiar grounds. North Nottinghamshire, is one of the most remarkable counties in England. The borough of East Retford has a larger population than the whole of North Nottinghamshire, which has a population of 95,000, from which it it now proposed to take a population of 20,000 in order to add it to Nottingham, which has already a population of 80,000. I believe, Sir, that I have said sufficient to show that there were valid reasons for what the Committee did, and inasmuch as our decisions were unanimously arrived at, and were not in the slightest degree the result of party feeling, I trust that they will be confirmed by the House.

Mr. NEWDEGATE said, that the right hon. Member for Merthyr Tydvil (Mr. Bruce) seemed to be unwilling to consider the fact that the population of Birmingham had overflowed the boundaries of the borough; he said that there were spaces enough for them within the present boundaries, and that they ought, and probably would, fill these spaces with houses. He would, if he could, cabin and confine the population of Birmingham within the present boundaries of the borough. The Commissioners, on the other hand, seemed not to have felt offended at the overflow of the Birmingham population into Aston; but to consider that it was natural and legitimate, and that the boundaries of the borough ought to be accommodated to it. So thought Her Majesty, for in 1858 Her Majesty went down in person to present the Park and Manor House at Aston to the people of Birmingham. He (Mr. Newdegate) should not easily forget seeing Her Majesty standing upon the terrace of that ancient Manor House; while the people, not of North Warwickshire but of Birmingham, crowded beneath, and respectfully asked Her Majesty to speak a few words to them, and he believed that this request was granted. Since then the houses of this Birmingham population had risen rapidly around the Park and Manor House of Aston. The people of Birmingham felt that this Park and Manor House, these means of recreation and enjoyment, had been made their own. The Corporation had bought the Park and Manor House, and it was as much their property as the Town Hall of Birmingham itself. The practical incorporation of Aston into the town of Birmingham had been going on for years. He held in his hand an extract from the *Post Office Directory* for Birmingham and the Midland Counties for 1864, when this question had never arisen. Speaking of Aston, it said—

> "Aston is a village adjoining Birmingham on the North. . . . The village no longer retains its once retired and rural aspect; it is being absorbed by the extensive improvements and additional streets added to Birmingham, and bids fair at no remote period to form part of the town. The Hall, built by Sir Thomas Holt in 1635, and the grounds attached, are in the possession of the Aston Park Company, and are used for fêtes, &c."

Since that date, the Corporation of Birmingham had bought the property, and made it their own. The Census Returns for 1841 showed that the population of the parish of Aston, the most populous district of which was the Manor, amounted in 1841 to 45,718, that in 1851 it had increased to 61,281, and that in 1861 it had increased to 94,995. The increase between 1841 and 1851 was thus 15,463; but since the Park had been opened by Her Majesty, the increase as shown between the Returns from 1851 and 1861 was 33,714, or more than double that of the previous ten years. He did not believe that any stronger proof of the correctness of the Commissioners' decision could be given than that which was furnished by these Census Returns. The hon. Member for Birmingham seemed to think that there was something illiberal in the course which he (Mr. Newdegate) had adopted. He might, however, remind the hon. Member that he had supported the Motion for giving four Members to Birmingham. Previous to that he had advocated the addition of another Member to the representation of North Warwickshire; but then it should be remembered that North Warwickshire included the representation of the freeholders and leaseholders of Birmingham, Coventry, and Tamworth, while it contained Rugby with more than 7,000 of town population, Foleshill with 8,000, Bedworth with 7,000, and Nuneaton with more than 7,000 inhabitants: these were places having large town populations of their own. Indeed, the constituency of North Warwickshire was to a great extent a town constituency. He felt bound to say that after the speech which the House had heard from the right hon. and learned Commissioner (Mr. Russell Gurney) that evening, that however great might be his respect for the right hon. Gentleman the Member for Cambridge (Mr. Walpole), he, for one, could not accept the authority of the right hon. Gentleman when it was opposed to that of Lord Eversley, who for sixteen years had been the respected Speaker of that House — the less, when he remembered that the Select Committee over which the right hon. Gentleman presided had sat for eleven days, while the Commission at the head of which Lord Eversley had presided and pursued their inquiries for seven months, whatever might be the decision of Parliament on this subject. As far as he himself was concerned, he, in former days, had polled a majority in the Birmingham district, and he believed he should be again returned. Strangely enough, the hon. Member for Birmingham seemed to accuse him (Mr. Newdegate) of being in favour of laying the foundation for an arbitrary separation between the borough and the county constituencies, and the establishment of equal electoral districts. The hon. Member seemed to have forgotten that in 1859 he (Mr. Newdegate) had opposed the Reform Bill of Lord Derby's Government because it would have had that effect. Such would probably, however, be the ultimate result, if the House did not regard and rightly apportion the constituencies according to the overflow of the populations of the large boroughs. He believed that the best course the House could now pursue was to adopt the suggestion which had been made by the Prime Minister, and to consider each case upon its own merits; because, in most instances, there were differences between these cases, the existence of which it was essential to remember if they desired to arrive at a satisfactory decision.

MR. OSBORNE: I think it important that the Committees should recollect one thing—that however great, populous, and distinguished the borough of Birmingham and the county of North Warwickshire may be, that is not the only point we have to consider. Hitherto, indeed, in this debate we have heard nothing but "Birmingham" and "North Warwickshire," which have been perpetually dinned into our ears. I must say that I, for one, should be very sorry if, by any vote of mine, I imperilled the return of the hon. Gentleman the Member for North Warwickshire (Mr. Newdegate), whom everyone respects, and whom I look upon, in his way, as a representative man of the bigotry of the country. The class ought to be represented, and if I thought so undesirable an end were likely to be attained, I should hesitate before I voted on this question; and for one reason — that I always like to see him in his place. But there are other interests involved besides those of Birmingham and North Warwickshire; and when the hon. Member said that after the speech of the right hon. and learned Gentleman the Member for Southampton (Mr. Russell Gurney), there could be no doubt on the subject, and when the hon. Member appealed to the authority of Lord Eversley, because the Commission of which the noble Lord had been the Chairman had sat for seven months, he forgot to tell the House that a Special Commission which had to deal with considerations affecting 130 boroughs must necessarily take longer than a Committee which had the benefit of their labours, and had only to deal with and determine questions affecting twenty-nine boroughs. And when he alludes to the speech of the right hon. and learned Gentleman the Member for Southampton, who was one of those Special Commissioners, and who I believe is the real presiding genius of that Commission, I must say I think that that speech was a most extraordinary one as coming from a Judge. It appeared to me as if the right hon. Gentleman at the head of the Government, enacting the part of Hamlet, had exclaimed—

"Come, the Recorder!"

Now, who was the author of the Select Committee? Why, it was the right hon. Gentleman the Secretary of State for the Home Department who suggested the appointment of the Select Committee. And what was the course suggested by the right hon. and learned Gentleman the Recorder on that occasion. Did he make any objection to the proposal? No. He rose in his place, and although he no doubt felt sore at the suggestion, he gave it his assent, an assent in which he was backed up by his shadow—a rather substantial shadow — the hon. Baronet the Member for the West Riding (Sir Francis Crossley). Now, however, the right hon. and learned Gentleman comes down to the House and makes an elaborate attack upon the Report of the Committee. Is that the part of a Judge! Is that worthy of the Judicial Bench? Why, I am convinced that neither the boroughs concerned nor the country will be satisfied with the decision to which he has come. One word with respect to the Report which has been so much lauded. Really, it would appear that we are to bow down before these Commissioners because one of them was formerly the Speaker of this House. I venture, however, to object to their Report in many instances, and, remember, it has never yet been discussed or criticized in this House; for when we were going to criticize and discuss it up jumped the Home Secretary and said, "The Report is challenged; let us have a Select Committee." Well, we appointed a Select Committee, and the right hon. Gentleman certainly said something which conveyed the idea of finality to my mind, and I think to the minds of many hon. Gentlemen. But now what is the course pursued? Why, this Report is to go for nothing. It is found, I suspect, not very convenient to North Warwickshire, and we are called on to set aside the recommendations of the Select Committee, and swallow the whole of the monstrous Report of the Commisioners. Now, what was the course adopted by these Commissioners? There is no doubt that the Instructions given to them on the part of this House were most injudicious and defective. They had no power to remove anomalies or revise areas; they were simply told that they must enlarge the boundaries in the old boroughs. They had nothing, mark you, to do with the enfranchisement. That question was introduced by the right hon. and learned Recorder, but it was no part whatever of their Instructions; they were merely told that they must enlarge the boundaries of the old boroughs. The right hon. and learned Recorder went on to say that so particular were they—and I am sure we, the other boroughs included, highly feel the compliment — that they sent one of their own body down to Birmingham (Mr. Walter), that he might inspect Birmingham on the spot. Well, all I can say is that I wish the learned Recorder had paid the same compliment to Nottingham; for if he had he would have avoided falling into a very material error in quoting the paper of 1837, in which he says the municipal authorities wished the portions which he mentioned to be included in the town. They did so for this reason, that at that time the town was so shut in by various Acts of Parliament that the people had nowhere to build on. Since 1837, however, a new Inclosure Act has been passed, giving them full liberty to extend themselves. I regret that the learned Recorder, after firing his shot, bolted from the House and did not wait to hear the answer. The Commissioners went on the principle of appointing that inevitable feature the barrister of seven years' standing and the Royal Engineer to go down to the boroughs; and in many places they have made the grossest mistakes. The House is anxious to divide, and I will therefore only give a few instances. There is Rochdale, the Representative of which I see sitting below me. Rochdale is the only borough in the kingdom which has a circular boundary. With its Member and all, I think it is *totus teres atque rotundus.* That borough only consisted of 1,200 acres, and no fault had ever been found with its boundaries—indeed, they had recently been adopted for the municipal borough on Rochdale becoming a municipality; but, because a seven years' barrister must have something to do, the Commissioners have altered the whole boundary and extended the area to 4,000 acres; for what purpose nobody knows, except that they felt they must do something. Again, what have they done in the case of Chester? They have lugged in part of the county of Flint—they have actually introduced Wales into England. Very few hon. Gentlemen will take the trouble to wade through this enormous book; but everybody says, "Beware of Birmingham." There are hundreds of other instances, however. Take Dudley, which is a very peculiar borough. It is an outlying portion of Worcestershire; but it is a very considerable borough. And what have the Commissioners done? They have lugged in several adjoining counties to increase the area. As to saying that this Report can ever stand, if the next Parliament be enlightened—I say "if"—I shall be very much surprised if it can stand their supervision. Do what we will, come to what conclusion we may on this subject, I am very much mistaken if this whole question of boundaries is not materially overhauled and altered in the next Parliament. What are the object and end of the Commissioners' Report, of which we have heard so much? Why, to prejudice the county representation and to create boroughs so monstrous that it is impossible that they should continue to return so limited a number of Members. Just let us look at the county representation—how it is influenced in the case of West Kent, Surrey, and Middlesex. Look at Marylebone, what a borough you are making! Why, even with the great exertions of the two hon. Members, with their great powers of speaking and canvassing, I doubt very much whether they will compass the canvassing and speechmaking that will be necessary. I say nothing of the increase of that class of the creation known as "Nottingham lambs." If 31,000 people are to be added to the borough of Nottingham, I hope the learned Recorder and his Colleague the hon. Baronet will give up their seats and canvass Nottingham, for I will not. Look again at Birkenhead, which is a new borough, the boundary having been settled as recently as 1861. These Commissioners and Assistant Commissioners, who have been so much lauded and bespattered with butter in the shape of fulsome praise. What have they done? They were obliged to do something, and so they have taken a parish on the other side of the natural water boundary and lugged it in against the wishes of the inhabitants. But we are told, forsooth, by the Under Secretary for the Colonies (Mr. Adderley)—it is not the first time he has been put up and afterwards disavowed, as I hope he will be to-night—that these people are not to be consulted, for that their opposition springs from an ignorant impatience of taxation. Well, what more valid reason can there be? Why are these people to be included in these monstrous boroughs because they do not choose to be exposed to excessive taxation? The right hon. Gentleman was very free in imputing motives; and when an election is coming on he always imputes motives to the hon. Member for Birmingham. I read a part of the speech he made at his last election for Staffordshire, and I tell him he ought to be very careful how he imputes motives. He hinted that gentlemen wanted to be made County Court Judges or had a high ambition of that sort. Now, I say nothing of the kind. I believe that before this attempt to upset the decision of the Committee everything went smoothly, and no partizanship was displayed. The Home Secretary, by the way, has been unusually silent on this child of his, this Select Committee; for it was his child, remember; it was adopted by him, and the godfather was the Prime Minister; but it is now a foundling, and has been left at the Foundling Hospital. Everything went smoothly till then, and the Recorder sat conveniently quiet; he did not defend the Commission at all, but now he gets up and makes a speech which ought to have been made before the Select Committee was proposed, and talks about the just influence of counties and towns. Why, there are thirty boroughs in England which, properly speaking, are not towns at all. In no sense are they towns; they are agricultural divisions of counties. The other night we adopted what on the part of a Conservative Government was a most harsh and parricidal measure. We destroyed seven small boroughs. Now I, for one, have never been an advocate for destroying the smaller boroughs; for I think the great beauty of the representation of this country is that there should be a mixture of small and large places. The Government, however, assented to the most un-Conservative act of destroying these small boroughs, and handing them over to our acquisitive neighbours in Scotland. But what are really the small boroughs? They are not towns like Wells and Thetford, which have small boundaries. No, the small boroughs are those towns like Eye, Woodstock, Wareham, Launceston, Droitwich, and Aylesbury. [An hon. MEMBER: Northallerton.] Yes, and Northallerton, which was a great place in the old coaching days, but since the introduction of railways has been declining. These so-called boroughs are streets and hamlets with agricultural divisions, and what is the object of them? To increase the power of the landed interest—an interest to which every consideration should be given, but do not let it absorb everything under pretence of these being towns. They are no more than small and, in some instances, large divisions of counties; look at Wareham. ["Divide!"] I will divide in a minute; but I must say something more unpleasant to you first. The hon. Member who cries "Divide!" is not the Member for Wareham; but I believe he is Member for a small borough, and I have my eye upon him. I have no doubt he would like his borough divided and another Member given to it. I am obliged to the hon. Member for East Retford (Viscount Galway) for his attention. I hope he will make a defence for that most monstrous of all places. It is in the county, the capital of which I represent, and a most monstrous job it is. It is really an agricultural division, yet he sits there under pretence of being a borough Member. Why, there is nothing of the borough about him; he is a county Member to all intents and purposes; he speaks, votes, listens, cheers, and cries "Divide!" like a county Member. East Retford is not a town at all; it is a decaying place with 1,600 inhabitants. I will take the hint of the hon. Member, for it is difficult to speak on these subjects without appearing to be personal to the Members who represent these towns. I do not come here like the right hon. Gentleman (Mr. Adderley) who calls himself a real Reformer. He is a real Reformer, forsooth; the real Simon Pure, who has been opposing Reform all his life, and, as Under Secretary for the Colonies—he ought to have been Secretary long ago—he comes down and says he is a real Reformer. Now, I call upon the real old Reformers in the House—not the perverts, not the Puseyites of Parliament — I call upon them to come forward and assist the Home Secretary, who is being very much ill-used by his Leader and party, as he often is, in adopting the Report of the Select Committee.

Viscount GALWAY, after the personal allusion of the hon. Member for Nottingham (Mr. Osborne) could not help saying a few words. The hon. Member said that he (Viscount Galway) wished East Retford to be divided, and to have a third Member. [Mr. Osborne: No; a second Member.] That showed how much the hon. Member knew about the matter. There were two Members at present. He had only to say that if he did want a third Member it would not be to have a buffoon for one. ["Order!" *and* "Chair!"] [Mr. Osborne: He is quite in Order.] Many hon. Members knew the peculiar circumstances in which East Retford was placed. [Mr. Osborne: They are very peculiar.] East Retford was once, perhaps, one of the most corrupt places in all England. If, however, it had been disfranchised and the two Members given to Birmingham probably the Reform Bill might not have been passed. He might tell the House that at every election for East Retford there was read, by Act of Parliament, a sort of reminder that they were once the most corrupt borough existing. East Retford was then enlarged by the addition of the hundred of Bassetlaw, and when the Boundary Commissioners visited the place they admitted that it had been one of the most judicious extensions they had seen. If any Gentleman would look at the map he would admit that the boundary could not be altered in justice to all the inhabitants. It certainly did take a large portion from North Notts; but the inhabitants were represented by two Members, and it could not be denied that a great many more persons enjoyed the franchise than if East Retford were merged in the county.

Mr. A. PEEL said, that the hon. Member for Oldham (Mr. Hibbert) proposed to take out of the Report of the Commission almost everything that gave it any political value. ["Divide!"] He admitted that he was personally and politically interested in the matter; but he trusted that the Committee would allow him to give a reason why the Report of the Commission should be abided by, and not the Report of the Committee. It was all very well for the hon. Member for Nottingham (Mr. Osborne) to say that the House had arrived at a complete state of stultification; but that charge came with a bad grace from that (the Opposition) side of the House, because if the Motion for the Select Committee did not absolutely come from that side, a very considerable pressure was put upon the Government to appoint that Committee. He did not wish to make the least insinuation against the Committee; but they had acted under different Instructions from the Commissioners. The Commissioners acted up to their powers; but the powers of the Committee were almost indefinite, and the Committee came to a decision with a preconceived idea of what their duties were under the Instructions given to them. One reason in favour of adopting the recommendations of the Commissioners was that particular and exceptional cases were much more certain to be properly considered in that case than if the House adopted the Report of the Select Committee. ["Divide!"] He would venture in two minutes to state a particular case. The Commissioners recommended that the town of Leamington should be added to the town of Warwick. Thirty years ago a Committee of that House recommended that Leamington should be added to Warwick. They predicted that in a few years the two towns would be united, and this prediction was now realized.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 148; Noes 184: Majority 36.

AYES.

Adderley, rt. hon. C. B.
Annesley, hon. Col. H.
Archdall, Captain M.
Baggallay, R.
Bagge, Sir W.
Bagnall, C.
Barnett, H.
Barrington, Viscount
Beach, Sir M. H.
Beach, W. W. B.
Beecroft, G. S.
Benyon, R.
Bourne, Colonel
Brett, Sir W. B.
Capper, C.
Cartwright, Colonel
Cave, rt. hon. S.
Cecil, Lord E. H. B. G.
Clinton, Lord A. P.
Cole, hon. H.
Cole, hon. J. L.
Corrance, F. S.
Corry, rt. hon. H. L.
Crossley, Sir F.
Cubitt, G.
Dalglish, R.
Dalkeith, Earl of
Davenport, W. B.
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
Du Cane, C.
Duncombe, hon. Colonel
Dunne, rt. hon. General
Du Pre, C. G.
Dyke, W. H.
Dyott, Colonel R.
Eckersley, N.
Edwards, Sir H.
Egerton, E. C.
Fellowes, E.
Fergusson, Sir J.
Finch, G. H.
Forester, rt. hon. Gen.
Galway, Viscount
Garth, R.
Goldney, G.
Gooch, Sir D.
Goodson, J.
Gordon, rt. hon. E. S.
Gore, J. R. O.
Gore, W. R. O.
Gorst, J. E.
Graves, S. R.
Gray, Lieut.-Colonel
Grey, hon. T. de
Guinness, Sir A. E.
Gurney, rt. hon. R.
Hamilton, Lord C.
Hamilton, Lord C. J.
Hardy, rt. hon. G.
Hardy, J.
Hartley, J.
Hartopp, E. B.
Harvey, R. B.
Hay, Sir J. C. D.
Herbert, rt. hn. Gen. P.
Hervey, Lord A. H. C.
Heygate, Sir F. W.
Hildyard, T. B. T.
Hodgson, W. N.
Holmesdale, Viscount
Hope, A. J. B. B.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Huddleston, J. W.
Hunt, rt. hon. G. W.
Karslake, Sir J. B.
Kavanagh, A.
Kekewich, S. T.
Kelk, J.
Kendall, N.
King, J. K.
Knox, Colonel
Knox, hon. Colonel S.
Langton, W. G.
Lanyon, Sir C.
Leader, N. P.
Lechmere, Sir E. A. H.
Lefroy, A.
Legh, Major C.
Lennox, Lord H. G.
Liddell, hon. H. G.
Lindsay, hon. Colonel C.
Lindsay, Colonel R. L.
Lopes, H. C.
Lowther, J.
Mahon, Viscount
M'Lagan, P.
Mayo, Earl of
Montagu, rt. hn. Ld. R.
Montgomery, Sir G.
Morgan, hon. Major
Morgan, O.
Morris, G.
Mowbray, rt. hon. J. R.
Newdegate, C. N.
Newport, Viscount
Noel, hon. G. J.
Northcote, rt. hon. Sir S. H.
Pakington, rt. hn. Sir J.
Parker, Major W.
Patten, rt. hon. Col. W.
Paull, H.
Peel, A. W.
Pugh, D.
Read, C. S.
Robertson, P. F.
Russell, Sir C.
Schreiber, C.
Sclater-Booth, G.
Scourfield, J. H.
Selwin-Ibbetson, H. J.
Severne, J .E.
Seymour, G. H.
Smith, A.
Smollett, P. B.
Stanhope, J. B.
Stanley, Lord
Stopford, S. G.
Surtees, C. F.
Talbot, C. R. M.
Taylor, Colonel
Thompson, A. G.
Thorold, Sir J. H.
Thynne, Lord H. F.
Turner, C.
Turnor, E.
Vance, J.
Walrond, J. W.
Waterhouse, S.
Welby, W. E.
Whitmore, H.
Wise, H. C.
Wyld, J.
Wyndham, hon. H.
Wyvill, M.

TELLERS.

Powell, F. S.
Greene, E.

NOES.

Acland, T. D.
Adam, W. P.
Agnew, Sir A.
Akroyd, E.
Allen, W. S.
Amberley, Viscount
Ayrton, A. S.
Aytoun, R. S.
Baines, E.
Barclay, A. C.
Barnes, T.
Barry, C. R.
Bazley, T.
Beaumont, W. B.
Blake, J. A.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bowyer, Sir G.
Brand, rt. hon. H.
Bright, J. (Birmingham)
Bright, J. (Manchester)
Briscoe, J. I.
Brown, J.
Browne, Lord J. T.
Bruce, rt. hon. H. A.
Buller, Sir A. W.
Burke, Viscount
Butler, C. S.
Buxton, Sir T. F.
Candlish, J.
Cardwell, rt. hon. E.
Carington, hn. W. H. P.
Carnegie, hon. C.
Carter, S.
Cave, T.
Cavendish, Lord E.
Cavendish, Lord F. C.
Chambers, M.
Cheetham, J.
Childers, H. C. E.
Clay, J.
Clement, W. J.
Clinton, Lord E. P.
Cogan, rt. hn. W. H. F.
Colebrooke, Sir T. E.
Coleridge, J. D.
Collier, Sir R. P.
Cowen, J.
Davey, R.
Davie, Sir H. R. F.
Denman, hon. G.
Devereux, R. J.
Dilke, Sir W.
Dillwyn, L. L.
Dixon, G.
Duff, M. E. G.
Earle, R. A.
Edwards, H.
Egerton, Sir P. G.
Ellice, E.
Enfield, Viscount
Erskine, Vice-Ad. J. E.
Evans, T. W.
Ewing, H. E. Crum-
Eykyn, R.
Foljambe, F. J. S.

Fordyce, W. D.
Forster, C.
Forster, W. E.
Fortescue, rt. hn. C. S.
Foster, W. O.
French, rt. hon. Colonel
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hn. W. E.
Glyn, G. G.
Goldsmid, J.
Goschen, rt. hn. G. J.
Graham, W.
Gray, Sir J.
Greville-Nugent, Col.
Grey, rt. hn. Sir G.
Grosvenor, Earl
Grove, T. F.
Hadfield, G.
Harris, J. D.
Headlam, rt. hon. T. E.
Henderson, J.
Hodgkinson, G.
Hodgson, K. D.
Holden, I.
Howard, hn. C. W. G.
Hughes, T.
Hurst, R. H.
Hutt, rt. hon. Sir W.
Ingham, R.
Jackson, W.
Jervoise, Sir J. C.
Kinglake, A. W.
Kinglake, J. A.
Kinnaird, Hon. A. F.
Labouchere, H.
Laird, J.
Lamont, J.
Lawrence, W.
Lawson, rt. hon. J. A.
Leatham, E. A.
Leatham, W. H.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Lowe, rt. hon. R.
Lusk, A.
Lyttelton, hon. C. G.
MacEvoy, E.
M'Laren, D.
Martin, C. W.
Martin, P. W.
Melly, G.
Milbank, F. A.
Mill, J. S.
Mills, J. R.
Milton, Viscount
Mitchell, T. A.
Moffatt, G.
Monk, C. J
More, R. J.
Morris, W.
Neate, C.
O'Brien, Sir P.
Onslow, G.
Osborne, R. B.
Owen, Sir H. O.
Padmore, R.
Paget, T. T.
Palmer, Sir R.
Parry, T.
Pease, J. W.
Pelham, Lord
Philips, R. N.
Pim, J.
Pollard-Urquhart, W.
Portman, hon. W. H. B.
Potter, E.
Potter, T. B.
Price, W. P.
Pryse, E. L.
Ramsay, J.
Rearden, D. J.
Rebow, J. G.
Repton, G. W. J.
Robertson, D.
Rothschild, Baron L. de
Russell, Sir W.
St. Aubyn, J.
Salomons, Mr. Ald.
Samuelson, B.
Saunderson, E.
Sheridan, H. B.
Sherriff, A. C.
Smith, J.
Smith, J. B.
Speirs, A. A.
Stirling-Maxwell, Sir W.
Stock, O.
Stone, W. H.
Stuart, Col. Crichton-
Sykes, Colonel W. H.
Taylor, P. A.
Thompson, M. W.
Tollemache, J.
Vernon, H. F.
Villiers, rt. hon. C. P.
Waldegrave-Leslie, hon. G.
Walpole, rt. hon. S. H.
Warner, E.
Watkin, E. W.
Whatman, J.
Whitbread, S.
White, J.
Whitworth, B.
Winterbotham, H. S. P.
Woods, H. [183]

TELLERS.

Hibbert, J. T.
Williamson, Sir H.

Question proposed, "That those words be there inserted."

Mr. HORSFALL moved as an Amendment, to insert "Liverpool."

Mr. HIBBERT opposed the Amendment, which would undo the vote just come to.

Amendment *negatived.*

Mr. A. PEEL moved, as an Amendment, to insert "Warwick." Its case was exceptional, and the Amendment was favoured by the Commissioners and by the Chairman of the Committee.

Amendment *negatived.*

Mr. POWELL moved, as an Amendment, to insert "Wigan" after "Walsall." The Commissioners proposed to add Ince, with 6,000 people, to a borough of 37,000 inhabitants. The people of Ince followed the same pursuits as those of Wigan, cotton manufacture and mining. The mines under Ince were the same as those under Wigan, and it was impossible that the two populations could be more completely identified than they were.

Amendment proposed to the said proposed Amendment, after the word "Walsall," to insert the word "Wigan."—(*Mr. Powell.*)

Mr. BRUCE objected to Wigan being inserted, and said that the case of that borough had been considered by the Commissioners.

Mr. RUSSELL GURNEY said there was a close connection between those districts and Wigan.

Question put, "That the word 'Wigan' be there inserted."

The Committee *divided* :—Ayes 91; Noes 131: Majority 40.

Mr. POWELL said the division which had just been taken, and which he ventured to challenge, was a proof that, whatever might have been the case with reference to boundaries under the Reform Act of 1832, the boundaries now being settled in connection with the Reform Act of 1867 were essentially the results of partizan strife. What had occurred that night showed that the boundaries of boroughs, so far as they had been brought into dispute as between the Committee on the one hand and the Commissioners on the other, were not decided upon principles of justice, nor according to the wishes of the population interested, nor upon grounds which would bear debate; but the controversy had been settled by overwhelming majorities in the Lobby, and by the suppression of discussion within the walls of that House.

Mr. GILPIN said, the hon. Gentleman who had just spoken so warmly, and with whom evidently, in his own opinion, wisdom would die, was no doubt much disappointed because he had been left in a minority; but he should remember that the business of that House never could be transacted unless the decisions of majorities were respected. He had considered the case of Wigan as attentively as the hon. Gentleman, and claimed to exercise as independent a judgment upon it. In the exercise of such a judgment he had gone into the Lobby against the Amendment to include Wigan, and if the Question were again to be decided he should do so once more.

MR. C. WYKEHAM MARTIN moved to insert "but for such purposes only" after line 20.—*Agreed to.*

Clause, as amended, *agreed to.*

Clause 5 *agreed to.*

Clause 6 (Alterations of Names of Divisions of certain Counties).

MR. SELWIN-IBBETSON moved, after "Cheshire," to insert "Essex."—*Agreed to.*

MR. HOWES moved, after "Cheshire," to insert "and Norfolk."—*Agreed to.*

MR. SELWYN-IBBETSON moved, after "West Cheshire," to insert "North-West Essex shall be called West Essex, and North-East Essex shall be called East Essex."—*Agreed to.*

On Question, "That the Clause, as amended, stand part of the Bill."

MR. WATKIN said, he should divide the Committee. He objected to the alteration of the title of one of the divisions of Cheshire from North to East Cheshire, and unless that was altered he should divide upon the whole clause.

Clause *agreed to.*

Clauses 7 to 11, inclusive, *agreed to.*

MR. RUSSELL GURNEY moved the insertion of the following new clause:—

(Explanation of the contents of the Hundreds of Pirehill, in Staffordshire.)

"Whereas by Schedule D. annexed to the 'Representation of the People Act, 1867,' the Division of North Staffordshire includes the Hundred of Pirehill North, and the Division of West Staffordshire includes the Hundred of Pirehill South: And whereas doubts are entertained as to the contents of the said Hundreds: Be it Enacted, That for the purposes of the said Act, the Hundreds of Pirehill North and Pirehill South shall respectively be deemed to consist of the Parishes and places in that behalf set forth in the Fifth Schedule annexed hereto."

Clause *agreed to,* and *added* to the Bill.

MR. C. WYKEHAM MARTIN moved the insertion of the following new clause:—

(Alteration of Boundaries of old boroughs not to affect rights connected with such boroughs.)

"No alteration of the Boundaries of any of the old boroughs specified in the First Schedule to this Act annexed shall in any way divest, prejudice, or affect any estate, interest, right, or title of Her Majesty, Her heirs or successors, or of any corporation, company, or person, in or to any corporeal or incorporeal hereditaments, or other property of any description, whether real or personal, situate within, or held, exercised, or enjoyed in respect of or in connection with, any of such old boroughs."

THE SOLICITOR GENERAL said, that nothing contained in the Bill would alter the rights of property, and the proposed clause was therefore unnecessary.

MR. C. WYKEHAM MARTIN, after the assurance of the hon. and learned Gentleman, would ask leave to withdraw the clause.

Clause *withdrawn.*

First Schedule, as amended, *ordered* to stand part of the Bill.

Second Schedule (New Boroughs).

Amendment proposed,

To leave out the words "The township of Darlington (with the exception of the detached part called Oxen le Field):

The Township of Cockerton: and

So much of the township of Haughton le Skerne adjoining the township of Darlington as is included within the following Boundary (that is to say):

From the eastern angle in the road from Darlington to Yarm of the Boundary between the townships of Darlington and Haughton le Skerne, eastward along the north side of the said road to the point at which it meets Lingfield Lane; thence northward along Lingfield Lane to the point at which it joins the turnpike road leading from Darlington to Stockton; thence in the same direction in a straight line crossing the said road and the River Skerne, west of and near to Haughton Bridge, to the point at which a small rivulet there enters that river; thence up the said rivulet (which forms the western boundary of the playground of Haughton National Schools, and of the graveyard of St. Andrew's Church) to Hardcastle Lane; thence northward and westward up Hardcastle Lane to the point at which it joins Back Lane; thence, westward, along Back Lane for about one hundred and sixty-six yards to the point in it opposite to the angle of the Boundary between the townships of Haughton le Skerne and Cockerton; thence, southward, about sixteen yards to the said angle,"

in order to insert the words "Municipal Borough of Darlington."

Mr. FREVILLE-SURTEES opposed the Amendment. The universal opinion was in favour of the boundary proposed by the Commissioners, in proof whereof he stated that he had presented a petition to that effect signed by 1,400 persons.

Question put, "That the words proposed to be left out stand part of the Schedule."

The Committee *divided:*—Ayes 105; Noes 135: Majority 30.

Schedule, as amended, *agreed to.*

Third Schedule *agreed to.*

Fourth Schedule (Places appointed for holding Courts for Election of Members).

Mr. WATKIN moved to substitute Stockport for Macclesfield as the place of nomination for East Cheshire.

Mr. E. EGERTON said, the subject had been well considered by the Boundary Commissioners and by the Combe Quarter Sessions, who had decided in favour of Macclesfield as the place of nomination for the division of the county. If Stockport were made the place of nomination, half of those who held up their hands at an election would be inhabitants of Lancashire and not of Cheshire.

Mr. CHEETHAM said, Stockport is the centre of a population of 120,000 of tho people of Cheshire.

Sir FRANCIS CROSSLEY said, that the subject had been very fully considered by the Boundary Commissioners; and they had come to the conclusion that for many reasons Macclesfield was preferable as a place of nomination for the division of the county to Stockport, which was situated on the borders of the county. It was as well that when there was a nomination those who held up their hands should be inhabitants of the county for which the election was held.

Amendment *negatived.*

Mr. HARDCASTLE moved the insertion of "South Essex" in the second column after "North East Essex," and the insertion in the third column of Stratford after Colchester.

Amendment *negatived.*

Schedule, as amended, *agreed to.*

Fifth Schedule (Explanation of the Contents of the Hundreds of Pirehill in Staffordshire).

Mr. RUSSELL GURNEY moved the insertion of the Schedule.

Schedule *agreed to.*

Mr. DISRAELI said, he had not anticipated that they would make so much progress as had been made that evening, and he was not prepared therefore to move a clause he wished to have inserted with reference to the compound-householder. He would put the clause on the Paper to-morrow, and propose it on Monday.

House *resumed.*

Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 165.]

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL—[Bill 154.]

(*The Lord Advocate, Mr. Chancellor of the Exchequer, Sir James Fergusson*).

CONSIDERATION.

Mr. NEATE rose to move the following clause:—

> "Whereas the county of Sutherland does not now contain but is capable of containing a sufficient number of independent owners or occupiers to form a fit constituency for the exercise of the franchise, the right of the county of Sutherland to return a Member to Parliament shall from and after the passing of this Act be suspended until Parliament shall otherwise direct."

The proposal that Sutherland, with only 181 electors, should retain its Member, had never been brought before the House in its naked deformity. The right hon. Gentleman (Mr. Gladstone) had said a great deal of what Sutherland was not, but might be; and this clause was exactly in conformity with the right hon, Gentleman's views, for it proposed the suspension of the seat until these bright prospects were realized, and Sutherland became really less of an estate and more of a county. At present, in an electoral sense, it was nothing but a stagnant pool. The number of its voters and its population had declined; and the next lowest county population in Scotland was that of Bute, which had 510 electors against 181 in Sutherland. Even if Caithness were added to Sutherland it would still be in population and electors among the four lowest of the Scotch counties. He was not adverse to the representation of the agricultural population of Scotland, and no class of men would return better Members than the Scotch farmers, but they were not represented in this case. He protested against the sort of compromise that had taken place on this question. Parliament had taken the nomination boroughs from the English Dukes, but the Scotch Dukes were archdukes, whom nobody seemed to dare to look in the face. He hoped that the House would not allow any Duke, Scotch or English, to make a solitude and call it a county. If ten Members were prepared to go into the Lobby with him he would go.

Mr. WHITE seconded the Motion.

Clause *brought up*, and read the first time.

Mr. FAWCETT wished to say a word or two. He never gave a vote in that House with more pleasure than the other night, when this question was brought before them; nor did he ever hear a speech with which he so entirely disagreed as with that of the right hon. Gentleman the Member for South Lancashire. There was not a single argument in it which the duty of a Liberal Member would not lead him to oppose. All the arguments which applied to small English boroughs like Honiton and Arundel applied with far greater force to the county of Sutherland. By retaining a nomination county like this Parliament was encouraging the aggregation of large landed estates, because the possession of such estates was thereby associated with political power. From what he had heard he doubted whether out of the constituency of 181 there were twenty independent electors in Sutherland, and he (Mr. Fawcett) was determined to challenge a division. The great question of re-distribution had yet scarcely been touched, and it would be useful, in the Reformed Parliament, to have a case of this kind to give point to the argument.

Mr. CARNEGIE protested against imputations on the independence of the Scotch tenantry, who were not so subservient to landlord influence as some Gentlemen wished to make it appear.

Mr. CRAUFURD said, he was one of those who supported the union of Sutherland with Caithness; but, as the House had expressed an opinion against that, he hoped his hon. Friend would not put the House to the trouble of a division upon a clause, the effect of which would be to deprive Scotland of one Member.

Mr. M'LAREN said, he could not support the Motion in its present form, as in its present form it would extinguish a Member. It did not propose to unite Sutherland to another county, nor to give its Member to another constituency, as was proposed on former occasions. But if the hon. Member would alter his Motion he would support it.

Motion made, and Question, "That the said Clause be now read a second time," put, and *negatived.*

Mr. CRAUFURD moved the following clause:—

(Register of voters under this Act to be the register for election of town councils.)

"The register of voters for each burgh made up in pursuance of the Registration Acts and this Act shall be the register of voters for the election of the town council in such burgh under the Acts third and fourth William the Fourth, chapters seventy-six and seventy-seven, and twentieth and twenty-first Victoria, chapter seventy, section eight; and every man who is registered as a voter in such register shall be entitled to vote in the election of the town council of such burgh in pursuance of the provisions of the said Acts."

Clause *brought up*, and read the first time.

The LORD ADVOCATE said, he could not agree to the insertion of such a clause in this Bill which proposed to deal only with the election of Members of Parliament. The matter of the municipal franchise had been considered by the Government, and they were of opinion that a separate Bill should be introduced on the subject. In a great many boroughs the Parliamentary limits and municipal limits were different, and it would be necessary to delay the municipal elections, as the Register would not be completed in time for these elections, which take place in the beginning of November.

Sir JOHN OGILVY asked if the Lord Advocate would introduce a Bill this Session?

The LORD ADVOCATE said, that the matter would be taken into consideration.

Mr. CRAUFURD said, they should have a positive pledge from Her Majesty's Government that they would bring in a Bill this year.

Mr. DALGLISH urged the importance of providing for the election of municipal representatives as soon as possible.

Mr. M'LAREN said, that the House ought to receive an assurance from the Government either that they would accept the clause or make the necessary provision by a separate Bill for the re-election of the municipal body.

Sir JAMES FERGUSSON said, that the Lord Advocate had already given an assurance that the subject should be attended to.

Mr. MONCREIFF said, that as the election to the municipal body would no longer be made from the electoral roll, it was necessary that a supplementary Bill should be introduced if his hon. Friend's clause was not accepted.

THE LORD ADVOCATE repeated that the question could be most conveniently dealt with by a separate Bill.

Motion made, and Question, "That the said Clause be now read a second time," put, and *negatived.*

Schedule A (Boundaries of Glasgow) *agreed to.*

Clause 10 (Boundaries of Glasgow) *struck out.*

Clause 16 (Dwelling Houses to be specially entered in Valuation Rolls).

Amendment proposed,

In page 6, line 12, after the word "occupiers," to insert the words "and the names of all such tenants and occupiers shall be transferred by the parochial board to the poor rates assessment roll."—(*Mr. M'Laren.*)

Question, "That those words be there inserted," put, and *negatived.*

Bill to be read the third time upon *Thursday* next, and to be *printed.* [Bill 166.]

ECCLESIASTICAL COMMISSIONERS BILL.

On Motion of Mr. Secretary GATHORNE HARDY, Bill to amend the Law relating to the Ecclesiastical Commissioners for England, *ordered* to be brought in by Mr. Secretary GATHORNE HARDY, Mr. MOWBRAY, and Sir JAMES FERGUSSON.

Bill *presented,* and read the first time. [Bill 168.]

DRAINAGE PROVISIONAL ORDER CONFIRMATION BILL.

On Motion of Sir JAMES FERGUSSON, Bill to confirm a Provisional Order under "The Drainage Act, 1861," *ordered* to be brought in by Sir JAMES FERGUSSON and Mr. Secretary GATHORNE HARDY.

Bill *presented,* and read the first time. [Bill 169.]

House adjourned at half after Twelve o'clock.

HOUSE OF LORDS,

Friday, June 12, 1868.

MINUTES.]—SELECT COMMITTEE—*Report*—On Compulsory Church Rates Abolition. (No. 143.)

PUBLIC BILLS—*First Reading*—Fine Arts Copyright Consolidation and Amendment * (145).

Second Reading—Pier and Harbour Orders Confirmation (No. 2) * (139).

Committee—Army Chaplains * (116-146).

Report—Compulsory Church Rates Abolition * (55-144).

SOUTH-EASTERN AND LONDON, BRIGHTON, AND SOUTH COAST RAILWAY COMPANIES BILL.

SECOND READING.

Moved, "That the Bill be now read 2^{a}."

THE MARQUESS OF CLANRICARDE rose to move as an Amendment that the Bill be read a second time that day six months. The Bill in his opinion was of such a character and so seriously affected the public interests, that objection ought to be taken to it at once, so that their Lordships might see the full effect of its provisions before they referred it to a Committee. He objected to the Bill both in its principle and details—it was a retrogressive step in the policy that had hitherto been pursued with regard to railways. He did not mean to imply that our past policy in regard to railways had been the right one—indeed, he had for many years thought that the system on which the railways of this country had been constructed was a most unfortunate one, involving as it did in so many cases the maximum of expenditure for the minimum of result; and no cases had so strongly exemplified his opinions as those of the three railways, the London, Chatham and Dover, the South-Eastern, and the London, Brighton and South Coast; for although the name of the London, Chatham and Dover Railway did not appear in the title of this Bill, there was a clause in it the purport and object of which was that that railway should be, not amalgamated, but combined with the others, as against the public, in the federation which it was the object of this Bill to establish. Properly speaking, this was not an amalgamation, but a federation Bill. It was essentially the nature of railway companies to create to a certain extent a monopoly, and it was the object of the Bill to establish throughout a large portion of the South of England a complete monopoly which could not be interfered with. These three railways had competed in that extravagance which the existing system of legislation with regard to railways fostered and encouraged, until they had been brought to the verge of ruin; and they were now compelled by the force of circumstances to combine and endeavour to regain from the public the large sums of money they had thus recklessly spent. At all events, this had been openly stated, though he would not trouble their Lordships by reading newspaper extracts on the subject. He was not opposed to amalgamation, even under the present system, to a certain extent and under certain circumstances. In very long lines going from the North to the South or from the East to the West, it was very convenient to the public and economical both to the public and the companies that what was termed an amalgamation should be made. But this case was nothing of the kind, for in the districts affected by the present measure there was no continuous line which called for such an arrangement. The lines in question had been sanctioned by Parliament more or less for the very purposes of competition, and the Companies having ruined themselves, now combined in order to raise their prices and powers of charging fares and tolls in a manner which he boldly asserted was wholly without precedent. And here he would point out to their Lordships that this measure affected not only the public of England but also the public of Europe; because the district over which these railways passed served the seaboard from which we communicated with France and the Continent. Then again, the Bill would affect not the wealthier classes exclusively who could afford to pay, but would press with great severity on the working and lower classes, especially those who resided in the suburbs of the metropolis. It was their own mismanagement that had brought these companies into difficulties, and now they wanted the public to refund them the expense of their extravagance; and they not only asked for a monopoly of the district through which their lines ran, but for the power of at once charging whatever they pleased. It was stated in the newspapers that these Companies had already raised their fares to the maximum allowed by law, and reference to *Bradshaw* showed that these statements were well founded. This Bill, however, would empower the directors to charge 1½*d.* a mile for third class passengers by ordinary trains; while, with regard to first and second class passengers by express or fast trains, running at the rate of forty miles an hour or upwards, they proposed that an additional charge without any limit whatever might be imposed. They had the power of reducing the number of trains as they pleased, and if such a power were granted the consequence would probably be that there would be only the smallest possible number of the slowest ordinary trains stopping at every station, and express trains for which an unlimited charge might be made. In fact, there would be the maximum of price and the minimum of accommodation. The Bill also authorized the Companies to impose an additional charge on all passengers to and from metropolitan stations within four miles of Charing Cross—namely 1*s.* for first class, 9*d.* for second class, and 6*d.* for third class passengers. They talked of the hardship inflicted on the working classes by causing them to live in overcrowded dwellings in towns; but what was that to the hardships imposed on those who had gone to live in the country on the faith of low railway fares, and then found the rates raised upon them? This was totally different from the case of a new railway, where the conditions of using it were fixed for the first time; this was a case of railways that were made and the conditions fixed; and now the managers came before Parliament and asked for additional powers of charge. He did not think it at all unreasonable that higher rates should be charged for passage of the necessarily costly bridges over the Thames, and for convenient stations at the London termini; but with every wish that the metropolitan termini and bridges on all the stations on a line should be what they ought to be, he could not but think that in respect of such works some of these Companies had been very extravagant. There had been a waste of money on bridges and stations which would have gone far to furnish an extensive district in the South-west with lines which had been abandoned but which were much required. The Companies which presented the Bill now before their Lordships sought by the Bill to recoup themselves for their vast outlay on bridges and stations; but this was an expenditure the effect of which on the profits of the lines they ought to have considered before they incurred it. It was rather hard that they should now ask for Parliamentary powers to enable them to make the public pay for their extravagance. They now said in effect, "You (the public) must repay us the money which we have squandered." Neither did he think that the districts through which the Companies' lines passed had been so well supplied with railway accommodation as Parliament intended. Powers to make useful railways had been obtained; but the Companies having come to a stand, were obliged to apply to Parliament for relief, and, under the circumstances, Parliament had wisely granted it. He believed, however, that several of those railways might have been constructed in an efficient manner for one-half the money which railway companies had recklessly spent in works which had been made unnecessarily expensive. The Bill had only been put down the previous day for second reading, and that day was the last on which a Private Bill could be read the second time, and therefore he had not much time to learn what was the position of the Bill with regard to opposition; but he had learned that there were petitions against it presented by the Victoria Station Company and by individuals; and he had no reason to doubt that these petitions were genuine, and would be brought before the Committee; he had no doubt either that their Lordships would select an intelligent Committee to consider them, if the Bill were allowed to proceed; but then it was to be remembered that there would be nobody there to represent the general public. At the moment he was speaking those petitions might be diminished; the petitioners might be bought off. There would be nothing wrong in that. If a man had a grievance, when that grievance was redressed he was satisfied; but what was to satisfy the middle class men and the artizans, who coming up to the metropolis from day to day to their avocations, returned in the evening to their homes? Who would look after the interests of those who went from year to year to the Continent? Who would represent the interests of the public in the district at large? Nobody. He did not believe, indeed, that if the Bill did go into Committee, it would be suffered to come out again without great alterations; but he thought it better to call their Lordships' attention to it at this stage, and feeling as he did that the Bill ought not to go on, he thought it more honourable and equitable, and just to all parties, that the Bill should not be read a second time. He therefore moved that it be read a second time that day six months.

Amendment *moved* to leave out ("now") and insert ("this Day Six Months.")—(*The Marquess of Clanricarde.*)

Lord WHARNCLIFFE said, he had not been able to hear all the observations addressed to their Lordships by the noble Marquess; he had, however, heard many of his statements, and though he concurred with him in thinking that there were objections to certain provisions of the Bill, he did not agree with the noble Marquess in thinking that their Lordships would be acting in the interests of the public by refusing to send it before a Select Committee. In his belief the great object to be considered in a Bill of this kind was—first that the public should be better served by the starting of trains at different times; and the other was that the ruinous competition that had been carried on might be put an end to. If these three Companies could act upon such an arrangement it must turn out to be for the advantage of the public in the greater economy and better management of the line. No line could be managed to the advantage of the public which did not pay the shareholders. Now there could never be economy where two competing lines started trains in opposition to each other from the same points and to the same points. There were in this instance two lines to Dover, and these competing lines caused a great waste of expenditure for a purpose that might be equally well served by the starting of one train. By amalgamation, or working arrangements, traffic of this kind could be worked with greater convenience and safety to the public. Such arrangements enabled directors to diminish their working expenses; and their Lordships knew that when shareholders got a fair return for their investments in a railway they could afford to do more justice to the public. He agreed with the noble Marquess in thinking that some of the charges in the Bill were too high; but this was a matter which could be dealt with by a Committee. He hoped, therefore, that their Lordships would read the Bill a second time.

The Duke of RICHMOND: My Lords, I think this Bill ought to be read a second time, and in the ordinary course referred to a Select Committee. The noble Marquess (the Marquess of Clanricarde) in moving his Amendment, admitted that he was taking a very unusual course; and he said his only justification for that course was that he thought it would be fairer to all parties to reject the Bill on the second reading. I differ altogether from the noble Marquess in that conclusion, because I believe that it would be best for all parties that the Bill should be read a second time. To the general principle of amalgamation I am not opposed. Further, I think the tendency of our legislation of late years has been in that direction. I find by a Return which I recently laid on your Lordships' table, that since 1860 there have been no fewer than 163 Bills for amalgamation, and 352 for working arrangements, which Bills extend over something like 9,000 miles of railway. Therefore, the principle of this measure is not a novel one, or one founded on a principle which has not received some amount of favour at the hands of your Lordships and the other Branch of the Legislature. In many cases, I believe, the effect of such Bills is to benefit the Companies and the public. By enabling the Companies to work the line with greater economy, they enable it to serve the district and the public better—always supposing that the Bill is thoroughly sifted, with the view of seeing that the interests of the public, as well as those of the shareholders, are provided for. At the same time I am bound to admit that there are many provisions in this Bill which require very attentive examination. The other day I had the honour to receive at the Board of Trade a large and influential deputation from Surrey, Sussex, and other districts of the country affected by this Bill, and the members of that deputation urged on me the necessity of the progress of the Bill being arrested; but I must add that as far as I could gather all the objections of the deputation were objections of detail and not so much against the principle of amalgamation or working arrangements amongst companies. I followed the noble Marquess in his observations, but I could not gather from anything he said reasons which, in my opinion, ought to induce your Lordships to reject the Bill on the second reading; for, after all, his objections to are objections of detail. If the principle be right that companies should be amalgamated, or working arrangements should be entered into by them, by means of which a large saving may be effected, there seems to me to be no reason why this Bill should not go before a Select Committee, who could deliberate on the points now put forward as matters of objection to its provisions. I quite agree with the noble Marquess, in the first place, that the tariff of charges is objectionable, and ought to be revised. I quite agree also that the clause concerning the termini is an objectionable one, and one that ought to be left for re-consideration. The clause which enables towns to object to what they consider a new service, and not so favourable to them, ought, I think, to be very much extended, and to apply to the other towns on the line as well as to the four mentioned. These are points which may usefully be left to the Committee on the Bill to consider; I do not wish to be supposed to dictate to them, but merely to throw out the views which occur to me, and which might meet many of the objections of the noble Marquess. Whether the provisions of this Bill, in case it should pass the Legislature, should not be liable to revision at the expiration of a certain time, just as would happen under the Lands Clauses Act in the case of an agreement sanctioned by the Board of Trade is, also, I think, matter for consideration. In such cases, at the end of ten years, the agreement is re-considered; and parties aggrieved have the opportunity of complaining and of insisting upon alterations before a new agreement is entered into. If some such clause as that were introduced into this Bill, it would meet a great many of the objections of the noble Marquess. I believe that the Committee will be fully competent to decide, upon the evidence put before them, whether the amalgamation ought to be effected or not; and, in my opinion, the evidence will be laid before them far more clearly than it would be possible to lay the facts before your Lordships in a mere statement in this House. I therefore hope your Lordships will consent to give the Bill a second reading, and allow it to go before a Committee in the usual manner.

EARL FORTESCUE said, he was glad that this question of amalgamation had been raised not in Committee but in the Whole House; and he must express both his great satisfaction at the tone of the present debate, and his regret that the Legislature had not earlier laid down more intelligible principles for the guidance of its Committees in a matter of such great importance. Up to the present moment it was quite uncertain, and depended upon the constitution of any given Committee, whether the fact of a railway coming before them as a competitive line, formed a recommendation or an objection in the eye of the Legislature. He could not help feeling that both Houses of Parliament had to a certain extent neglected their duty, and had been in the habit of "shuffling off," if he might say so, upon Committees of their own body the decision of questions of principle upon which it would have been their duty, and would have been much to the advantage of the country at large, had they expressed some definite and clear opinion for the guidance of their Committees, since for want of such guidance the decisions of Committees, though composed of most conscientious, intelligent, and painstaking Members, had been in the highest degree incongruous and conflicting. The noble Marquess (the Marquess of Clanricarde) objected to the principle of amalgamation — that was to say, the suppression of competition between railways through a large tract of country. But, for his own part, he believed that we were only now arriving by means of amalgamation at the reasonable principle which ought to have guided railway legislation from the commencement. As he had ventured to state in Parliament and elsewhere, more than twenty years ago, in the case of gas and water supply, and of railways, the companies undertook a duty which could not be economically or advantageously carried on upon any principle but that of a monopoly—that was to say, employing one capital, instead of half a dozen, to do the work for which capital was required; the public interest being protected by very stringent regulations enforcing adequate service and limiting the charges to a reasonable amount. Till very recently the whole of our legislation on this subject was of the most haphazard character, and hundreds of millions of money had been squandered in needless contests. It was therefore satisfactory to find an increasing tendency to recognize the principle of amalgamation and of monopoly under certain circumstances. But while he expressed his satisfaction at the gradual adoption of the principle of amalgamation, he must admit that the noble Marquess had rendered great service in calling attention to the impudent provisions brought forward by these railway companies, and proposed to be imposed upon the public to compensate them for the money which they had squandered in the most improvident and ruinous contests. Much of this, no doubt, was due to the neglect of their duty by the Legislature, which had led to so many of such contests; but he did not think the public ought ever to be called upon to pay, either in the shape of increased passenger or traffic charges, for wasteful expenditure upon foolish decoration or upon branches, or for that jobbery or positive fraud which had recently been detected in the accounts of some railway companies. He agreed with an admirable remark made by a noble Lord, formerly President of the Board of Trade, on a former occasion — that this power to impose at will additional charges on traffic was equivalent to the imposition of heavy import and export duties, which were liable most injuriously to affect our trade and manufactures in their present severe competition with the various nations of the world, and were none the less annoying to the payers of them because the proceeds went not into the Imperial Treasury, but into the pockets of some grasping company. He quite agreed with what had been said as to the helplessness of the public in matters of this kind. Though the whole public body might be deeply interested in particular clauses of a Railway Bill, it did not affect any one individual so severely as to make it worth his while to undergo what he himself knew from sad experience to be the great inconvenience and serious cost of appearing before a Parliamentary Committee; and, therefore, unless the Chairman of Committees and the Members of Committees who might be appointed did justice, not only between the two parties represented by counsel—who might be at issue upon particular points, and yet perfectly ready to join in the plunder of an unsuspecting public—but also kept in view the interests of third parties, not represented before the Committee, they would fail in their duty as guardians of the general interests. As in times past the public would be liable to be grossly maltreated and cruelly plundered by companies, to whom, under certain restrictions, it would have been much more wise to give a practical but carefully regulated monopoly. Amalgamations, if properly watched and restricted, were of advantage to the public as well as to the shareholders by introducing system, order, and economy into the working of one great branch of the public service.

The Earl of CHICHESTER believed that working arrangements such as were contemplated by the Bill might be made very advantageous for the public. Great inconvenience had been suffered by the district through which these lines passed from the competition of the three systems of railways dealt with by this Bill. Representing, as he might be said to do, the public interest in one of the counties affected by the Bill, and also being a frequent traveller upon all three lines of railway, he trusted their Lordships would not refuse a second reading to the measure. The Bill contained many matters of detail to which reasonable objections had been made, and which it was most desirable should be considered by a Select Committee; but he thought it for the public advantage that the Bill should be read the second time.

Lord REDESDALE said, he quite concurred in the opinion that the Bill should be sent to a Select Committee, because to do otherwise would be to act contrary to the usual practice. The circumstances attending this Bill were, however, such as to increase the regret that he had often expressed that we had no efficient Railway Board in this country to report on schemes for the guidance of Parliament. The noble Earl had said that the House could most properly take these matters into its own hands: but that was impossible; each case rested on grounds peculiar to itself, totally beyond the power of Parliament adequately to weigh without the assistance of some specially qualified tribunal or some competent public officer. Proceeding to deal with the Bill, he was, as a rule, in favour of amalgamation in certain cases; such as those, for instance, which formed continuous lines out of London to distant parts of the country, either direct or by branches connected with the main line, because amalgamation in such cases resulted in greater accommodation to the public from the working and management being uniform. But the amalgamation proposed by this Bill of great lines running to the South and East was of a totally different character, distinct from anything that had ever been heard of before. It proposed to unite all the lines running from the centre of London to the South-eastern district into one great concern. Hitherto the principle of such amalgamations as had taken place had been of an exactly contrary character; and, under any circumstances, it had more than once been discovered, even by the railway companies themselves, that an amalgamation was undesirable. For instance, the Midland Company for some time approached London by the North-Western Company; then at enormous expense secured a second approach through the Great Northern; and finally found an approach of its own absolutely necessary to carry on the immense amount of traffic produced by its district. Such arrangements as those made by the Midland Company were highly approved by him. The noble Duke at the head of the Board of Trade, and, therefore, in a most unfortunate position with respect to railway legislation, had spoken of this Bill as having for its object to bring certain lines into unison, so that trains should not start from London at the same time for the same places. But almost the only place of any importance at which more than one of these lines ended was Dover; and the South-Eastern ran through a totally different country from that traversed by the London, Chatham and Dover. Now, although it might happen that the amalgamation sought for would benefit the companies by reducing the number of trains they would send to Dover, yet the districts through which the two lines passed would certainly suffer if the existing competition were put an end to, and would be deprived of much of the accommodation they now enjoyed. In fact, it was evident that the chief object of those promoting the amalgamation was to get what was called "economy of working" by reducing much of the accommodation the public at present enjoyed; the Companies, in fact, desired to get more out of the public in exchange for less service. Describe it how you would, that was the real motive for promoting the Bill. It was true a considerable advantage would result from amalgamation to those who used the metropolitan lines south of the Thames in connection with the three great Southern and Eastern lines, because no doubt under an amalgamated management the various trains would be made to correspond from the different metropolitan termini; but this consideration should not be allowed to outweigh his fundamental objection to handing over a whole district to one concern. Hitherto, moreover, amalgamation schemes had generally been accompanied by a proposed reduction of fares as an earnest of good faith; this scheme, on the contrary, asked for an increase of fares, which he characterized as absolutely novel and objectionable. The promoters had also made a most extraordinary request; they had absolutely asked for power to make unlimited charges—a thing that had never been before heard of in connection with railway legislation. If the House sanctioned such a proposal, it would be opening the door to impositions on the public of the most dangerous character. He had expressed a hope that the Bill would be sent to a Select Committee; but at the same time he reserved to himself entire freedom to deal with the measure when it was again before their Lordships in whatever manner he might think the interests of the public required. There was no doubt the Bill had come from the Commons in a most objectionable shape; and the circumstances attending its passage not only through the Committee of the Lower House, but also through the House itself —he spoke of the discussions upon it— had caused him the greatest surprise. The noble Marquess who opposed the Bill had well remarked, however, that there were a great many very important points of detail that could not be efficiently considered before any Committee, because no one appeared before it thoroughly competent and empowered to conduct the opposition to the measure in all respects—there could be no organized representation of the public opinion or of the public interests. Objections, trifling in themselves but also sound in themselves, might be set up by individuals or small communities—any particular place — Sevenoaks or Canterbury— might feel that it would suffer severely if this amalgamation were carried out—but everyone knew how easy it was for the promoters to take them each objector in his turn, and defeat them separately. A larger consideration of the subject was wanted than could be got before a Committee; what was wanted was, in fact, an efficient Railway Board to deal with all schemes in a broad and comprehensive manner for the information of Parliament.

Lord TAUNTON said, he entirely joined with the noble Lord, the Chairman of Committees in his desire for the establishment of a Railway Board, able to deal comprehensively and impartially with all railway schemes requiring Parliamentary sanction. He felt that the thanks of the House were due to the noble Marquess for having called attention to the subject. It was clear that railway legislation was entering on a new phase, and it was of great importance that its true character and consequences should be carefully watched. Although it could not be doubted competition was in many cases an evil, as tending in cases of foolish opposition, to raise, rather than bring down fares, and thus put a drag on the trade of the country, yet monopoly was still more to be dreaded. He thought that the Bill ought to be referred to a Select Committee, and he trusted the noble Lord the Chairman of Committees and the noble Duke at the head of the Board of Trade, whose services he highly prized, would carefully watch its progress, and would be prepared to state to the House, when the Bill came back, a matured opinion as the course they would recommend for adoption. He should reserve to himself the right of opposing the Bill on its third reading, if it should appear on its coming out of Committee that its defects remained uncorrected. He believed strongly in the general principle that it was much safer to intrust the discussion of private Bills to Select Committees, because, in his opinions a Select Committee was a more impartial tribunal than the House. Still, in such a case as the present he believed it to be their Lordship's duty to give to the measure on its return from the Select Committee a careful and an attentive consideration.

Earl GREY said, he trusted the noble Marquis, to whom they were all indebted for bringing this subject before the House, would not, after the discussion of that evening, object to the Bill being read a second time with a view to its being referred to the Select Committee. He should, like the noble Lord (Lord Taunton), claim to himself perfect freedom of action in regard to the Bill when it came back to the House; and if he found that its objectionable features had not been removed in the Committee he should be happy to support the noble Marquis if he renewed his opposition to the measure on the third reading. Among the most objectionable of the provisions contained in the Bill was that, perhaps, relating to the raising of the fares. He could not help thinking that if a railway company proposed to adopt a certain rate of fares, and upon that proposed rate obtained permission to establish a monopoly—for such, in reality, a railway was—it should not upon any condition be afterwards permitted to raise its fares. The fact was, that at the time Parliament granted powers to a company to construct a railway, a contract was virtually entered into by the railway company to convey passengers on certain terms, and those terms could not be afterwards disregarded without a breach of the virtual contract originally entered into between the company and the public. Still less should such a proposition be listened to when it emanated from the Companies south of the Thames, because it was notorious that the difficulties and embarrassments of those companies were the result of the grossest extravagance and mismanagement — or worse. He trusted, therefore, that Parliament would not in the slightest degree listen to any suggestion for permitting the Railway Companies to increase their fares. The Select Committee should also take care—in case the amalgamation was sanctioned at all—that the accommodation of the public was sufficiently provided for. The noble Lord the Chairman of Committees had very truly pointed out that, though a smaller number of trains might be sufficient for the Dover continental service, the districts through which those trains ran ought to be protected against the want of proper communication with which they were threatened. He further hoped that the amalgamation, if conceded at all, would be conceded for a limited time—that, at the end, say, of ten years at the outside, Parliament should have the opportunity of revising the whole arrangements. By some such alterations as those which he had suggested the Bill might, perhaps, be deprived of its present objectionable features. Now, he agreed in the remark that some more effectual means were required for fairly bringing the interests of the public under the consideration of the Committee. It might, perhaps, be advisable that some officer belonging to the Board of Trade, or some person especially selected to watch over the public interests, should be appointed to assist the members of the Committee with his advice; while he was also inclined to believe that in such a case as the present it might be advisable to have a stronger and a more numerous Committee than was usually appointed. He believed, too, that in order that the legislation of Parliament on railway matters should meet the real wants of the country, and provide for the service being performed with the efficiency and economy which were so necessary to the general, and more especially to the commercial, interests of the country, a special Department ought to be created, subject to the control of Parliament. He had frequently expressed an opinion that what they really required was a well-constituted Department, composed of men of ability and knowledge, who should sit during the whole year—or, at all events, during the time the Law Courts were sitting—so as not to crowd the whole of their business into a few months, and transact it under a pressure of time which, while it greatly added to the expense incurred, at the same time injured the efficiency of the work they had to perform; and it should be the duty of this Department to report on the matters which came under their consideration, and that their Reports should be submitted to Parliament for them to deal with. They ought, moreover, to be guided by some distinct and intelligible principle, instead of, as at present, not adhering to the same policy for two years in succession; because the want of uniformity which was now so apparent led to the imposition of an enormous charge upon the public, while it also contributed in no small degree to the present unsatisfactory state of affairs.

THE MARQUESS OF CLANRICARDE said, that as his object would be attained by the full examination which the Bill would have in the Select Committee, he would withdraw his Amendment.

Amendment (by Leave of the House) *withdrawn;* then the original Motion was *agreed to;* Bill read 2^a accordingly, and *committed;* the Committee to be proposed by the Committee of Selection.

RELIEF OF THE POOR.

ADDRESS FOR A ROYAL COMMISSION.

THE MARQUESS TOWNSHEND rose to move That an humble Address be presented to Her Majesty, to request that She will be graciously pleased to issue a Royal Commission to inquire into the Operation and Administration of the Laws for the Relief of the Poor in England and Wales. The noble Marquess, who was imperfectly heard, was understood to say it appeared to him imperatively necessary that no further time should be allowed to elapse till an inquiry took place into the administration of the law relating to the relief of the poor, which he could not but consider as a scandal and disgrace to the country, and which had produced among the people a painful feeling of discontent. The subject would require a prolonged investigation, which could not be given to it by Members of the Legislature during the Session; but which could be devoted to it by them during the Recess, aided by gentlemen best fitted for such an inquiry. It was only necessary to call their Lordships' attention to the cases which had been brought forward in the public Press to show that unless something were done the gravest censure would justly be attributed to the administration of the laws relating to the relief of the poor. But in his censure of the system in general, and in some degree of those who had the administration of relief, he rejoiced that he was not obliged to point out any defect, or want of skill, or efficiency on the part of the noble Lord who now presided over the Department. It was the system itself which was condemned by the public at large. In speaking of the numerous scandals which had been made public it was impossible to say what was the number that still remained unknown. When it was considered that workhouses were literally prisons, though those confined had been guilty of no fault but poverty, the importance of classification among the inmates must be at once apparent. Yet in this respect how little had been done. Another point to which he must call attention was the system of unpaid nurses in workhouses, and who were in many cases totally unfit for their duties. Very little had been done to improve the condition of things in this respect. It was also most important that the system pursued with reference to the appointment of medical officers should be altered. There were cases which had appeared in the public papers, where it had been shown that the officers who had discharged their duty in the most able manner had been hunted out of their places because they had ventured to perform their duties in a proper and humane spirit. In connection with the internal economy of workhouses, it was impossible not also to allude to the state of the casual wards in the provinces. He admitted that considerable improvements had been effected in this respect, but much remained to be accomplished. It was well known that in some instances masters of workhouses had been appointed without due regard to qualification, and there were cases in which they had been appointed, notwithstanding a previous dismissal from office. Again, attention should be directed to the miserable pittance doled out to paupers advanced in years and not admitted into the houses—it was not enough to keep body and soul together. He entirely agreed with a very able article which had recently appeared in the leading journal on this subject, in which many evils of the present system were traced to the defective constitution of the Boards of Guardians. It would be presumption in him to endeavour to point out the proper remedies for the evils of the present system; but he hoped their Lordships would give full consideration to so important a subject, and that the imperfections of the advocate would not damage the cause he had undertaken. He would not attempt to point out the remedies that were required. That he would leave to noble Lords who were much more competent than himself; and he hoped their Lordships would therefore consent to an Address for a Royal Commission who might inquire into the subject during the Recess, and report to the House at the meeting of Parliament.

Moved, That an humble Address be presented to Her Majesty, to request that Her Majesty will be graciously pleased to issue a Royal Commission to inquire into the Operation and Administration of the Laws for the Relief of the Poor in England and Wales.—(*The Marquess Townshend.*)

The Earl of DEVON said, it was not from any want of respect for the noble Marquess, nor from any failure to appreciate the purity of his motives, that he felt bound to oppose the Motion; but he did so on the broad ground that the noble Marquess had failed to make out any sufficient ground for the presentation of an Address to Her Majesty. The whole subject connected with the details of the administration of the Poor Law had, during the past few years, been investigated by Committees of both Houses of Parliament, and had undergone careful and thorough examination; and with regard to any individual case of grievance or oppression, he could only say that it had always been the object and the desire of the Poor Law Board, and that it was still, to cause the fullest inquiry to be made into it whenever it was brought under their notice. There was at all times the greatest desire to give the fullest information to their Lordships upon every point connected with the working of the Poor Laws, and any information in the possession of the Department would be freely placed at the disposal of the noble Marquess. The noble Marquess had spoken of twenty cases of death from starvation within a limited period; but if his noble Friend could point to one case of that character in which due and proper inquiry had not been made, no time should be lost in making it. While he differed from the noble Marquess as to the necessity for the appointment of a Commission, he did not differ upon certain important principles. One was that the law should be administered economically, in such a way as to relieve real destitution, and yet to prevent the money of the ratepayers from being paid to those who did not deserve it; and this was the principle which the Department would always endeavour to enforce, He fully agreed with the noble Marquess as to the necessity for the employment of paid nurses in the hospitals and infirmaries. This was a point to which the Board had given anxious attention; the Bill before the House would give the Guardians increased power to appoint such officers, and it would be the constant endeavour of the Board to enforce the carrying out of the measure when it was passed. He entertained the same sense of the importance of classification as the noble Marquess did. The Board had used every exertion in this respect, and had lost no opportunity of improving and introducing it wherever they could; and he believed that if the noble Marquess would inspect the various metropolitan workhouses, he would find that it had already been carried out to a considerable extent. The inspectors had given great attention to the subject of vagrant wards in the metropolis; and but yesterday, in company with the Secretary of the Board, and on the invitation of the guardians of Marylebone, he visited the new vagrant wards which they had provided, which seemed to furnish all that could be desired in the way of ventilation, cleanliness, and separate accommodation, and which were but a sample of what was being done in various parts of the metropolis. Repeating his readiness to give his noble Friend the fullest information in reply to any question he might put, he concluded by urging that no necessity had been shown for the appointment of a Commission.

Motion (by Leave of the House) *withdrawn.*

ARMY CHAPLAINS BILL—(No. 116.)

(*The Earl of Longford.*)

COMMITTEE.

Adjourned Debate on Motion "That the House do now resolve itself into a Committee."—(*The Earl of Longford.*)

Debate *resumed.*

THE DUKE OF MARLBOROUGH said, that looking at what occurred on Thursday evening, and also at the Amendments to be moved in Committee of which Notice had been given by the right rev. Prelate who presided over the see of Gloucester and Bristol, the Government had considered the question with the view of seeing how far they were able to meet the wishes expressed on Thursday evening, and embodied in the Amendments. Questions were then raised as to two points—first, as to the term "Royal peculiars" and the arrangement by which it was proposed to exempt army chaplains, and the chapels in which they officiated, from the interference of the parochial incumbents; and, second, the question whether army chaplains should be subjected to the superintendence of the Bishop of the diocese in which the encampment was placed, or whether they should be subjected, as the Government proposed, to a Bishop or Archbishop appointed by the Government. With regard to the first point, objection had been taken to the creation of additional Royal peculiars, and considering that they had been for some time abolished, and that while they were in existence they had created a good deal of confusion, it was considered desirable not to revive them, and the Government, therefore, adopted the proposal of the right rev. Prelate (the Bishop of Gloucester and Bristol) to substitute the term "extra-parochial district." The effect of this substitution throughout the Bill would be to place army chaplains serving in these extra-parochial districts under the Bishop of the diocese in which they are situate; but the Government could not assent to this arrangement. The position of an army chaplain was very different from that of a curate of the Church of England. The army chaplain had to minister to the soldiers in his charge, and he had also to act in subordination to the commanding officer, who also was bound to submit to his superiors. The army chaplain was also liable to be removed frequently from place to place, and from the jurisdiction of one commanding officer to that of another; and this involved his removal from one diocese to another; and it would be inconvenient with regard to many points of administrative detail if the accident of his being placed in any particular district necessarily and *ipso facto* subjected him to the episcopal superintendence of the Bishop presiding over that diocese. It was to be remembered that army chaplains had never been subject to any episcopal superintendence, and it was perhaps most desirable that they should be brought under such control, due regard being had to the proper exercise of their spiritual functions; but at the same time it would be a novel expedient if persons so peculiarly and abnormally situated as army chaplains were to be subjected necessarily to the Bishop of the diocese in which their duties placed them. On the other hand, in cases where a number of army chaplains were congregated together in a camp it might be desirable that the Bishop of the diocese should not be necessarily deprived of the superintendence over them. He might exercise his jurisdiction with great benefit in such cases. But then some latitude should be allowed to the Crown, which ought to have a discretionary power to appoint, under exceptional circumstances, another Bishop to superintend these extra-parochial places. As, therefore, it was not expedient, necessarily, to put these places under the jurisdiction of the Bishops of the dioceses in which they were situate, and as on the other hand it might be desirable to do so in certain cases, the Government proposed so to modify the Bill as to enable Her Majesty in Council from time to time to appoint an Archbishop or a Bishop of the Established Church to exercise episcopal jurisdiction over these extra-parochial places. He had not had time to embody in formal Amendments these views, which he believed were approved by the right rev. Prelates, and therefore he proposed that they should let the Bill pass through Committee *pro formâ*, after which it could be re-printed and re-committed on a subsequent day.

Earl DE GREY and RIPON said, he had no objection to offer to the change of the phrase "Royal peculiar" into "extra-parochial place," if Her Majesty's Government were of opinion that the alteration would not be productive of inconvenience. He thought, however, it would be inexpedient to place these extra-parochial places generally under the control of the Bishops in whose dioceses they were respectively situated; and if this were done under peculiar circumstances, he thought the Crown ought to reserve to itself full power of revoking any Order in Council that might be made on the subject.

The Bishop of OXFORD said, the Amendments proposed by the Government removed the objection which he had raised last night. In some cases the Bishop of the diocese might not be—in consequence of extreme age, for example—a fit and proper person to exercise superintendence over these places; and, therefore, there could be no objection to the Crown giving the jurisdiction to another Bishop under such exceptional circumstances.

The Duke of Marlborough

Motion *agreed to*; House in Committee accordingly; Amendments made: The Report thereof to be received on *Tuesday* next; and Bill to be *printed* as amended. (No. 146.)

FINE ARTS COPYRIGHT CONSOLIDATION AND AMENDMENT BILL [H.L.]

A Bill for consolidating and amending the Law of Copyright in Works of Fine Art—Was *presented* by The Lord Westbury; read 1ª. (No. 145.)

House adjourned at half past Seven o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, June 12, 1868.

MINUTES.]—Public Bills—*Second Reading*—Court of Session (Scotland) [45]; Court of Justiciary (Scotland) [46]; Drainage Provisional Order Confirmation* [169].

Committee—Courts of Chancery and Exchequer (Ireland) Fee Funds* [146]; Land Writs Registration (Scotland)* (*re-comm.*) [111]—r.p.; New Zealand Company* [156].

Report—Courts of Chancery and Exchequer (Ireland) Fee Funds* [146]; New Zealand Company* [156].

Considered as amended—Established Church (Ireland) [117]; Thames Embankment and Metropolis Improvement (Loans) Act Amendment* [133]; Duchy of Cornwall Amendment* [136].

Third Reading—Consecration of Churchyards Act (1867) Amendment* [152], and *passed*.

METROPOLITAN FOREIGN CATTLE MARKET BILL.—RESOLUTION.

Standing Orders Committee,—Resolution *reported*;

"That, in the case of the Metropolitan Foreign Cattle Market Bill, the Standing Orders ought to be dispensed with:—That the Bill be permitted to proceed."

Resolution read a second time.

Motion made, and Question proposed, "That this House doth agree with the Committee in the said Resolution."

Mr. MILNER GIBSON said, he should move an Amendment that the Bill be considered on Monday next. He protested against the course which had been pursued with regard to the Bill. When the Parliamentary Notices for the Bill were given all mention of the main object of the measure was avoided, lest it should occasion alarm to the owners of property who would be affected; and if this Report were now agreed to without question the promoters of Bills for the future would be able to say, "Don't put anything into the Notices that will excite alarm, but put in any Clauses which might have started objections when the Bill is before the Select Committee, and when the matter goes before the Standing Orders Committee they will allow the Standing Orders to be dispensed with."

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the further consideration of the said Resolution be postponed till Monday next."—(*Mr. Milner Gibson.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

LORD ROBERT MONTAGU said, he must complain of the course pursued by the right hon. Gentleman.

MR. MILNER GIBSON said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

IRELAND—AUDITOR OF GRAND JURY ACCOUNTS.—QUESTION.

COLONEL FRENCH said, he wished to ask the Chief Secretary for Ireland, By what authority the Executive appointed an auditor of Grand Jury Accounts, the salary being payable solely from County funds?

THE EARL OF MAYO, in reply, said, by the Act 1st *Vict.*, c. 54, s. 1, it was provided that accounts of County Treasurers were to be audited by such officers as the Lord Lieutenant by warrant should authorize. Under this Act the Lord Lieutenant appointed the Chief Remembrancer. Under the same Act the expenses of audit were provided for by a fee of 5*s.* in every £100. This fee was, by order of the Lord Lieutenant in 1842, reduced to 3*s.* The Act 6 & 7 *Vict.*, c. 78, provided that the audit of these accounts should form part of the duties of the Chief Remembrancer. By the Act 13 & 14 *Vict.*, jurisdiction in Equity of Exchequer was transferred to the Court of Chancery (s. 15). Mr. Acheson Lyle, then Chief Remembrancer, was made a Master in Chancery, and he and his successors were to perform the duties. Section 17 authorized the appointment of a successor to Mr. Lyle. Master Fitzgibbon now holds that appointment, and his office is maintained and his duties continued by the Act of last year (s. 50). These were the Acts under the authority of which the Executive of the day appointed Mr. Lyle, and continued the office to his successor, Master Fitzgibbon, who was now auditor of County Treasurers' Accounts.

POOR RELIEF ASSESSMENT RETURNS.

QUESTION.

MR. CANDLISH said, he wished to ask the Secretary to the Poor Law Board, When he hopes to lay the Return of Poor Relief Assessments, ordered on the 18th of February, upon the Table of the House?

SIR MICHAEL HICKS-BEACH said, in reply, that 1,500 notices had been sent out, and that only 1,012 persons had forwarded replies, so that up to the present time the Returns were incomplete.

IRELAND—MOUNTJOY CONVICT PRISON.

QUESTION.

MR. PIM said, he wished to ask the Chief Secretary for Ireland, When he will be able to lay upon the Table of the House, the Correspondence between the Treasury, the Irish Government, and Dr. Robert McDonnell, late medical officer of the Mountjoy Convict Prison, relative to the change in the medical management of that prison, by which he was deprived of the office of medical superintendent?

THE EARL OF MAYO said, in reply, that the only reason why the Correspondence between the Treasury, the Irish Government, and Dr. McDonnell, relative to the change in the medical management of the prison, had not been laid upon the table, was that it was not finished. He would take the earliest opportunity of producing it; but he was afraid it would not be complete for some days.

EX-GOVERNOR EYRE.—QUESTION.

COLONEL BROWNLOW KNOX said, he would beg to ask the First Lord of the Treasury, If Her Majesty's Government are of opinion that the Act of Indemnity passed by the Legislative Chamber of Jamaica, and confirmed by an Order in Council of the Home Government, is or is not a protection to ex-Governor Eyre for all acts done under martial law during the rebellion in the island of Jamaica; and, if not, will Her Majesty's Government undertake to bring in a Bill to protect Governor Eyre from further prosecutions?

MR. DISRAELI: Sir, in answer to my hon. and gallant Friend I would remind him that the highest legal authorities have declined to give an opinion upon the extent of the Act of Indemnity passed by the Colonial Government on the subject to which he refers; and I think it would be an act of presumption on the part of Her Majesty's Government to pretend to give an opinion to the House upon that point. With regard to our bringing in a Bill to protect Governor Eyre from further prosecutions, I must say that we have no intention of doing so.

COLONEL BROWNLOW KNOX: I wish to ask the right hon. Gentleman, Whether he is cognizant of the fact that Her Majesty's late Government did take the opinion of the Law Officers of the Crown on the subject, and I have it in my pocket at this moment?

MR. DISRAELI: When I spoke of "the highest legal authorities" I did not refer merely to the Law Officers of Her Majesty's late Government.

INDIA — BANK OF BOMBAY — BENGAL AGENCY.—QUESTIONS.

MR. SMOLLETT said, he would beg to ask the Secretary of State for India, Whether representations have reached him soliciting the removal of the Bengal Bank Agency established at the Presidency of Bombay with the sanction of the Viceroy upon the occasion of the failure of the Bombay Bank, in order that the new bank recently formed at Bombay may not be interfered with by a rival Government Establishment; and, if so, whether the Government is disposed to entertain favourably proposals made to that effect?

MR. DYCE NICOL said, he would beg to ask, Whether the Government have come to any resolution as to the precise terms on which their connection with the Bank is to be continued?

SIR STAFFORD NORTHCOTE: Sir, there has been a communication recently made to the India Office with regard to the continuance of the Bengal Bank Agency at Bombay. That agency was established for a temporary purpose only —for the purpose, as it was understood, of collecting the debts due to the Bank of Bengal at Bombay—and some time ago I took occasion to express to the Government of India my opinion that, as the object for which the collector had been sent to Bombay had been some time since accomplished, I presumed that the agency should be withdrawn. In consequence of the representations which have been made I have written again to the Government of India, asking if there was any necessity for continuing the agency, and adding the request that if such was not the case, immediate steps might be taken for bringing the agency to an end, for it would be obviously incompatible to have two Government banks in the same Presidency. With regard to the Question of the hon. Member opposite (Mr. Dyce Nicol), I would remind him that a Commission is now sitting in Bombay, upon the result of the labours of which will depend the future policy of the Government with regard to all the banks in India. With regard to the new bank at Bombay, Articles of Association have been framed under which it exists; but we are not altogether satisfied with those Articles, and a despatch has been sent to the Governor of Bombay requesting him to take measures for incorporating the bank under an Act of the Legislature, and to send home the terms of such incorporation.

AUSTRALIA—POSTAL COMMUNICATION. QUESTION.

MR. CHILDERS said, he wished to ask the Secretary to the Treasury, Whether any replies have been received from the Australian Colonies to the Despatches stated by the Postmaster General to have been sent out in the month of October last, on the subject of postal communication with Australia under present arrangements; and, if he has any objection to lay the Paper on the Table?

MR. SCLATER-BOOTH replied that answers had been received from several of the Australian Colonies on the subject, and there would be no objection to lay them on the table of the House.

IRELAND—GOVERNMENT AND THE PROPOSED ROMAN CATHOLIC UNIVERSITY.—QUESTION.

SIR JOHN GRAY said, he wished to ask the Chief Secretary for Ireland, If he will place upon the Table of the House a Copy of the Communication by which the Most Reverend Dr. Leahy and the Most Reverend Dr. Derry, acting on behalf of the Roman Catholic prelates in Ireland, broke off the negotiations carried on between them and the Government for the granting of a Charter to a Catholic University in Ireland; and if there be no Letter or Communication on the subject other than those already published, if he will point to any passage in any Letter from these prelates which was understood as intimating a wish to have the negotiations broken off; and whether the communication from Dr. Leahy and Dr. Derry, dated the 31st of March, 1868, was asked for by the Government, and lent by them as suggestions and the expression of opinions on matters then under consideration, or as a final and complete scheme from which they could not deviate?

THE EARL OF MAYO: Sir, no communications have passed between Her Majesty's Government and the right rev. prelates to whom the hon. Member refers, except those which are upon the table of the House. With regard to the remaining part of the Question, I have to state that last year the two right rev. prelates wrote to me, enclosing a copy of a letter which they had addressed to the Earl of Derby. In that letter they state that they were deputed by the Archbishops and Bishops of Ireland to enter into communication with Her Majesty's Government and to apply in their name for a charter and endowment to a Roman Catholic University. On the 14th of March, after I had made my statement in the House, I enclosed to the right rev. prelates the copy of a memorandum which stated the plan of the Government in more detail than I was able to do in my speech. On the 19th of March they addressed to me a letter which is now on the table of the House, stating seven or eight objections which they entertained to the scheme, and expressing their desire for a personal interview with myself or some other Member of the Government. That interview took place on the 24th of March, and after a prolonged conversation—lasting, I believe, an hour and a half—it was agreed that they should state their views at length in writing, and forward them to me. That was done on the 31st of March, in the letter which is also before the House. The Easter Recess intervening, an unavoidable delay took place; but after our return to town we took the matter into consideration, and I addressed to the right rev. prelates an answer, which has been laid upon the table. On the 16th of May I received a simple acknowledgment from Archbishop Leahy of the receipt of that communication; and so the correspondence terminated. The principles professed by the right rev. prelates having been expressed in two letters, and also at a lengthened personal interview, we were naturally led to the conclusion that those were their settled opinions, and that from them they could not depart. Now, those were opinions upon matters of principle of the highest moment. They were, at the same time, entirely at variance with the opinions entertained by Her Majesty's Government upon this most important subject; looking, therefore, at everything that has occurred, we consider the matter to be at an end, and it is not our intention to take any further step with regard to it.

SIR JOHN GRAY said, that the noble Lord omitted to answer the second part of the Question—namely—

> "Whether the communication from Dr. Leahy and Dr. Derry, dated the 31st of March, 1868, was asked for by the Government, and lent by them as suggestions and the expression of opinions on matters then under consideration, or as a final and complete scheme from which they could not deviate?"

THE EARL OF MAYO: I thought I had already answered that Question. We considered that the opinion expressed in the letter and also at the interview was a final opinion.

SIR JOHN GRAY then gave Notice that upon some future occasion, on the Motion for a Committee of Supply, he would bring the whole of that Question under the consideration of the House.

INDIA—CHURCH SERVICES.

QUESTION.

MR. KINNAIRD said, he would beg to ask the Secretary of State for India, Whether any information has reached him from the Government of India as to dissatisfaction having been manifested by some of Her Majesty's Protestant soldiers at being marched to Divine Service in churches where Ritualistic ceremonies had recently been introduced; and, if so, whether he has any objection to communicate the Papers to the House?

SIR STAFFORD NORTHCOTE, in reply, said, some Correspondence had taken place on the subject of an occurrence of this kind, and he could not doubt from the hon. Member's description of it that it was the same case. It appeared there were two churches, one at Fort William and the other at Dumdum, where Divine Service was performed in a manner objected to by some of the officers, and, as was stated, also by some of the men of the 60th Rifles. The hon. Member asked if Ritualistic Service had recently been introduced there? It was not a place where any service of that kind had been introduced; the service was performed in the same way as in the time of Bishop Cotton and his successor. The chief objection taken was in reference to the celebration of the Communion, and two of the officers requested permission to attend the Presbyterian Service and take several of the men there, as preferring the Presbyterian Service to that of the Church of England. Some Correspondence took place between the chaplain and the officers, and the matter was referred to the Government of India. The remark made on it by the Commander-in-Chief (Sir William Mansfield) was that the Correspondence was very military on the side of the chaplain, and very theological on the side of the officers. An arrangement had been come to by the Government, and an Order issued that all officers and soldiers should have full liberty to attend at whatever place of worship agreed best with their private convictions. He thought the matter was now entirely at an end, and it was not desirable that the Correspondence should be produced.

Mr. BERESFORD HOPE wished to ask his right hon. Friend, If he was aware that since the date of those despatches another chaplain had been appointed to the Fort William Chapel, and that none of the so-called Ritualistic practices existed there?

Sir STAFFORD NORTHCOTE said, he was not aware of that fact.

FAMILIES OF MILITIAMEN.

QUESTION.

Mr. DILLWYN said, he wished to ask the Secretary to the Poor Law Board, Whether his attention has been called to the frequency of men belonging to the Militia leaving their wives and families unprovided for during the time of training, and thus becoming chargeable to their respective parishes; and if so, whether there is any means by which a portion of their pay could not be drawn for the maintenance of their wives and families?

Sir MICHAEL HICKS-BEACH said, in reply, that unfortunately the bounty and allowances were often squandered by the men who received them; but it was difficult to see how they could be prevented from doing so if they chose. It could not be denied that there was room for improvement in the present arrangements for drawing the pay; but it was rather for the War Office than for the Poor Law Board to provide a remedy.

THE POST OFFICE SERVICE.

QUESTION.

Mr. MOFFATT said, he wished to ask the Secretary to the Treasury, Why the Annual Report of the Postmaster General for the year 1866, presented to the House on the 12th of August, 1867, has not yet been printed; why the Annual Report from the same Department for the year 1867 has not yet been presented; and, why the assurance given several weeks since by the Secretary to the Treasury, that those Reports should be speedily circulated, has not yet been fulfilled?

Mr. SCLATER-BOOTH, in reply, said, the Report for 1866 had been delayed in order that it might be presented along with that for 1867, the events of the year 1866 not being of a very important character. Both Reports would certainly be in the hands of Members within the present month. The reason for the delay that had taken place in the last few weeks was the great extra pressure of business and the increase of correspondence relative to the Electric Telegraphs Bill.

Mr. CRAWFORD said, he wished to inquire, If the Report would be laid on the Table before the Vote for the Post Office Service was taken?

Mr. SCLATER-BOOTH said, that the Report, would, he believed, be laid on the table before the Post Office and Steam Packet Estimates were taken.

ARMY—GUNNERY EXPERIMENTS.

QUESTION.

Major ANSON said, he would beg to ask the Secretary of State for War, Whether, as a section of Plymouth Breakwater Fort was going to be experimented upon at Shoeburyness on Tuesday, he would give hon. Members interested in shields and fortifications an opportunity of inspecting the section on Monday, in order to satisfy themselves what difference there was between that section and the original design?

Sir JOHN PAKINGTON said, he was sorry his hon. and gallant Friend had not given Notice of the Question, since it would have enabled him to make inquiry. He sincerely wished the experiments to be carried on with due publicity and fairness, and would be glad to confer privately with his hon. and gallant Friend on the subject. As preparations would be going on on Monday, it might, he apprehended, be inconvenient if an unlimited number of visitors were admitted.

REGISTRATION LISTS.—QUESTION.

Lord HENLEY said, he would beg to call the attention of the Secretary of State for the Home Department to the fact that there are cases in which one part of a parish is in a borough, and the other part of the parish in a county, and to point out that confusion must arise if the overseers do not make out separate lists. He wished to know, Whether the right hon. Gentleman would cause the Clerks of the Peace to send instructions to the overseers to make out separate lists?

Mr. GATHORNE HARDY said, in reply, that provision was made in the Bill for separate lists of borough and county voters in those parishes which were partly within boroughs and partly within counties. It was, however, impossible for him to give instructions to clerks of the peace which he had at present no legal authority to issue.

EX-GOVERNOR EYRE AND HIS EXPENSES.—QUESTION.

Mr. P. A. TAYLOR said, he wished to ask the Under Secretary of State for the Colonies a Question which he had privately asked him yesterday. It had reference to the Despatch spoken about a few days ago by the right hon. Gentleman (Mr. Disraeli), who described it as dated February 1867, and containing an engagement, in fulfilment of which a communication had been made to Mr. Eyre, asking him to send in an account for the expenses which had been incurred. He wished to know, If such Despatch had been printed—having searched for it in vain—and whether there will be any objection to lay it upon the Table?

Mr. ADDERLEY: If the hon. Gentleman will move for it I have no objection to give it.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

CASE OF POLICE SERGEANT STONE.

MOTION FOR A SELECT COMMITTEE.

Mr. LABOUCHERE said, he rose to move for a Select Committee to inquire into the causes of the dismissal of Police Sergeant Stone from the Metropolitan Police Force. In the year 1864 Sergeant Stone was stationed at Ealing. He had been a police officer for twenty years, and had been at Ealing eight years. Owing to ill health, resulting from a hurt received in the discharge of his duty, he was temporarily incapacitated from the discharge of his duty, and a man named Monsell was employed for the time as his substitute. Subsequently to this Stone received a summons at twelve o'clock one night to appear the next day before the Chief Commissioner of Police in London to answer two charges preferred against him by Monsell. One was that he had clapped his hands in the presence of the police magistrates in a case at Brentford; and the other was that he had written an anonymous letter. With respect to the first, the magistrates themselves, on being appealed to, declared their belief in his innocence; so that the only point requiring consideration was that of the anonymous letter. Captain Labalmondiere, before whom Stone appeared, told him that he had written an anonymous letter, and on that ground suspended him from his office of sergeant, and shortly afterwards dismissed him altogether from the force. He was dismissed without having any opportunity given him of seeing the letter, or of disproving the charge by comparing it with his own handwriting; and for two years he remained under the stigma of having written that letter, no inquiry or investigation meanwhile being made into his case in order fairly to decide the truth of the accusation for which he was suffering. During those two years numerous letters upon the subject were written by Stone to the Home Office, public meetings were held at Ealing, and petitions were presented on his behalf from the clergy, churchwardens, and overseers; and at last, in October, 1866, he was informed that if he would go before Sir Richard Mayne with an "expert" he might see the anonymous letter, and compare it with his own handwriting. Stone complied with the request, and was accompanied by Mr. Netherclift, who examined the anonymous letter, and also some letters written by the sergeant, and gave Stone a certificate that there was no possibility of the communications having been written by the same person. One would have thought that the first thing Sir Richard Mayne would have done would be to express his regret, and then to have either re-instated him or given him the pension to which he was entitled. Stone made continuous applications to the authorities, and after a further interval of seven months he received from Lord Belmore, then Under Secretary for the Home Department, a letter, stating that a pension could not legally be granted to him; but that, having regard to his good conduct and twenty years' service, Mr. Secretary Hardy had awarded him a gratuity of £106 3*s.* 4*d.* (being at the rate of one month's pay for each year's service), but that this was not to be considered as affecting any decision in his case. Sergeant Stone replied, accepting the gratuity, but saying it was not to be held as affecting the statutory declaration of his innocence of the charge on which he was dismissed. At the end of fifteen years a police sergeant was entitled to a pension of £34 per annum, and the sum to which Sergeant Stone claimed to be entitled was based upon the capitalization of that £34 per year, and amounted to £340. The pension was not merely the result of his services; but was also partly the accumulation of something like 4*d.* or 6*d.* a week which was paid by the sergeants of the force to a general fund; so that the case was a very hard one. Mr. Stone was now broken in health, and injured by the charge brought against him, although he had disproved it. All that he now asked was to have the same amount of pension, or the capitalization of it, as he would have been entitled to had he not been dismissed the service, and lain under the stigma of having written the anonymous letter. He (Mr. Labouchere) hoped that justice would be done to the man.

MR. MONK seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the causes of the dismissal of Police Sergeant Stone from the Metropolitan Police Force,"—(*Mr. Labouchere,*)

—instead thereof.

Mr. Labouchere

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GATHORNE HARDY said, that the case of Police Sergeant Stone arose in the year 1864. Sergeant Stone was called upon to resign by the Chief Commissioner of Police on the 9th of September in that year. The Commissioner of Police, he might mention, had the absolute power of dismissing constables, and there is no appeal from his decision. But the case from the beginning seemed to have excited some interest in the neighbourhood where Stone lived; and from the time when it first arose—when the right hon. Gentleman the Member for Morpeth (Sir George Grey) was Home Secretary—up to the present time, there had been continual threats that the matter would be brought before Parliament. It was hoped that this would have been prevented by the arrangement which had been made, because he believed the man was amply satisfied so far as the pecuniary part of the matter was concerned. Stone was undoubtedly charged with having written an anonymous letter very prejudicial to one of his comrades. Stone had been invalided, and in the year 1864 was not able to discharge his duties. Another sergeant was sent to the district in his place. An anonymous letter having been sent in, containing grave charges against Stone's successor, it was deemed important to ascertain whether it had been written by any member of the force. By a comparison of that document with the undoubted writing of Stone in the police books, and by the aid of an expert from the Post Office, the conclusion was arrived at that the anonymous letter was written by Stone. Afterwards another expert, without knowing what had occurred before in the matter, came to the same conclusion; and therefore the Commissioner was confirmed in his opinion after the second investigation consequent upon the petition of Stone. The hon. Member said that Stone had not seen the letter. [MR. LABOUCHERE: I said he was shown the letter, but not allowed to have it in his hand.] Stone had certainly seen the letter, and might have read it if so disposed. The most careful attention had been given to the case by the right hon. Gentleman (Sir George Grey) when Home Secretary, and that right hon. Gentleman did not think it called for his interference. As to the opinion of Mr. Netherclift with regard to the handwriting of the letter, experts, after all, were only guides to certain similarities in handwriting upon which other persons must judge; and it should be remembered that in one of the greatest cases ever tried—namely, that of Mrs. Ryves—Mr. Netherclift spoke to the authenticity of a mass of documents which were universally discredited, and in respect to which the jury came to the conclusion that he was entirely wrong, and the Judge agreed with them. Stone's case had also been pressed on his right hon. Friend the Member for the University of Cambridge (Mr. Walpole), when his right hon. Friend was at the head of the Home Office; and his right hon. Friend, after very carefully investigating it with Lord Belmore, thought there was a certain amount of doubt about it, and that the anonymous letter might possibly have been an imitation of Stone's handwriting. Under those circumstances, and considering that he had been twenty years in the force before his dismissal, his right hon. Friend thought a gratuity or a small pension, if that were legal, might be given to him for his past services and good conduct; but the law would not allow of a pension being awarded him. A pension could not be given unless a man was sixty years of age, and had been invalided for certain reasons; or if he were below sixty there should be a certificate from the Commissioner of Police that he was incapacitated for certain causes, and that the Commissioner of Police could approve in all respects of his conduct. But the Commissioner of Police still retained the opinion he had at the first with reference to Stone's case. When he himself (Mr. Gathorne Hardy) succeeded to the Home Office his right hon. Friend had just made his decision, and he (Mr. Gathorne Hardy) had acted upon it, granting the man the sum of £106 3*s.* 4*d.*, being at the rate of a month's pay for every year of his past service. Stone wrote expressing his gratitude and thanks for the gratuity granted him so "kindly, considerately, and justly," to use his own words, guarding himself at the same time by saying—"According to my understanding, my acceptance of the gratuity does not affect the statutory declaration which I made of my innocence. I tender my most humble and sincere thanks for the gratuity." He said, "The money will be a great boon to me;" but he added that as the gratuity was not enough to compensate him for the future, he hoped that if an opportunity offered of making a messenger of him that would be done. Stone was, however, too old for anything of that kind. In conclusion, in his (Mr. Gathorne Hardy's) opinion, ample justice had been done in the case. It was by no means so clear a case of hardship as the hon. Member for Middlesex (Mr. Labouchere) thought. The man had received enough in the shape of gratuity; and he (Mr. Gathorne Hardy) believed that if others had let him alone he would have been satisfied.

Mr. GRANT DUFF said, the hon. Member for Middlesex (Mr. Labouchere) deserved the thanks of his constituents for the trouble he had taken in that matter, which, though small in itself, had, it was satisfsctory to find, received great care and attention from the Home Office. It would be still more gratifying if the right hon. Gentleman opposite could say that he contemplated giving Stone some slight additional gratuity or a small situation. Unless the right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole) intervened in the debate and told the House that there was a stronger case in favour of this man than the right hon. Gentleman the Member for the University of Oxford thought, he would recommend his hon. Friend not to press his Motion to a division.

Mr. WALPOLE said, he could confirm what had fallen from his right hon. hon. Friend the Secretary of State for the Home Department. Greater pains could not be taken than had been bestowed by the right hon. Gentleman opposite (Sir George Grey) in examining all the particulars bearing on that case. He (Mr. Walpole) had examined the whole of the Papers in the case, and his opinion was that under the circumstances ample justice had been done to Stone by the pecuniary acknowledgment which he had received. The only thing that had weighed with him was that Stone had never had an opportunity of seeing the anonymous letter and comparing it with his own handwriting. No more could legally have been given him, and it would, he thought, be very unadvisable to grant a Committee to inquire into a subject which had already been so fully investigated.

Sir GEORGE GREY said, that he did not see that any advantage could accrue from further investigation of the subject. He remembered the circumstances of the case perfectly. The evidence was very strong as to Stone being the author of the letter, and he was glad to find that some doubt had been thrown on it. The course which had been taken by both the right hon. Gentlemen opposite in the case was not only just but generous towards Stone.

MR. LABOUCHERE said, that after these expressions of opinion he would not press his Motion to a division.

MR. ALDERMAN LAWRENCE said, he thought it was worthy of the consideration of the Secretary of State for the Home Department whether it was just that a member of the police force who had conducted himself well for twenty years, and earned the esteem of all persons in the neighbourhood where he performed his duty, should be discharged or called upon to resign upon a charge being made against him, without that charge being fully and fairly investigated?

MR. GATHORNE HARDY said, that there was a double inquiry before the subject came under the notice of the Home Office.

COLONEL FRENCH observed that there was power in the head of the Police to dismiss on his own opinion of a case.

Amendment, by leave, *withdrawn.*

LOCAL RATING.

MOTION FOR A SELECT COMMITTEE.

MR. CORRANCE said, it is, perhaps, necessary that I should explain in a few words the reason I have in calling the attention of the House to this subject, and the causes from which, as I think, a necessity may seem to exist. It cannot, I think, but be observed by those who have followed up the business of this Session, that of all other questions, those connected with rates have been oftenest brought before the House. First we had the Committee on the Motion of the hon. Member for the Tower Hamlets, which I hoped might have saved me the necessity of the present appeal by comprehending in the scope of its inquiry the whole bearing of these Acts. Then came the Motion of the right hon. Member for the City of London (Mr. Goschen) on the Metropolitan Rates, in which he disclosed some most significant and valuable facts. The Mines Assessment Bill followed next, and a very little later the discussion upon the burdens of land, so ably introduced by the hon. Member for Wiltshire. In each instance local taxation lay at the root of the question advanced. At present both the Turnpike and Highway Bills, as well as that upon Education, have reference to this. Perhaps it may be thought that under such repeated inquiry, so often renewed, the matter must be fully winnowed out. It may seem strange to say that the contrary is the case, and the frequency of these occasions, as well as their great variety, establishes, I think, a necessity not otherwise so great. I must deprecate such partial treatment as this. If change is required of such a kind, this, I think, will be obvious to most—that, starting from a false point, if we attempt to legislate partially we shall but increase the difficulties which exist, and multiply those obstacles of which we now complain. Hence the necessity of inquiry, beginning from the root. Is this necessity justified by fact? With the scope of my present address I shall not go into detail upon this, for I think that even general considerations will suffice. The office of the Committee for which I move will be to investigate facts. Am I entitled to this? Now, if I show that at their very origin the scope and intention of these Rating Acts were imperfectly defined; if I am able to show that that intention has not been clearly laid down since; and that, confused by judgment and complicated by events, it has become a mass of incoherent legislation, incapable of just application or legal interpretation, perhaps it may be thought that there is good ground for this. If I can show that, starting from such a point, other taxes have been successively imposed upon such a base, either simply a matter of convenience, or accident, or custom alone, it may be thought that there is some ground for this. If I can show that by the incidence of such taxation a great injury is done to productive industry, and that it falls with severity upon needy and dependent classes, then, deeming such things of no small importance and not unnecessary to consider, I shall with some confidence appeal to this House. And now to the proof. Upon the terms and provisions of the Act of 43 Elizabeth, I need enter at no length. They are well-known to most. Nevertheless, in starting upon our present inquiry, there are some distinctive features which we may note. What was, or rather were, the leading principles upon which this Act was based? Contributions generally levied within a local area upon property and persons alike. What limitation to this?

That the property shall be visible, within the place, and that the ability of the person to pay shall be the subject of this tax. Now, to untechnical and unlearned minds no doubt this was simple enough, and of this, perhaps, we can have no more convincing proof than the fact that for 200 years it seems to have suffered no material change, and no important Amendment was either required or introduced. It was, no doubt, both in intention and scope a property tax, and this property of no exclusive class. It required the perverse ingenuity of legal minds to make the problem complex. Well, but what took place? The natural desire to escape taxation did not remain asleep. Subsequently much property became invisible, and, not being local, could not be taxed. The machinery was imperfect, and many kinds of property could not be reached. The customary carelessness of owners of property did the rest; and the easy inheritors of settled estates came into them, accustomed to the hereditary burdens and the parochial rate. Why, what proof of it is this, that previous to the Poor Law Bill of 1833, the whole property had become well-nigh submerged beneath the parish rate! They were in some instances £1 5*s.* in the pound as levied upon an assumed and fictitious base. One after another subjects of taxation fell out, while nothing was added, but new taxes upon the old base. With the increase of these taxes the desire to escape increased, and the ingenious supply of legal means has never failed to keep pace with the demand in such a case. Soon we have of these exemptions a goodly list. Mines, other than coal mines, woods, stock-in-trade, funded property, and securities, were invisible of course. Personal property, though visible, could not be reached. Ships and merchandize had no local place; and the area of taxation became thus comfortably circumscribed, and fell upon only persons or property which could not be overlooked. It was not until 1840 that stock-in-trade was exempted from the incidence of these taxes. The Act of Elizabeth being thus amicably perverted, what follows? Just as it would seem in the proportion to the diminished liability did the amount and number of their taxes increase, and every day new burdens were added, just as they would now be added in default of vigilance, in a manner most unjust. Let us just glance at the list—namely —

Poor Law Series.	Aggregated. Districts.	Miscellaneous Taxes.
Poor's Rate	County Rate	Sewers
Workhouse Buildings	Lunatic Asylum	Drainage
Survey and Valuation	Shire Hall	Church
Gaol Fees	Hundred	
Highway	Police	
Militia	Borough	
	Watch Rate	

—Of these, the two first are upon the Poor Law basis, none of them either for taxation or expenditure being more extensive than counties; nor are rent-charges, Easter offerings, or tolls, fees, or dues from navigable rivers, included. Now, one objection may be taken to this—namely, that the county rate rests on a separate base. Well, since the Act passed in the 55 *Geo.* III., c. 51, it has been assessed separately, and by successive Acts, namely 15 & 16 *Vict.*, a consolidation of various statutes has taken place and that of Sir Edward Kerrison, in 1858 widens the area of this rate; but no less are the all more important features of the old poor rate preserved and the exceptions and exemptions are identical in each. Changes affecting the one, also affect the other; and the collection of the rate is made at the same time. Now, what has been the consequence of this? I shall let the answer come from some high authority upon this point, I quote from the Report of the Commissioners in 1843, Sir George Cornewall Lewis, Sir Edmund Head, and George Nichols—names which will inspire respect. They speak thus—

> "Scarcely anything can be more material than the declaration of the person and properties affected by a tax. Yet there is hardly an instance of any modern rate in which the purpose has been legally or unambiguously effected; not because there is any difficulty in effecting it, but because the draftsman dispensed with looking at the statute 43rd Elizabeth, and Parliament and the public had no ready means of checking the draftsman while the Bill was in progress. Then the highway rate is made a tax on property, without apparently following the person. In the militia rate the error is reversed, 43rd Geo., and the effect is to omit both the chief person and chief property, and to charge only persons liable to poor's rate in respect of stock-in-trade. The County Rate Act refers to occupiers of estate and property, and omit inhabitants as well as parsons and vicars, 55 *Geo.* III., c. 51, s. 12, while as regards the property to be rated the confusion is extraordinary, being described for parishes where poor's rates are made by terms inapplicable to the property liable to the poor's rate. The same confusion is extended by adoption to the county rate for shire halls and lunatic asylums. In fact, in the most important provision the confusion is uni-

versal. These instances, though a very small part of what the single subject of local taxation affords, and selected only from the most important head, will be more than sufficient to show how entirely fortuitous our legislation has been, and is upon a subject in itself the most intelligible and most capable of accurate definition."

But if such is the uncertainty in this respect, the use, or purposes is no less important. Now, these uses and purposes are nearly 200 in number, and often in the same rate most dissimilar. In the Report we find it thus stated, namely—

> "The purposes thus imperfectly defined are the subject of re-iterated enactments, but are often all very rarely made sufficiently comprehensive to include all the occasions for expenditure to which the respective rate may be beneficially applied, and many matters of pressing importance are constantly found unprovided for. In such cases small regard has been shown to the fact whether the law did or did not authorize the application. But the use of a rate for such purposes, once so misapplied, easily becomes a fund out of which provision is made for more irregular and mischievous expenditure. There is no doubt that the intention has been to place all the series before-mentioned as poor and county rates upon one basis. If so, the terms used are entirely discordant with that intention."

I have given some instances of this. I may mention the following:—

> "In the constable's rate and militia the property is not defined, and only by inference falls on the poor rate. In the county rate, the property to be made liable is described as the messuages, lands, and tenements, and hereditaments rateable to the relief of the poor, which wholly omits personal property, which when the Act passed was liable to poor rate. This disparity of terms extends to the whole series of rates imposed on aggregated districts."

So much, then, for the principle upon which this rating rests. Let us see what is the nature of its incidence, and to what ultimate effect. We have it as an admitted fact that it falls only upon a portion of property very limited in extent—about, let us say, one-fourth or one-fifth of the whole. Upon railroads and canals it is most unsatisfactorily, if not most unfairly, assessed, and the room for litigation is immense. Lord Campbell says—

> "The rule laid down for the Parochial Assessment Act is easily applicable to the property which the Legislature then had in contemplation; but is wholly inapplicable to a railway extending many miles through many parishes, the traffic upon its various sections varying materially, and the expense of working these different sections bearing no certain proportion to the earnings upon them. If we settle all these and similar questions, we may be considered rather as legislators than as judges, rather making than expounding the law."

And again—

> "Without some alteration in or declaration of the law by the Legislature, we foresee that, although we should give judgment between these parties, much trouble, litigation, and expense must arise both to parishes and railways throughout England."

Sentences which experience has amply confirmed. Upon houses we are told by good authority it falls a house tax, and it is approved as such. Upon land, it falls, in respect of profit, both upon the landlord and the tenant class.

Stock in Trade.—In the first instance, let it be one main objection that such litigation should take place, exceeding, probably, in some instances, the capital value of the rate. The second we must not so lightly pass. A house tax may be a fair tax under appropriate condition; but what that condition should be is worth inquiring, at least. Now, in this instance it is paid upon the basis of the rent. What will be the effect? Competition will, therefore, rule this. Apply this rule, and it conducts to this—that the tax will vary just in proportion to the poverty of the class. Large houses do not easily let; small ones are hard to get, and you place this burden which must act as a drawback to their increase. Secondly, there is no limitation to the incidence of this tax. As an income tax the poorest classes would be exempt. Under this tax it falls upon them directly, and in the worst possible form and effect. It lessens the inducement to provide accommodation, and curtails the comforts of the house. It leads directly to contracted accommodation, and indirectly to all those evils of which over-crowding is the prolific parent, and vice and degraded habits the fruit. Have we not evidence enough upon this? What has lately passed during the debates upon artizan dwellings in another place? Let me afford one extract from this quotation—

> "We are told that in one house there were fifty-nine human beings. That typhus speedily scented out its prey. That while one miserable man lay ill, his wife and six children had to partake his bed, and inhale his feverish breath. That the victim sank, while the miserables went to the workhouse or followed him to his grave."

Take another such instance as this—

> "In sixty-two instances adult sons and daughters slept in the same room, and in three instances in the same bed. In 152 instances adult daughters slept in the same room, and in fifty-six in the same bed with parents, and so on, down the doleful and unseemly list."

Now, for such things there may be many reasons acting with unhappy concurrence upon the social state and which are productive of this. When we deal with such things we must take cognizance of the least. Is not a tax one of such. Few economists will deny this. I call then their attention to the fact. And if the conclusion at which they shall arrive shall point to results such as those I have indicated, they must, at least, materially qualify the opinion expressed as to the intrinsic excellence of this tax. Lastly, let us come to the land. Now, I want one admission on this point, lest our feelings and prejudices lead us astray. I will give ample evidence as to its truth. I want it to be an accepted principle by this House, that, primarily all taxation of industry falls upon the gross produce. It is so much deducted from it. Let us consult authority upon this point. Ricardo tells us—

> "That labour, not land, is the real source of wealth, and that produce—all that is derived from the surface by the united application of labour, machinery, and capital—is divided between three classes, the proprietors, the owners of stock, and the labourer."

Taxation falls thus upon the whole, and not upon a reserved part. Under any artificial regulation you can set up, there will be so much deducted from the heap, so much less divisible remainder, so much less to reward labour or replace capital. Now of this what will be the result? That first capital and then labour will desert. Let me give an example of this—Supposing that there existed within the same parish three distinct branches of industry—say, manufactures of a different class—yielding a similar percentage of return, and that upon one of these you placed some burden of an especial class, what would be the result? Profits would be less, capital would fail to be attracted, and the employment of labour would decrease. The thing is so obvious as to admit of no doubt. Supposing land in the farmer's own hands to be one of these, and the one taxed. Well, he would sell his land, if he could, and invest at the larger profit of the industry untaxed. Men would buy it to whom profit was no object no doubt. Is this what you want? You have been dealing with this class of landlords, and to get at their accumulations you have forgotten common principles, and the economic effects have been overlooked. You are taxing the industry nevertheless. The proprietors have a smaller surplus to improve their estates, the farm buildings will be worse kept up, and the inducement to invest in such heavily taxed property will be reduced. What says Mr. Mechi upon this—

> "It is an alarming fact that much of our revenue is derived from the capital we lend to foreign countries, and this, too, while our agriculture to become fairly profitable would require a sum of no less than £300,000,000 invested in the improvement of land. In 1851 there were 285,936 farm holdings in Great Britain. Of these no less than 170,814, or more than half, were under fifty acres. The average of the whole number was only 102 acres, while 91,698 farmers, or one-third of the entire number, employed no labourers. Of these holdings he estimated the capital at £4 per acre, or a total of £200,000,000, and the acreable produce £3 12*s.* The conclusion is that there must be an immense tract of country unprofitably farmed and inefficiently capitalled."

In corroboration of such an opinion, and in further illustration of its cause, a great commercial authority, Mr. Lamport, says—

> "Capital is mobile, and follows as simple a law as water finding its level. The safest and most profitable business always requires and will command the largest share. It is only businesses which do not pay—that are starved and cry out."

Once more, the authority of the hon. Member for Westminster—

> "The mere fact that profits have to bear their share of a heavy general taxation, tends in the same manner as peculiar taxes, to drive capital abroad. This is thought to have been the principal cause of the decline of Holland. Under these circumstances it is inevitable that a part of the burden will be thrown by capitalists upon the labourer or the landlord. One or the other of them is always a loser by the diminishing rate of accumulation. If population continues to increase as before the labourer suffers; if not, cultivation is checked in its advance."

Surely such evidence should suffice. If taxation is an evil, its unjust or irregular incidence must tend to aggravate this, and as is here shown, may be followed by deplorable and unforeseen results. Surely of these it is at least time that investigation should take place. On this ground, then, let us ask that it shall speedily take place. It has been proposed to substitute an income tax as the just alternative in this case; but it seems to me that to this, simple as it may appear, some objections have been overlooked. It would fall on incomes hitherto absolutely exempt, such as professional incomes and salaries. Funded property also, borrowed at any former time, or other such securities upon which no such charges should be imposed by legislation of an *ex post facto* class. In these instances it might be sufficient for the future that no stock newly created should be able to claim exemption of such a class, as resting upon a principle neither sound nor just. Against the conversion of the claim upon stock-in-trade or personal property into income tax, no such reason can exist. Now, I think that it will be at once admitted that these are questions of the gravest class, and that in inquiry no further time should be lost. Let the House just consider this, that, during the last twenty years, in Imperial taxation an almost entire revision of burdens has taken place, and this to a most useful and beneficial effect. In local taxation things are not only as they were, but get worse and worse as occasions for the imposition of fresh rates occur upon a false and unequal base. And yet, just consider the amount and importance of taxation of this class, exceeding in amount the entire revenues of many European Powers, not of the first class, for all purposes of general and local taxation, and nearly or quite half of the amount of our own Imperial taxation, if we except the payment of the interest of the Debt. So far, then, I trust that I have made out to the satisfaction of the House a case for inquiry, at least. Of that inquiry, what ought to be the practical effect? Without a word or two upon this my observations would be incomplete. In the first place it seems to me much to be desired that a complete revision of this species of taxation should take place in the following respects, namely, that its proper incidence, both upon property and persons, should be once more declared, with due respect to the application and use of the tax. That as far as possible classification of such taxes should be made and levied upon a uniform base. That the applicability of the mode now in use for assessing annual value be determined in cases of difficulty and doubt. And, lastly, that all exemptions should either cease, or be levied in some form applicable to each case. I am not willing any longer to detain the House. I shall not deem it necessary to go into all the ultimate and evil consequences following the existence of such things as those I have pointed out. One thing is clear, I hope, to the House, that until such an inquiry has taken place, no further charges or changes can take place. In the one case injustice, in the other confusion, will be the result. In the reforms we contemplate, or the exemptions we seek, we must proceed from a sure base. Last year the Government introduced a Bill, which, although it did not directly deal with this, still was of a nature to lead to some further inquiry upon these points. I allude to the Valuation Bill of the right hon. Gentleman the Chancellor of the Exchequer. That Bill had my support. It was the first question in which I took part in the House. Of one thing I felt convinced—that by the establishment of such a Board as that proposed the question would not long be allowed to sleep. When I spoke upon this in my concluding words I said—

> "One hope I might entertain. It would be this—that this could not be the measure of the Reform which would be introduced by her Majesty's Government upon the question of the rates; that her Majesty's Government having thus bestowed their care upon the question of assessment, as I thought, to excellent effect, would further deem it their duty and worthy of consideration as to the incidents and accidents of the rate. Let there be equalization also in such respects."

These words I now beg to repeat.

Mr. GREENE seconded the Amendment.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to consider the present incidence and principle of Local Rating, and report thereon,"—(*Mr. Corrance,*)

—instead thereof.

Sir MICHAEL HICKS-BEACH admitted the importance of the subject referred to by the hon. Member, but reminded him that it had already occupied the attention of the House during the present Session, and had given rise to an interesting debate. As to the Motion for a Committee, the hon. Member had himself given the best answer to it when he stated the various points which their inquiry should embrace. At this period of the Session such an inquiry would be impossible. In another month or six weeks the Session must close, and it would be impossible to consider one of the points alluded to by the hon. Member during this limited time. The speech of the hon. Member might be divided under two heads—first, how property should be rated; secondly, what kind of property should be subject to rates. Now, a Committee last Session instituted an inquiry of considerable importance into the valuation of property; but the Bill introduced on the subject was not proceeded with, and the question, therefore, was not determined by the House. There had been another question also as to how rates should be collected, whether from the owner or occupier, and a Committee on the subject had been moved for by the hon. Member for the Tower Hamlets (Mr. Ayrton). Then Bills had been introduced on two or three occasions on the subject of the rating of mines by the hon. Member for Cumberland (Mr. Percy Wyndham), and the hon. Gentleman who had introduced this subject did not appear sanguine that that matter could be successfully dealt with by the House. As to the rating of railways, that was a question which might fully occupy a Committee for more than one whole Session. He had mentioned these things to show the variety of questions which must be considered before the House could come to a conclusion. A debate had been held in the early part of the Session as to the great increase of rates paid by occupiers of land, and the burdens upon house property in the metropolis. That was a great and important question, upon which it would be quite impossible to initiate any satisfactory inquiry during the present Session; but he thought there was a necessity for some alleviation. The county rate, for instance, had considerably increased, a Committee on the question of county finance was at present sitting, and he believed it would be proved before that Committee that the greater part of the increase in the county rates had arisen in consequence of the maintenance of the police, which was contributed to by the Consolidated Fund. Then there was a great demand for increased expenditure in the treatment of the poor, especially of the sick poor. Now, it was a question whether further aid might not be granted by the State in matters of that kind. At present aid was granted towards the payment of salaries; but it might be well to consider whether more of those charges might not be borne by the State. As to the rating of personal property, it might be said that when the Act of Elizabeth was passed there was little or no personal property compared with that which existed at the present time. But there was a difficulty and almost an impossibility in bringing such property under rates. That had been proved by the legislation which had been effected for the exemption of stock-in-trade. He trusted that the hon. Member would not see fit to press the Motion, which he had introduced in a speech of considerable ability. The matter was one of very great importance, and well worthy the attention of the House, but it could not be dealt with at this period of the Session. But if a Committee were to be appointed at an early period of the new Parliament it was quite possible that some satisfactory conclusion might be arrived at.

MR. HUBBARD said, he thought that sufficient grounds had been shown for further inquiry whenever there might be an opportunity. The best tax we had was the house tax, though the hon. Member for East Suffolk (Mr. Corrance) had taken exception to it, and had cited extreme instances in favour of his view. There was no better test of the ability of the tax payer than the house which he occupied. After a careful consideration of the subject, he had arrived at the conclusion that upon an average of classes the expenditure of an occupier in respect of house rent was in the ratio of one-tenth of his whole means of expenditure, and that, whether in the case of the man who paid 2*s.* a week rent or £2,000 a year, the test was equally good. But at present the house was taxed three times; it was taxed for the house tax, it was taxed again for the income tax, and, thirdly, for the fire insurance duty, and that duty was equal to 4*d.* in the pound on the rent. These were points which should be taken into consideration by the Committee. It had been asked why stock-in-trade should be exempt, as it was now so important an item even when compared with real property. But the true principle to proceed upon was this — we should never attempt to carry our taxation beyond the means we had of ascertaining property and reaching it. In the case of stock-in-trade, they could never ascertain what it was. Real property was local, they could find it, assess it, and tax it; but personal property was not local, it might be anywhere in the world, and, therefore, it was clearly beyond the power of the local authorities to reach it for purposes of taxation, although it was reached by self assessment through the income tax. The contrast between the two kinds of property indicated that there were many matters the provision for which by local taxation might be fairly assisted out of the general taxation of the country. It should be remembered, too, that some local matters were of general interest. He hoped the hon. Member would be able to renew his Motion in the early part of next Session.

MR. ALDERMAN LAWRENCE said, he rose to protest against the eulogy pronounced by the hon. Member for Buckingham (Mr. Hubbard) on the house tax, which amounted to 9*d.* in the pound on private houses, and 6*d.* in the pound on houses in which goods were displayed in the ground floor windows. It was a tax which was not levied according to the ability to pay rent; for large manufactories which were separate from the residence of the proprietor or manager escaped the tax, whereas the artist who had a studio, the solicitor who had an office, or the medical man who had a surgery attached to his house was taxed to the full value of the premises. The hon. Member was also in error with respect to the ratio between rent and the means of expenditure. In the metropolis the ratio was not one-tenth, but one-sixth; and this held good with the artizan and with those in the receipt of incomes up to £1,000 a year: above that amount the ratio diminished; and persons receiving less than 20*s.* per week paid one-fifth, and some even one-fourth, of their earnings for rent. The house tax was merely the old window tax under another name, and houses that would formerly have escaped the old duty, having only seven windows, were now brought into charge at the rate of 9*d.* in the pound. if the houses with their gardens were rated at £20 per annum. The house tax was, in his opinion, by no means so fair or equitable as some hon. Members supposed, and he thought that there was no tax that more required revision. It was levied on the amount of rent at which a house either did or was presumed to let; but many noblemen's seats and large mansions in the country escaped from their proper amount of taxation in consequence of their being so large and so costly to inhabit that they could not possibly be presumed to let at any equivalent rent, and consequently they were rated at a nominal amount. From a Return issued, it appeared that in the county of Northumberland there was only one house assessed at so large a sum as £1,000 a year, and paying 9*d.* in the pound. This house must necessarily be Alnwick Castle, the seat of the Duke of Northumberland, which is rated at only £1,000 a year, about equal to a house in Belgrave or Grosvenor Squares, or to three houses in many of the squares in London.

Sir MASSEY LOPES said, that while thanking his hon. Friend (Mr. Corrance) for having so ably introduced the subject, he did not think it would be desirable to refer it to a Select Committee at so late a period of the Session. The incidence of local taxation was a subject having so many ramifications that it was not desirable to inquire into it at all unless it could be done thoroughly and carefully. He was, therefore, glad to understand that his hon. Friend did not intend to press his Motion. Without traversing the same ground as that which he went over a short time ago, he might be allowed to notice a few of the objections which had been urged to the arguments which he then advanced. Local taxation had, it was admitted, vastly increased; but the rateable value of property, it was insisted, had proportionately increased. He did not see how the fact of taxation was altered by its being spread over a larger area. That increased value, moreover, had resulted from the investment of capital by both owner and occupier, and if such investment ceased there would be a diminution instead of an increase. The increase, moreover, had only taken place in some of the manufacturing districts, and the extent of it was not so great as was generally supposed. Another cause of that nominal increase had been the Union Assessment Act of 1862; for the uniform valuation which was the object of that Act had been attained by raising the assessments, there being scarcely a parish in the kingdom where the rateable value had not been raised up to the highest standard that could be found in it. Indeed, the Act ought to have been designated an Act for the increased assessment of the income tax on real property; for that had been its effect, though he would not presume to say that such was its object. It had been alleged that owners of real property were very much favoured with regard to the income tax; but the fact was, that the tax was levied upon the gross and not on the net income, no allowance being made for repairs, insurance, agency, or bad debts; and he maintained that the tax was paid on a much larger sum than the owners ever received. He would give an illustration with which he was himself only too familiar. On a farm of £100 a year the buildings were so dilapidated that it could not be relet unless they were rebuilt, and this could not be done for less than £500 or £600; so that for five or six years no rent was received, and yet during that period the landlord continued paying income tax on the £100 rental. The occupier, again, it had been said, was favoured, since he paid on but half the rental; but it must be remembered that he paid in years of loss as well as of profit. Even if he lost the whole of his capital by cattle plague or by bad seasons, the same arbitrary rule was enforced. Now, he knew of no occupation in which the profits were so precarious as the cultivation of the soil, and no business in which the return for capital was so small as that of the agriculturist. An hon. Member (Mr. M'Laren) stated on a former occasion that the commutation of the land tax had been a great advantage to the owners of real property, the valuation upon which the commutation was made being now very inadequate, and he went back to history to show that that tax was levied at 4*s.* in the pound. Was that tax, however, originally levied on real property alone? Why, on referring to the Act of 1692, which was passed for a year in order to prosecute vigorously a war with France, he found that the tax was imposed on personal as well as real property, but there was afterwards a remission in favour of the former, and by an Act of William IV. a certain quota was assigned to every borough and parish. Was it just that the amount formerly levied on personal property should now be thrown on real property? He thought that in 1846 a golden opportunity was lost, for both Sir Robert Peel and Lord John Russell, while affirming that the adoption of Free Trade was a question of policy, stated that in the event of its adoption the question of relief to the agricultural interest was a question of justice. Now, the policy had been adopted, but the justice had not yet been conceded. Owners and occupiers of real property did not come to the House with an appeal *ad misericordiam;* they did not sue *in formâ pauperis;* but they urged that they had a grievance, and they asked for a full and impartial inquiry. If, in such an inquiry, they failed to establish their case, they would be content to bear with patience and resignation burdens which they now regarded as anomalous, arbitrary, impolitic and unjust.

MR. LIDDELL said, that, as no practical result would follow the appointment of a Select Committee during the present Session, he hoped that his hon. Friend would withdraw his Motion. At the same time he attached great value to the discussions that had arisen on this subject during the present Session, because the country must now be convinced that the question was not one which affected the rural districts alone. The great force of the argument in favour of a revision of local taxation arose from the fact that the pressure was felt not so much in the country as in the towns, and not even in the favoured districts of the towns. It was not in Belgravia, but in Bethnal Green, that the pressure of local taxation was chiefly felt. He hoped that during the Recess they would obtain extraneous aid to their efforts to secure a careful and impartial examination of the whole question of the incidence of local taxation. No inconsiderable addition to these burdens had been caused by the action of Parliament, and it would therefore be the duty of the House carefully to pass in review all the cases of exempted property, so as to see that one class of the community was not favoured at the expense of another. The whole matter was now divested of its class appearance, and it was seen that the interests of the poorer ratepayers were more concerned than even those of the owners and occupiers of land. He trusted that Parliament would at the earliest opportunity during the coming Session turn its attention to the incidence of local taxation.

MR. JASPER MORE said, that great interest was taken in this matter in agricultural districts, but it was too late to appoint a Committee this Session. A Committee of the House of Lords, in 1850, inquired into the matter, and collected a great deal of most valuable evidence. Their Report, however, was now out of print, and he hoped that the Government would allow it to be re-printed. It would very much facilitate an intelligent discussion of the subject out-of-doors.

SIR MICHAEL HICKS-BEACH said, that he would endeavour to comply with the suggestion of the hon. Gentleman.

MR. CORRANCE said, that he should not withdraw his Motion, but would leave it in the hands of the House.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

ACCIDENTS IN MINES.

OBSERVATIONS.

MR. BRUCE said, he rose to call attention to the Report of the Select Committee on Mines (1867), and to ask Her Majesty's Government, Whether they propose to give effect to the recommendations of such Committee? Considering the circumstances of the present Session, he did not blame the Government for not bringing in a Bill to embody those recommendations; but he was anxious to recall attention to them, because he felt that on their adoption materially depended the safety of an important part of the population. A great many serious accidents occurred in mines; but the attention of the public was attracted almost solely to those which were of an appalling nature, and which were caused by explosions. The average number of deaths from accidents in mines during the last ten years was 1,000 deaths a year, and it was remarkable that during that time only 100 per annum of that number, or one-tenth, were deaths from explosion; while the far most prolific cause of injury—namely, the fall of the roof, to which nearly 40 per cent of the loss of life was due, was almost wholly overlooked. The question of accidents in mines had recently been considered by a Committee of that House, who had conducted a very laborious inquiry, extending over the greater part of two years. The Committee was originally presided over by the hon. Member for the Tower Hamlets (Mr. Ayrton); but, as he had been prevented from attending, he was succeeded in the Chair by the hon. Member for Oxford (Mr. Neate), whose zeal and energy in conducting the inquiry could not be surpassed, and merited the warmest acknowledgments of the House. The present moment was favourable to the consideration of the subject, for both masters and men had shown a desire for useful legislation. The Committee began by recommending that an alteration should be made in the last Act of Parliament, which allowed children of ten years of age to be employed. They proposed that no child under twelve years of age should be allowed to be employed, and with this recommendation he entirely concurred. Not a month passed without death from accident occuring among children of tender age, who were exposed to risks and unable to take care of themselves. There was another reason in withdrawing these children from the mines, because at this age they ought to be enjoying the benefits of education. It was impossible to apply the principle of the Factory Acts to children so employed, and it would be better that no children under twelve should be employed in mines, without imposing any further condition as to education in the thirteenth year. Another recommendation was that youths under sixteen should not be employed for more than twelve hours continuously. A valuable suggestion, made by the hon. Member for Glamorganshire (Mr. Hussey Vivian), was that whenever more than 100 men were employed in any mine it should be sub-divided into compartments, each having its own complete means of ventilation. The result would be that only a portion of the people employed would be endangered by an accident. If such a regulation had been in force two-thirds of the lives lost at Ferndale and other places might have been saved. Another source of accidents in mines was the falling in of the roofs, the annual average of deaths resulting from which cause was no less than 400. During the last ten years upwards of 3,900 deaths had been produced in that way. Those accidents were usually guarded against by advancing a roof of timber as the miner pushed on his work in the coal seam. That was often done, when left to the collier himself, in a very reckless manner. Mr. Wynne, one of Her Majesty's Inspectors, had induced the coalowners of his district to appoint men whose special business it was to see that the workmen did their duty in that matter; and after an experience of five years the number of accidents from that cause had diminished by 40 per cent. In the North of England that work was always intrusted to men told off for it; and it was the recommendation of the Committee that in no case should the workmen discharge that duty, but that it should be undertaken by the colliery owners and their agents. Another cause of accidents had been attributed to the inefficiency of the Government system of inspection. Much difference of opinion existed on that subject. The majority of the inspectors were of opinion that their number was sufficient for the purpose originally contemplated by their appointment—it never having been intended that, on the part of the Government, every colliery throughout the country should be inspected by a Government Inspector. In some colliery districts there were sixty or seventy miles of subterranean roads, and it was utterly impossible, except by the most gigantic system of inspection, for the inspectors to acquaint themselves so completely with the underground working as to preclude the chance of such accidents happening. He had lately presented a petition from the miners of the Monmouth and South Wales district, in which they proposed that, in addition to the existing inspectors, a great number of sub-inspectors of an inferior class should be appointed to visit every colliery in every district once in every three weeks or a month, and report every three months to the inspector, and that the inspectors should every year send to the Secretary of State a complete account of the collieries of every district throughout the country. If the Government were to act upon that proposition, the result would be that they would be held responsible for every accident that occurred. After all, the safety of every colliery must depend not only on the wise liberality of the employers, the skill and knowledge of the agents and viewers, but also on the unceasing watchfulness and vigilance of the men themselves and of those who were set over them. He concurred in the recommendation of the Committee, and thought there should be a limited increase in the number of inspectors. The inspector should have a general acquaintance with the character of every colliery throughout his district, and where, either from information given him or from his general knowledge of a particular colliery, he suspected the existence of any mismanagement, he ought to make a proper inquiry. Though the number of inspectors had been doubled since they were first appointed he did not think it was yet sufficient. There were, he believed, very serious objections to the employment for that responsible duty of men in the position of sub-inspectors. It would be very difficult to get a sufficient number of persons who would be able to perform such a duty. In the next place the smallness of the payment which it would be possible to give them would expose them to the temptation of bribes, and in a short time there would be a want of confidence in the Reports of the sub-inspectors. The next subject to which the Committee called attention was the employment of stipendiary magistrates in the colliery districts. The safety of collieries was provided for by certain general rules which under Act of Parliament must be adopted in every colliery, and also by special rules applicable to the circumstances of each particular colliery, and which were approved by the Secretary of State. The enforcement of those rules of course depended on the local magistracy; and it so happened that throughout the colliery districts the Bench was not so strong as it usually was in other parts of the country. It was of the highest importance that these delicate duties should be discharged by magistrates whose authority was respected and whose impartiality was above suspicion. One of the inspectors stated that in Monmouthshire he always failed in his prosecutions, while in another county his appeals to the stipendiary justice always succeeded. That subject was certainly a very difficult one. At present when stipendiary magistrates were appointed it was upon the application of the district. His own suggestion would be that where a statement was made to the Home Office that a district required the services of a stipendiary magistrate an inquiry should be instituted analogous to that preliminary to the adoption of the Public Health Act in towns; and if, after consideration of the Report of their Inspector, the Government thought the appointment of a stipendiary magistrate was necessary for that district it should appoint one, define the limits of his district, and also decide what should be his salary. He believed the appointment of these stipendiary magistrates would give satisfaction throughout the colliery districts. Another of the Committee's recommendations was that the Acts relating to collieries should not only be amended but consolidated; it being a great impediment to justice when Acts were partially repealed and different portions of the same subject were dealt with in separate Acts of Parliament. Over and above the recommendations of the Committee, it had been suggested that a Commission should be appointed to inquire into other matters, which might not be supposed to come fairly within the scope of a Committee of that House, the Members of which were not sufficiently versed in the details of mining to give an authoritative opinion upon them. No doubt there were some important questions connected with the safety of collieries and also with the economical working of coal seams still to be solved. There existed the most different systems for that purpose, with the most startling difference in the results. He was informed that there existed in England and Wales differences to this extent—that under one system all but 17 per cent of coal could be extracted, while in other and very wide districts, under a different system, the quantity of coal lost to the public was 30 or 40 per cent. Of course, the House could not insist on the adoption of a particular mode of working coal; but he was informed that the mode which was most economical was also that by which the most perfect ventilation of the mine could be secured, and the safety of the colliers was a matter on which Parliament had the right to legislate. Another question connected with ventilation, and likewise with the economical working of a coal mine, was well known in the North of England as the double-shift system, which existed universally in the North. Under it in every colliery the men worked eight hours instead of twelve, and were succeeded by another shift, which also worked eight hours; and as a consequence of that their labours could be carried on in a much smaller area than where the single-shift system prevailed. Ventilation was the great safeguard against accidents by explosion; and a great economy of human life could be effected by the introduction of the double-shift system. It was, however, greatly opposed by the colliers themselves where it had not taken root. He would suggest the appointment of a skilled Commission to inquire into this subject, and to report upon its results in security, economy, and safety. The recommendations of the Committee were marked by moderation, and he had only, in conclusion, to express a hope that the whole subject would receive the attention of the Government during the approaching Recess.

Mr. GATHORNE HARDY said, he had so recently addressed the House on the subject that he need do little more than briefly to repeat what he had then stated. The subject was one which had not been lost sight of by the Government; and his hon. Friend the Under Secretary for the Home Department had had several interviews, at which he himself had not time to be present, with persons who took an active interest in it. He had, however, carefully considered the Report to which his right hon. Friend opposite had drawn his attention, and he must add that no one was better qualified to deal with the question than the right hon. Gentleman, or possessed a more thorough acquaintance with it. He felt—having, as he said, carefully considered the Report—that it was impossible to introduce any measure on the subject during the present Session; but he could assure the House that it had been and was occupying the attention of the Ministry. Whether it might or might not be desirable to make some inquiry also into the case of the ventilation of tin and copper mines, he did not exactly know; but he did not think there was such a lack of information on the point as to render such an inquiry necessary. If, however, there were any particular matters with respect to which sufficient information had not already been procured, the country would not, he felt satisfied, grudge any expense which might be incurred in obtaining it, even to the fullest extent. The question of the stipendiary magistrates was a somewhat difficult one to deal with, because hitherto no justice had been appointed without a requisition from persons interested in the subject. What he understood his right hon. Friend to recommend was a sort of local inquiry, by means of which it was supposed that both the feelings and wants of any particular district might be ascertained, and the services of magistrates secured who were acquainted with its business and would be likely to be disinterested in deciding the questions which might be brought before them. He must add that he thought the multiplication of sub-inspectors to any considerable extent would tend to take away the responsibility for the proper working of our collieries from those to whom that responsibility now attached. He was not at all sure, however, that it might not be found expedient to increase the number of inspectors, so that a fuller knowledge of the mode in which different mines were worked might be obtained, although that knowledge was already pretty extensive. Probably all the information necessary might be obtained from the inspectors, and there would be no occasion for the appointment of a Commission for the purpose.

Mr. KINNAIRD thanked the right hon. Gentleman the Member for Merthyr Tydvil (Mr. Bruce) for having brought the subject before the House. He thought it would be very unfortunate if Parliament should separate without some expression of opinion on it. He hoped that the Home Secretary would make public any additional information which might be lying in his office, so that it might be diffused throughout the country for the information and satisfaction of the public mind during the Recess.

Mr. NEATE said, that whatever opinion the working miners might entertain as to the value of the labours of the Committee which sat on the subject, every one who had presented himself before it must feel that their cases had been listened to with the greatest care and attention. He must add that he was not altogether satisfied with the speech which had just been made by the Secretary of State for the Home Department as to the need of legislation. At the same time, there was no doubt that the circumstances of the present Session were somewhat extraordinary, and as the Government had waited so long before introducing any measure on the subject, he thought they would do well to avail themselves of the recommendations of the Commission which had been appointed to inquire into the supply of coal, so that provision might, if possible, be made for the more effectual and economical working of our coal fields. He thought, however, that they might at once increase the number of inspectors, and he did not see how a measure of that kind would remove any responsibility from the coal-owners. To show the value of inspection, he might observe that he was told by a great authority — Mr. Dickinson — a few days ago, that he had gone into a mine, and, that his attention was attracted by what he believed to be a great accumulation of gas in part of it. He satisfied himself that such was the case by applying his lamp to it; and he had some difficulty in impressing upon the manager the danger of such accumulations and the necessity of attending to the matter. That furnished, he thought, a good illustration of the good which inspectors might do by entering mines. He could not reconcile the limited view which the Government inspectors took of their duty with the 22 & 24 *Vict.*, which empowered them to visit mines at all times of the day and night; and the point was one with which, in his opinion, the Government might deal at once. Another point to which he would invite their attention was the expediency of subjecting the managers of mines to the necessity of obtaining certificates, as was the case, for instance, with the captains of ships; and neglect of duty should be punished by the suspension of the certificate. Since 1832, Parliament had done great things in improving conditions of labour, especially in the case of young persons, and he thought it was well worthy of consideration whether there might not be a Board formed to have, under the control of the Home Department, charge of all the different organizations for regulating the conditions of labour. To such a Board the inspectors might make all their Reports, and the head of the Board might communicate these Reports, in a condensed form to the Home Office.

MR. GREENE said, he was glad of the discussion of this evening, because it would show the public that there was not in the House of Commons such apathy on this subject as might have been supposed in consequence of what occurred when the dangers of coal mines was brought under the notice of the House on a recent occasion. He thought the question was one which ought to occupy the attention of the House from time to time. From an observation made by the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) on a former occasion, it would appear that the hon. and learned Gentleman thought that he had been guilty of some presumption in calling attention to accidents in coal mines. [MR. AYRTON said the hon. Gentleman was mistaken.] If he were to read the hon. and learned Gentleman's remarks, he thought the House would agree with him that they had that interpretation. As the hon. and learned Gentleman so frequently occupied the attention of the House, he did not see why even so humble a Member as himself might not be permitted to bring forward a question of such importance. The right hon. Gentleman the Member for Merthyr (Mr. Bruce) had mentioned to the House that the largest portion of the accidents in coal mines occurred from the falling in of the roof. He (Mr. Greene) believed that the arrangements for the prevention of such accidents were not at all what they ought to be. Then, as to the inspectors, twelve were not enough for the work to be done. He hoped that, if not in this Session, there would be legislation on the whole subject before the end of next year.

MR. BAGNALL said, he hoped that if there was to be an addition to the staff for inspection, it would be in the appointment of additional inspectors, and not in that of sub-inspectors.

MR. HUSSEY VIVIAN said, he regretted that circumstances had interfered to prevent legislation on the subject; but after the statement of the Secretary of State for the Home Department he was persuaded that some attempt to alter the law for the better would be made next Session. He believed a Commission would hardly be able to develop any facts of importance in addition to those which had been already elicited by three Committees of this House and by the Committee of the House of Lords, which had ably inquired into the question. He believed that all the substantial facts relating to the subject were already fully known; but at the same time these accidents were of so dreadful a character that if it appeared to be the opinion of the working colliers that a Royal Commission might be able to make valuable suggestions which had not been made hitherto for the greater security of their lives, he should be glad to support the appointment of such a Commission. With regard to the Commission on the future coal supply he hoped it would make its Report before next Session; but the inquiry was extensive, and he could not say when it would conclude. There was, however, no connection between that question and the subject now under discussion; and he saw no reason for the postponement of legislation with respect to accidents in mines pending the inquiry of the Commission. He believed there would be no difficulty in the way of passing a really good measure upon the subject. A very valuable suggestion had been made by a well-known colliery inspector and viewer (Mr. Buddle), that mines should be separated into districts, each district having separate means of ventilation. If that suggestion were carried out he believed we should not again have such enormous sacrifices of life by colliery accidents as we had had recently at the Oaks and Ferndale collieries. The plan was somewhat similar to that adopted with regard to buildings for the manufacture of gunpowder, which were so arranged that the explosion of one building could not cause the explosion of another. Another valuable suggestion, made by Mr. Nixon, an extensive coalowner in his district, was for the general introduction of the double shift system, which would also tend to lessen the sacrifice of life when any colliery accident should happen. With regard to the inspection of mines, he thought the general feeling of the country would be against the introduction of a lower class of inspectors, and that anything which tended to lower the standard of the inspectors and the confidence placed in them would tend to diminish the advantages of the system of inspection. With reference to the mode of dealing with cases of offences arising in coal mines, he would observe that in many mineral counties there were already stipendiary magistrates, and he would suggest the expediency of requiring that offences under the Mines Act should be tried before a stipendiary magistrate instead of the ordinary bench of justices. As it was, the coalowner was placed in an awkward position. He was compelled to carry out the strictest discipline; and if any of the rules were transgressed his only remedy was to summon the offender before the bench of magistrates, and then he was often unable to obtain a conviction. Magistrates at petty sessions did not sufficiently appreciate the seriousness of breaches of regulation in coal mines. It should be remembered that some things, such as smoking or the possession of lucifer matches, which were no offence at all above ground, were most serious offences underground, and might lead to the most fatal results. Punishment for such offences would be much more certain if a stipendiary magistrate heard the case. With regard to the officers who had charge of the mines he could not agree with the hon. and learned Member for Oxford (Mr. Neate) who had conducted the inquiry before the Committee in the most able manner. He did not think any good result would follow from a system of certificates. He should prefer to see them not men deeply versed in mathematics or history, but sound practical men upon whose practical knowledge the safety of the men employed might be allowed to rest with security. He thought that the coalowners themselves must be the best judges of the men to put in charge of the mines. He again expressed an earnest hope that the subject would be legislated upon in the course of next Session.

MR. LEATHAM: I rise, Sir, merely to say a word to strengthen the hands of the Government (in the absence of further legislation) in the appointment of a larger number of inspectors. I am quite aware that it is very important not to shift the responsibility from the owners of mines to the inspectors; but I am of opinion that if the inspectors are to be of substantial use their number must be largely increased. I believe there are now twelve inspectors of mines. If I may venture to suggest to the right hon. Gentleman the Home Secretary the amount of their increase, I should say that they ought to be at once doubled. I have my own opinion respecting some of the causes of accidents in coal mines. I happen to live where there are coal measures, within eight miles of the Oaks colliery, where there was recently a most fearful accident, to which allusion has frequently been made in this House and elsewhere. I have nothing to do, directly or indirectly, with coal mines, and I have no scientific knowledge of the working of them; but I am of opinion that where a fiery seam of coal exists, as is the case in some parts of Yorkshire, that the present system of ventilation is on a wrong principle; that the use of large fires at the bottom of one of the shafts of the mine, to produce a draft and ventilate the mine, is a most dangerous method, because, if any of the return-air of the pit happens to pass over that furnace, the dangers of explosion are great. I do not pretend to suggest a more efficient mode of ventilation; but it has often struck me that pumping fresh air down into the pit so as to drive the return-air up another shaft would effect this purpose. Again, the size of the pit has often much to do with the chances of explosion. I am aware that the law now requires two shafts in every pit; but some of the pits are extended to such a size that four or five shafts are really required for the safety of the pit. I merely throw these out as suggestions, to those who are more capable of looking into the subject, and in the absence of further legislation on this interesting subject, I beg again, respectfully, to ask the Government not to delay in the appointment of a considerable number of fresh inspectors of mines.

REGISTRATION OF PUBLICATIONS.

OBSERVATIONS.

MR. AYRTON said, he rose to call the attention of the House to the state of the Law regarding registration and security in respect of certain publications. He regretted to be obliged to bring this matter again before the House, as he had hoped, from the tone of the discussion last year, that it would not have been necessary to revive the consideration of it in the present Session, but that some measure would have been brought in to give effect to the general feeling of the House on the subject. Some years ago, when he asked the House to repeal this remnant of laws which were most oppressive to a particular class of publications in this country, the Bill which he introduced was passed, and sent up to the other House, where it was rejected; and upon a second occasion his Bill passed the Commons, and was again rejected by the Lords. The laws upon this subject were such as could never have been placed upon the statute book, except in the most evil times—that was to say, in the reign of George III.—when the old Tory party was engaged in desperate struggles to repress the expression of public opinion, and to maintain its hold of political power. Measures of relief had been from time to time granted by the Legislature; but, although many of the severer penalties had been removed, the process had been always accompanied by some stringent regulation on the subject of registration or security. No one could publish a periodical of less dimensions than 714 square inches, and with intervals of less than twenty-six days between each successive publication; and at a less price than 6*d*., without giving security that they would not publish seditious and blasphemous libels. There could be no doubt that this was aimed at a class of periodicals likely to inform the mind of the people; and the extravagance of the law was shown by the fact that it was not merely directed against newspapers, but against essays upon the moral, political, or religious condition of the country, or upon the phases of public affairs. It would be seen at once that a law of this kind was totally ineffective, because a man might print any amount of sedition or blasphemy, provided he only wrote enough of it to fill a book of larger dimensions than 714 square inches, and sold at a higher price than 6*d*. Great penalties were formerly imposed for an infraction of this law, and for the second offence the penalty was banishment. That extreme punishment was modified a few years ago; but at the same time the securities were increased in London from £300 to £400, and in the country from £200 to £300. Moreover, the publisher was compelled to find two persons to be answerable in the sum of £400 to answer in any action at law. Now, there was no reason whatever, as far as he could see, why publishers of periodicals any more than any other traders, should be subject to that restriction in the conduct of their business; they were engaged in a useful and a necessary work, and how could it be maintained that a man who published libel or sedition in a few pages ought to be liable to penalties which a man who published libel or sedition on a larger scale escaped? When the tax on newspapers was repealed, there was a general impression that the declaration which publishers were previously required to make at the Stamp Office would fall into abeyance. And for a long time it did so. But some injudicious persons thought it right to set the Stamp Office in motion; and, accordingly, instead of having a free and unloaded Press in this country, it once again began to be tampered with. Last year his right hon. Friend the Member for Ashton-under-Lyne (Mr. Milner Gibson) brought the subject under the notice of the House; the Attorney General did not then contend that it was desirable to maintain the declaration, and nobody rose to suggest that the existing law should be continued; accordingly, he had expected that the right hon. Gentleman would have introduced a short Bill early this Session to put an end to the state of things complained of; but, instead of that, the Stamp Office had been seized with another fit of injudicious activity, and had instituted proceedings against two or three journals. These proceedings were taken ostensibly in the name of the Attorney General, and it was highly desirable that if persisted in they should be carried on upon his responsibility. But, according to the present system, matters were either allowed to sleep altogether, or were only stirred to action when some individual object was to be attained by giving private information, and inciting the department to commence a prosecution. He submitted the Attorney General should not permit persons to make use of his name, as the prosecutor under the Act referred, to in cases where their object was simply to gratify personal malignity; the Attorney General was also bound to see that the law was uniformly administered; that all or none were prosecuted. He found that proprietors of newspapers of the most innocent character were proceeded against; among them he noticed the *National Reformer* and the *Parochial Critic.* The latter was a paper which ministered to the wants of persons having what might be described as a parochial mind, by contributing to their knowledge of the public business of their locality. He trusted the hon. and learned Gentleman would prevent this abuse of power, and see that the spirit of the law was carried out. He would submit to the hon. and learned Gentleman that the time had come for effecting some amendment in the existing law on this subject.

The ATTORNEY GENERAL said, the hon. Member had assumed in that case a state of things of which he (the Attorney General) could not admit the existence. The hon. Member had assumed that the law was put in force against newspaper publishers capriciously and for the gratification of private malice. But so far as he (the Attorney General) was aware that was a totally incorrect statement. He had been informed that it was only when due notice had been given, and the parties had refused to obey the law that proceedings were taken. A circular was issued after the Act of 1855 was passed, pointing out what it was necessary to do for the purpose of having newspapers registered, and as it was found that several newspapers were published which were not registered the opinion of the Law Officers of the Crown was taken as to whether it was incumbent upon the Board of Inland Revenue to enforce registration. An affirmative reply was obtained. Some alteration was at that time made in the law with respect to the particular kind of papers which were to come within the category of newspapers, but nothing was done in the shape of any alteration of the penalties which it was thought proper to inflict. The Board of Revenue had on all occasions, as far as possible, been guided by the Law Officers in ascertaining what particular publications were or were not newspapers. In cases where the law was infringed by the proprietors of newspapers refusing to give the requisite securities proceedings were taken; but these were in no case influenced by personal motives, or by any considerations as to the particular political party which the newspaper represented. He did not propose to suggest any alteration of the law as it at present stood. Particular instructions specifying which newspapers were to be prosecuted were never issued, but the Board of Revenue proceeded generally against newspapers whose proprietors refused to give the proper securities. Proceedings were never taken against anyone until it was made clear that a violation of the statute was taking place, and in no case were these proceedings of a malicious character. As to whether the law should be altered or repealed, that was another matter, but so long as it existed it was the duty of the Board of Revenue to enforce it. He could not comply with the request of the hon. Member for the Tower Hamlets and propose any alteration of the law.

Mr. MILNER GIBSON said, he was inclined to agree with the observations of the Attorney General as to the manner in which the Board of Inland Revenue had exercised its functions. He believed the real mischief arose from the law itself more than from the mode in which it had been administered. It was only that day that he had been asked to present a petition from one of the victims of this law (Mr. George Hill), who believed, and had no doubt been advised that his paper was not a newspaper within the meaning of the Act, and who was compelled either to contest the point at considerable expense or to give up his paper, as he either would not or could not enter into the requisite securities. He was willing to acknowledge that the Board of Inland Revenue had exhibited every desire to give to the cases which came under its notice a fair and attentive consideration, but he believed also that there had been an evident desire on the part of the Board to be relieved from what was a disagreeable duty. If it was necessary to require securities for the prevention of sedition, blasphemy, and libel, it was absurd to vest the power in the Board of Inland Revenue, which was exclusively intended for the collection of taxes. Such a power, if exercised at all, as it was of a moral nature, ought to be vested in the Archbishop of Canterbury, the Secretary of State for the Home Department, or some such authority. It was, moreover, impossible for the Board of Inland Revenue to enforce the provisions of the Act impartially. The Board knew nothing of newspapers, and could only act upon private information, which was invariably afforded from personal or party motives. Although, therefore, no vindictiveness was displayed by the Department, still the prosecutions often originated in some petty jealousy, or a desire to injure, it might be, a proprietor, who had started a rival paper. He wished to call the attention of the Attorney General to the fact that there appeared to be a constant desire to class under the name of newspapers certain publications which had not hitherto been regarded in that light. He remembered that during the existence of the stamp duty it was attempted to make Charles Dickens's *Household Words* and *Household Narrative* liable to the stamp and to securities. The Government was defeated; but it was generally understood that by the law *Household Words* and the *Household Narrative* were liable. The necessity for again trying the question, however, was done away with by the passing of a small Act by which the meaning of the word "newspapers" was so altered as beyond doubt to exempt from liability all such publications. He charged the Government of this country, speaking generally and not referring to any particular Government, with retaining on the statute book a law which could not be enforced, which they had not the good grace to repeal, and which they, nevertheless, did not entirely allow to remain in abeyance. They did not enforce it, because the law did not relate exclusively to newspapers, inasmuch as it referred to all pamphlets or papers dealing with the affairs of Church and State, which were sold for less than 6*d.*, and were of a less size than 714 square inches. The provisions of the Act, too, were enforced in the case of newspapers which were not liable, while others that were liable were exempted. The *Saturday Review* was a case in point, for, though these securities were compelled, it was not published for less than 6*d.*, and was not of a less size than 714 square inches. He was also advised that there was a large number of newspapers upon which these provisions were illegally imposed, while it was equally notorious that others which ought to be liable escaped without these securities being exacted. In his opinion it was incumbent upon the Government of the day to bring in some measure which would put an end to this unsatisfactory state of things. For his own part he believed it was desirable there should be a registration of periodical publications, which he did not think the Press at large would object to; but he thought the obnoxious system of giving security should be done away with, as it was an insult to any person to require him to give security that he would not be guilty of an indictable offence. If the Government could not introduce such a measure as he had indicated this Session, he hoped that in the course of the next Session they would bring in a Bill to repeal the Acts in question, which were not in accordance with the policy which Parliament had recently adopted on this subject, which was to liberate the Press from all those fiscal fetters by which it was formerly restrained.

MR. J. STUART MILL said, he was glad the right hon. Gentleman had endeavoured to impress upon the Government the propriety of putting an end to all the difficulties to which reference had been made, by repealing the Acts in question, which inflicted a punishment upon the whole body of the Press because some of its members might possibly be guilty of a violation of the law. What would be said if every physician were bound to give security that he would not poison his patients? Surely it was sufficient to punish him if he did poisen them. His purpose in rising was to express a hope that if the Government could not bring in a measure of the kind proposed this Session, they would at least suspend all prosecutions under these Acts, which were generally condemned by public opinion, which it had been found impossible to enforce impartially, and which, therefore, operated most unjustly upon those who were prosecuted under them; often by individuals without the concurrence of the Attorney General and of the Board of Inland Revenue.

MR. MONTAGU CHAMBERS said, the real principle upon which these Acts of Parliament were passed was for the general protection of the State against attacks which might be made by persons who were not in a position to pay the penalties imposed upon those guilty of violating the law. It was found that when persons started publications attacking the State or private individuals there was considerable difficulty in tracing the owners of those publications, and in recovering the penalties when the owners were discovered and prosecuted. Under these circumstances he desired to maintain the law as far as it was useful and proper, by compelling the owners of publications to register themselves, and to give security for the payment of penalties which might be inflicted upon them in the event of their violating the law. He thought that the preventive element was a valuable ingredient in any code. There might, of course, be some ground for altering the law as it now stood, but he did not think these Acts should be altogether abolished, by which all safeguards against libels injurious to the State or ruinous to the private character of individuals would be done away with. The principle was, that where a violation of the law was committed there should be a solvent party to proceed against. But if any different law, or administration of the law, could be introduced which might protect private character from slander and libel, at the same time that it protected the Press, by all means let that be carried into effect. It did not, however, follow that because the present law could not be fully enforced it was a bad law. It was said that the law was a limited law, and that if the paper was of a certain size, or was sold at 6*d*., it was not within the range of the law. But the fact of its extent and price gave it a certain amount of respectability, and was a kind of guarantee that if an action should be brought there would be the means of recovery against the proprietor. His desire was to keep up the respectability as well as the liberty of the Press—to have a good, sound, strong Press, against which, if the law were violated, they could proceed; so that, while protecting the Press, they should protect themselves.

Mr. CRAUFURD said, he was rather amused at his hon. and learned Friend's notions of respectability. It used to be said that a man was respectable when he kept a horse and gig; but he (Mr. Craufurd) thought it was quite impossible to define the respectability of the Press by a mere reference to price. If a man published a newspaper in which there was blasphemy, was it to be said that the conductors of that newspaper were respectable because they sold the blasphemy for 6*d.* instead of 3*d.*? He did not see why the publication of newspapers should be put upon a different footing from any licenced trade. Why was the man who published a newspaper not only to be registered and to give his address, in order that he might be found out, but to give securities that he would not commit an indictable offence? The whole thing was perfectly absurd and ridiculous. The imprint, which gave the name and address of the publisher, was a sufficient protection, and it was unjust to demand any further security. The fact was that the restrictions upon the liberty of the Press arose entirely from political causes, and dated from the time when everything likely to enlighten the people was tabooed. They were told that the fact of the law not being enforced was no proof that it was a bad one; but if the law was good it ought to be fairly and impartially administered against all persons, and he asked how many pamphlets, written by noble Lords and others, were registered? In point of fact, it was left to informers to put the law in motion, and then, especially in political cases, or in cases in which the matter complained of affected the Law Officers of the Crown, the whole force of the law was brought down to crush the unfortunate newspaper proprietors. The interest of the public would be sufficiently protected by a simple system of registration which would enable individuals to punish libellers, instead of which the law was surrounded by such intricate legal meshes that nobody could understand it. If it was good it ought to be administered. Let everybody be dealt with in a fair and straightforward manner, and let them no longer leave in the hands of the Law Officers the arbitrary and unconstitutional power which they now possessed.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *negatived.*

Committee *deferred* till *Monday* next.

COURT OF SESSION (SCOTLAND) BILL.

(*The Lord Advocate, Mr. Secretary Gathorne Hardy, Mr. Attorney General.*)

[BILL 45]. SECOND READING.

Order for Second Reading read.

THE LORD ADVOCATE, in moving that this Bill be now read a second time, said, that when he asked leave to introduce it in February, he had stated that it was not his intention to proceed with the measure until it had received the consideration of the different legal bodies in Scotland who were interested in it. The measure had accordingly received the careful consideration of these legal bodies. In the first place, the Bill was submitted to a committee of the Faculty of Advocates, consisting of twenty Members—men who were engaged in practice — and the Committee were unanimously of opinion that the Bill contained many valuable provisions for amending the procedure, and the judicial arrangements now existing, of the Court, and they added that, although further and early legislation might be thought necessary and expedient, they hoped a strong effort would be made to carry the measure. A committee of the Writers to the Signet expressed their satisfaction at finding that the main provisions of the Bill were to abolish unnecessary forms involving expenses and delay, and to render procedure more simple, economical, and expeditious than at present. To these objects they gave their ready approval, although they could not assent to all the provisions of the measure. The solicitors practising before the Supreme Court had expressed an opinion that a measure embracing so many details could not be expected to be acceptable in all its provisions, or to meet all the evils of the system with which it dealt; but they regarded it as a step in the right direction, and many of its provisions would be beneficial. Having regard to the necessity of obtaining a measure dealing with the present state of things, the Council were of opinion that the Bill should be proceeded with, although many of its provisions might not be exactly all that they could wish. It was of course, in such a measure, impossible to expect unanimity in all matters of detail, but such were the views of those much interested in the matters with which the measure was meant to deal. Another body of legal gentlemen in Scotland had given the measure a good deal of consideration — the solicitors who conducted business before the Sheriffs' Courts, and the whole body of country practitioners, who did not practise before the Supreme Court, but felt an interest in the judicial system; and the view taken by the Council of country practitioners was that they were unwilling that this Bill should pass, and the reason they assigned was that its provisions, so far as they went, were so good that they entertained an apprehension that, if it passed, there would be no further investigation or reform in the Courts of Justice in Scotland. He was not inclined to adopt that view; for he agreed with the opinion of the practitioners before the Supreme Court, that it was of great importance that they should have some improvement in the general system, and that such improvement ought to be introduced as soon as possible. But this Bill should not stand in the way of the fullest investigation into the jurisdiction and constitution of all the Courts —not only of the Court of Session, but of all the Courts throughout Scotland. It was, therefore, the intention of the Government to issue a Commission somewhat similar to the Judicature Commission issued last year in this country, and at present sitting and applying itself to the constitution of the English Courts; and he was assured that very valuable results were likely to attend the labours of that Commission. As representing to some extent the legal body of Scotland, along with his right hon. Friend opposite, who was at the head of the Bar, he felt that it was for the interest of the Bar, and for the interest of all connected with the Courts, that, if there existed a desire on the part of any considerable body of their countrymen for investigation into the constitution of all the Courts, and into the judicial arrangements of the country, it was only reasonable, and for the interest of the Bar and the Courts, to have such an investigation as might bring about a better system of the administration of justice. He wished it to be distinctly understood that while he considered, along with the practitioners interested in the business of the Supreme Court, that it was desirable the Bill should pass into law—he did not mean to say as originally introduced; for it would be his duty to give effect, as far as he possibly could, to the conflicting opinions expressed, so as to bring the whole system into harmonious action — it was not his wish to stifle the fullest investigation into the constitution of the Courts. It was the wish of all who wished well to the country that the judicial system should command its confidence and respect; and therefore it was that he proposed such an investigation should take place. He sincerely hoped that he might be able to modify this Bill, which had given him a great deal of trouble, in such a manner that it would meet with the unanimous assent and approbation of the profession, and pass the House this Session. There would then be this advantage, that the Commissioners would be able to observe its effect, and would see whether the changes which it made were improvements or not. If they found that it was a step in the right direction, they could continue it; and if it were not successful, they could try some other plan. He therefore proposed that the Bill be read a second time, pass through Committee *pro formâ*, and then the suggestions of the various legal bodies having been received, should be re-committed, and such alterations should be made in it as were deemed advisable after consideration of these suggestions.

MR. MONCREIFF said, he would not go into the details of the Bill, but while supporting the second reading, he felt no hesitation in saying that the Bill did not go far enough. He had long been of opinion that the forms of their judicial procedure in Scotland had been framed at a time when the operations of commerce were much slower than they were at present, and that those forms were not adapted for the scale of commercial relations which now existed. He could have wished, therefore, that his hon. and learned Friend had dealt with the matter with a bolder hand. He recollected that not very long ago the Common Law Courts at Westminster Hall were almost deserted in consequence of the dilatory forms of procedure. The result was that the legal profession inquired into the matter, and a Bill was brought in which passed — namely, the Common Law Procedure Bill — which abolished a great many old obstructions and useless legal forms, and in a couple of years afterwards Westminster Hall was as full of business as ever. Now, that was an example which he thought ought to be followed in Scotland, and which legal reformers there need not be ashamed to follow. He was, therefore, prepared to support the proposition of the Government. He thought that the Bill would be an improvement, and, at all events, a step in the right direction; and there was no reason whatever why it should not go further, and put an end to a great deal of unnecessary delay. He was very glad to find that his right hon. Friend was going to recommend the issuing of a Committee of Inquiry. There was nothing on the part of those who were connected with the judicial system of Scotland which need make them fear the results of that inquiry. On the contrary, such investigation was very desirable, with a view to put an end to some of the ignorant, and he might say absurd, misrepresentation that had been put forward from time to time in the public prints on the subject of the business of the Court of Session. If that inquiry were made, as he had no doubt it would be, by competent persons, it would, he believed, produce the greatest possible benefit, and put a stop to many abuses which had been caused by the exaggerated misrepresentations to which he referred.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Lord Advocate.*)

SIR EDWARD COLEBROOKE said, he would not oppose the second reading, because the Bill contained many valuable provisions; but he thought the House would have been very glad to have had a little more satisfactory assurance from the Lord Advocate as to the extent of the inquiry to be made by the proposed Commission which was to follow the Bill. The learned Lord had stated that it was to inquire into the jurisdiction and constitution of the Courts, and he mentioned some minor details with respect to the number of the Judges and of the Courts; but he did not think that the country would be satisfied unless there was also a full inquiry into the procedure of those Courts, and the best means of preventing their present dilatory mode of conducting business. The state of the law required great amendment both with regard to the internal administration of the Court of Session and in its relation to the subordinate Courts. He hoped that the inquiry which they had been promised would have special relation to the procedure in the Courts, and expressly in jury trials; for on all these points there was great room for improvement. The people of Scotland had an example before their eyes in the cheap and rapid justice of the Sheriffs' Courts, and they could not fail to contrast it with the cumbrous forms that were followed when their suits went before the Court of Session. He thought the right hon. and learned Gentleman had given too high a colour to the reception which his Bill had met with from the profession; he thought he had seen some opinions expressed of a contrary character. The country practitioners, and even some persons who practised in Edinburgh, objected to the details, and indeed to some of the fundamental principles of the measure. He put it to his right hon. and learned Friend whether, looking at the state of the Session and the scanty opportunity that would be afforded for discussing the details, the best course would not be to refer the question to a Select Committee, with a view of separating those parts which were strongly objected to from those parts to which no objection was entertained? He did not think that any reform of the Court of Session, as it now stood, would give satisfaction to the country which did not proceed more upon the principle of the Bill introduced four years ago by the right hon. Member for Edinburgh (Mr. Moncreiff). He was not so sanguine as the learned Lord in anticipating that small measures of this kind would stave off more comprehensive legislation; and there was an inconvenience in requiring people to become acquainted with new modes of procedure which were likely to be superseded by more radical changes. He had no wish to stand in the way of some moderate reform; but he thought that something far more searching and comprehensive was necessary to give satisfaction to the people of Scotland.

MR. CARNEGIE said, he had no objection to allow the Bill to be advanced this stage, on the understanding that, in assenting to the Preamble, they were only assenting to what every Scotchman would concur in—that some alteration for the better ought to be made in the Court of Session. He was inclined to think that the Commission should precede legislation. He hoped that, when the Commission was issued, some care would be taken that it did not consist too exclusively of Edinburgh lawyers—because, whether rightly or wrongly, throughout Scotland there was great distrust of Edinburgh lawyers. Of course, the legal profession must be represented on the Commission; yet country lawyers, and gentlemen who were in the interests of the clients, should also be represented.

MR. M'LAREN said, he hoped the Lord Advocate would not take the advice given to send the Bill to a Select Committee. Of all things that could be done, that would be the worst, for it would prevent the possibility of any legislation taking place this year; and the Bill contained so many good provisions, that it would be a great pity to lose the benefit of them even for one year. Reference had been made to the opinions of the legal bodies on the question; and, in fact, it seemed to be assumed that Courts were made solely for the benefit of legal practitioners, but he maintained that the public were those who had the main interest. Among all the parties who had given their approval to this measure, the Lord Advocate had omitted one which was of more importance than any other—namely, the Chamber of Commerce of Edinburgh. That body contained about 500 members; it included every person of importance connected with commerce or trade in the county or city of Edinburgh and the burghs surrounding it; and the Chamber had sent a petition to the House of Commons in favour of the Bill, expressing general approval of its provisions, and praying that it might pass with the least possible delay. He thought this was the highest possible testimony in favour of the Bill; for at least four-fifths, and probably a larger proportion, of all the cases that came before the Court were cases connected with mercantile affairs. The mercantile community, therefore, had a deep interest in promoting the cheap, rapid, and just administration of justice by means of improved legislation, such as the present Bill. As regarded the Royal Commission, he rejoiced at the prospect of its appointment; but he agreed with what had been said by the hon. Member for Forfarshire (Mr. Carnegie), that it should not consist wholly of Edinburgh lawyers; for he knew that there was a certain measure of distrust—though, perhaps, not so great as had been indicated—but still there was a certain measure of mistrust or prejudice which would operate against any Royal Commission composed exclusively of that class. There were some other questions which had not been referred to; one was the number of Judges. In 1852 a Committee of the House of Commons upon Public Salaries reported that the number of Judges was too large, and ought to be reduced by two. He thought that was a very important point. The salaries of persons connected with most public offices had been considerably increased; but the salaries of the puisne Judges in Scotland remained as they were — at £3,000 a-year. He would suggest that the number of the Judges be reduced by two, and that the salaries saved should be added to the salaries of the remaining nine Judges, so that each would get £3,666. The salaries of the two presiding Judges he thought were large enough. Then there were in all parts of Scotland a number of local Judges called sheriff-substitutes, whose functions resembled very much those of the County Court Judges in England, only they were, in addition, charged with the administration of criminal justice in petty cases. But the judgments of these gentlemen, who heard the case and examined the witnesses, and knew the character of the persons on the spot, might be reversed by the principal sheriff resident in Edinburgh, who had never seen the witnesses, and knew nothing about the case except what he learned by reading the evidence laid before him. On appeal to the Higher Courts it was often held, as might be expected, that the judgment of the principal sheriff was wrong, and that of the local sheriff right. Many parties in Scotland thought these non-resident sheriffs ought to be abolished altogether, and that the position of the local sheriffs should be somewhat improved, and put on a more permanent and respectable footing than at present. He admitted there was a difference of opinion on this subject, and that there were some advantages in the system of non-resident sheriffs; but, in his mind, the disadvantages greatly outweighed the advantages. Another great anomaly was that although these local sheriffs were all paid by the Crown by annual Votes, the Crown did not appoint them. The Edinburgh non-resident sheriff appointed his sheriff-substitute at one place with a salary of £1,000, at another with a salary of £800, and at another with £600 a-year. All these sheriff-substitutes, he thought, should be appointed directly by the Secretary of State, at a salary to be fixed by Act of Parliament. Though he would have liked a larger measure, he thought it would be mistaken policy to let this Bill drop, in order that they might wait for a more comprehensive measure, such as that introduced four or five years ago by the Lord Advocate then in Office. It would be better to seize the opportunity of passing this Bill, which contained a great deal of good. When the Royal Commission had reported, he hoped that an additional good measure would be passed, based on its Report.

Mr. CRUM-EWING said, there were very many anomalies and clauses in the existing law, and it was essentially important to get some of them removed as soon as possible. If they waited till they got a complete and in every way satisfactory Bill, they might wait a very long time; and he was therefore in favour of taking the present Bill as a step in the right direction. He hoped the Lord Advocate would carry out his suggestion of a Royal Commission, and he trusted this inquiry would not be confined to one part, but would include the whole system, particularly as to the double sheriffships—a system that principally existed for the purpose of finding employment for the Edinburgh lawyers. He trusted the Commission would be issued immediately.

Mr. CRAUFURD said, he would earnestly ask the Lord Advocate not to pass a Bill which they had no opportunity of discussing or examining. He contended that if there was to be a Royal Commission, it should be issued before, and not after legislation. He hoped the Bill would be delayed until after the fullest and most searching inquiry. The opinion of those who know the business of the Court thoroughly, and whose interests would be most affected, should be taken upon the subject. They should strive to get a Bill not to satisfy the Edinburgh lawyers, but to be beneficial to the country. He should like to hear the Lord Advocate defend that most monstrous institution, the system of double sheriffs.

Mr. CHILDERS wished to impress upon the learned Lord Advocate the importance of appointing upon the Commission he proposed some gentlemen who would look into the matter from an economical point of view. By this he meant gentlemen who were not connected with that House, and who were not only interested in legal procedure in Scotland, but were conversant with the finances of this country, and would consider the question accordingly. Some years ago the extravagance connected with the Irish Courts was brought under the notice of the Government; a Committee was appointed by the Treasury, and it recommended considerable economical reforms; nothing, however, was done, and the Irish Courts constituted one of the greatest scandals that could be imagined, their cost exceeding the fees by £30,000, while the English Courts paid their way. Last year Acts were passed stereotyping some of the worst abuses of the Courts, and for the time even increasing their cost. He hoped that in this case the principle of economy would be recognized in the Commission.

The LORD ADVOCATE said, he had already explained that the Commission was to inquire into all questions connected with the constitution and jurisdiction of the Courts and the number of the Judges; and his purpose was that the investigation should be as full and searching as it was possible for it to be. He would recommend that it should not consist entirely of either Edinburgh or Scotch lawyers, but that it should embrace English lawyers, although the English Commission included no Scotch lawyer, notwithstanding which it was likely to recommend some assimilation of the English to the Scotch system. He was most anxious that the Bill should proceed, because it proposed amendments of the system in a direction in regard to which there was no difference of opinion, while it also proposed experiments which it would be advantageous to have tried to a certain extent before the Commission concluded its labours. He would remark that the hon. Member for the Ayr burghs (Mr. Craufurd) was an ardent reformer when he took the initiative, but was rather an obstructive when others did so. It did not rest with him to name the members of the Commission, but he was quite of opinion that it should embrace some one connected with the Treasury.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

LAND WRITS REGISTRATION (SCOTLAND) (*re-committed*) BILL—[BILL 56.]

(*The Lord Advocate, Mr. Secretary Gathorne Hardy, Mr. Walpole.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short Title of Act).

MR. WALDEGRAVE-LESLIE inquired what was the intention of the Government with regard to the recommendation, respecting the Lord Clerk Register, of the Select Committee which sat two years ago, on the subject of this Bill? The Committee stated in their Report that large powers were vested in the Lord Clerk Register, and that a considerable amount of labour had actually been performed by the present occupant of the post. All of it had been, and promised to be, of indisputable public advantage. It was inexpedient, they said, that powers so extensive should be vested in an unpaid officer. They, therefore, suggested the propriety of providing an adequate salary for the responsible head of this important office. The post of Lord Clerk Register, which had for many years been held as a sinecure, was deprived by the 24 & 25 *Vict.* c. 81, of a salary of £1,200 a year. By the 25 & 26 *Vict.* c. 53, a salary of not less that £2,500 a year was assigned to the Chief Registrar of the Land Registry of England. The Lord Clerk Register was one of the officers of State of Scotland, and the head of an office of which the revenue largely exceeded the expenditure. The Committee were unanimous in their Report—and he should like the House to remember that by the Bill now under their consideration, very large and increased duties would devolve upon the whole staff of the Register House in Edinburgh. He trusted that the Government would do their duty, and give a proper salary to the very efficient Lord Clerk Register, and also increased pay to the clerks and officers in the Department. He would remind the House that the present Lord Clerk Register, Sir William Craig, had resigned his post of Referee to the House of Commons, of the value of £1,000 a year, in order to attend to his duties at the Register House.

THE LORD ADVOCATE said, that in the course of the discussion on Supply a few nights ago the Secretary to the Treasury, in reply to a Question, intimated that the Government had it under their consideration to give effect to the recommendation of the Select Committee on that subject, and he could now add nothing to that statement.

MR. CRUM-EWING complained of the way in which gentlemen who did nothing were paid high salaries at the expense of the public.

MR. M'LAREN said, it had been assumed that the duties of the Lord Clerk Register had been increased, but he had seen no evidence that that was the fact, and he did not believe it. No new duties had been imposed by any Act of Parliament on that officer, whose work, such as it was, was done by a deputy, even for whom there was not enough to do. His own opinion on that matter was shared by nine-tenths of the people of Edinburgh; and he hoped that the Government, after they had concluded their consideration of the subject, would see that the right course to take was to provide no salary whatever for that office.

MR. CRAUFURD said, the hon. Member who had just spoken reminded him of the adage that none were so blind as those who would not see. Having sat on the

Select Committee himself, he could state that the evidence adduced was so irresistible that the general body of the Committee, feeling astounded at the work performed by the present Lord Clerk Register, who took the office under the impression that it would be merely honorary, spontaneously came to the conclusion that they ought to recommend that he should receive a salary. Whatever step might be proper in regard to sinecurists, there was no reason why a gentleman who really performed useful public labour should not be remunerated.

Mr. MONCREIFF said, that, as he was Lord Advocate when the salary was taken away from the Lord Clerk Register, he thought it right to say a few words on this subject. The office was one of great responsibility and important duties. It was an entire mistake on the part of his hon. Colleague to suppose that there were no duties to be performed, or that the Register of Land Writs was not within the department of the Lord Clerk Register. So little was this the case, that the ancient statute which was the basis of the system of registration named the Lord Clerk Register as the high officer of State under whom the system was to be administered. Although the actual recording of the Writs was intrusted to the Keeper of the Sasines, the whole searching Department was under the direct superintendence of the Lord Clerk Register, who had besides a general control over the system. The office ought never to have been a sinecure. Unfortunately, when the late Earl of Dalhousie was appointed Governor General of India, he retained the office, while he surrendered the salary; and although he (Mr. Moncreiff) was very averse, on that nobleman's death, to deprive the office of its salary, having in view the improvements which it is the object of this Bill to carry out, it was impossible at that time to insist on its not being abolished. But his right hon. Friend, the present holder of the office, has discharged its duties for the last ten years with such labour, fidelity, and ability that the Committee which was appointed two years ago unanimously recommended that the salary should be restored. He entirely concurred in that opinion. Some allusion had been made by his hon. Colleague to the opinion of the people of Edinburgh. He was quite satisfied that the Government could do no more popular act, as far as its citizens were concerned, than to give effect to the recommendation of the Committee. Some observations had been made in regard to the Keeper of the Sasines. There was no foundation whatever for the assertion that this gentleman had no duties to discharge. His duties were important and essential, and they were most thoroughly discharged, and he was, as was well known, a most able and valuable public servant.

Colonel SYKES said, the real question was whether there should be an increase in the expenditure of the country or not. If one person was sufficient to discharge the duties of the office, why should two be paid for their performance?

Sir JAMES FERGUSSON said, he could bear testimony to the efficiency with which Sir W. Gibson Craig had performed the duties of the office. There might be a question whether the office was overmanned; but there could be no question that there were important duties to be performed, and he thought there could be no doubt as to the propriety of paying persons who discharged important duties for performing them efficiently.

Clause *agreed to.*

Clause 23 (Compensation Clause).

Mr. M'LAREN said, that the compensation payable to the suppressed keepers of the local Registers of Sasines under this Bill represented a capital sum of about £200,000. Some of the officers who would be compensated under the Bill as it stood had taken their office on a commission in which a clause was inserted, stating that they took the appointment subject to its being abolished, or a change made in it, and providing that no claim for compensation, in either event, should be competent. He moved, as an Amendment, the insertion of the words, "Having regard to the terms of his commission," in order to limit the claims for compensation.

Mr. CHILDERS said, he hoped that the Committee would agree to the Amendment of his hon. Friend. Since 1858 a clause to the effect stated by his hon. Friend had been inserted in the commission of persons taking the appointments, for which it was now proposed to compensate them. The clause was not in all cases framed in precisely the same words. In some cases, the condition was based on the event of the office being abolished; in others, on that of alterations being made in it. What would less well-paid civil servants in other parts of the country say if it should be attempted to enforce in their case conditions of this kind, supposing they were now given up in the case of the influential officers proposed to be compensated under this Bill?

SIR JOHN OGILVY said, he thought it would be more judicious to leave the clause as it stood, as these gentlemen had held their offices for ten years, and had discharged their duties most efficiently.

MR. GLADSTONE said, he was of opinion that considering the terms upon which these officers were appointed, it was impossible to resist the proposition of the hon. Member for Edinburgh (Mr. M'Laren).

THE LORD ADVOCATE said, he would not object to the introduction of the words proposed by the hon. Member for Edinburgh, if it was understood that it should be left to the Treasury to deal with all the claims for compensation, as all the appointments were not made in the same terms, and also to have regard to the recommendation in the Report of the Select Committee as to those appointed since 1858.

MR. BOUVERIE said, that it was now ten years since these officers were appointed, with the expectation that their offices would be speedily abolished; but since their appointment their whole time had been devoted to the discharge of their duties, and it seemed hard to turn them adrift without compensation.

MR. CLAY thought that a bargain was a bargain, and ought to be adhered to.

Amendment *agreed to.*

Clause, as amended, *ordered* to stand part of the Bill.

House *resumed.*

Committee report Progress; to sit again upon *Thursday* next.

ESTABLISHED CHURCH (IRELAND) BILL.

(*Mr. Gladstone, Sir George Grey, Mr. Lawson.*)

[BILL 117.] CONSIDERATION.

Bill, as amended, *considered.*

MR. VANCE said, that the Bill was one paving the way for the confiscation of the property both of the English and Irish branches of the Established Church. It was a violation of the rights of property, of the Act of Union, and of the Oath of the Sovereign. Upon the present occasion he did not intend to oppose the Bill itself, but wished to draw attention to a clause which had been hastily and inadvertently introduced the other evening. The clause professed to deal in a tender manner with private rights, but seemed to treat corporate rights in a rough way. The misfortune of the intended measure of the right hon. Gentleman was that it was a Bill of confiscation, without having any object of public utility. It proposed to confiscate three-fifths of the property of the Irish Church, without providing any equivalent fund for the support of that Church. It was a great defect in many of our Acts of Parliament that they showed too great a respect for private rights, and too great a disregard for corporate rights. One of the greatest anomalies in the Irish Church was caused by certain clauses which had crept into an Act of Parliament. There would have been but little complaint of the want of provision for religious purposes in certain parishes in Ireland had it not been for the enactments which had crept into the Church Temporalities Act. The misfortune was that whilst that Act enacted that, where there was no church in any parish or where service had not been performed in a parish for a certain length of time, the revenues of such parish should be forfeited to the Ecclesiastical Commissioners; but it contained a saving clause, which enacted that where a benefice in such parish was in the gift of a private individual there was to be no sequestration, and thus such parish frequently remained without any religious supervision while its revenues were received by an absentee clergyman. The right hon. Gentleman carried that tenderness for private rights through the whole of the measure he shadowed forth—while confiscating, according to his own admission, three-fifths of the property of the Irish Church, without offering any counterbalancing public advantage. The clause in the Bill to which he wished on the present occasion to draw special attention was one which appeared to have crept into it through haste and inadvertence. It provided that—

> "Every person who shall be appointed to any office in the College of Maynooth after the passing of this Act shall hold the said office subject to the pleasure of Parliament, and likewise every Presbyterian minister hereafter to be appointed to receive any share of the *Regium Donum.*"

The first part of that clause was an absolute injustice, while the last part of it was an absolute absurdity. The Bill proposed to enact that the presentation to all benefices in the Irish Church which should become vacant should be immediately suspended, and it was understood that the presentation to the offices in the College of Maynooth were to be suspended also. So far from that being done by this clause, however, it permitted all vacancies which might occur in that institution to be filled up, merely directing that the whole grant should be subject to the pleasure of Parliament. But what was the effect of that provision ? Had not the grant to Maynooth always been subject to the pleasure of Parliament, which had at any time power to abolish it either in part or altogether. The part of the clause which referred to the *Regium Donum* was very vague. The *Regium Donum* was commonly understood to be a provision for the Presbyterian and Nonconformist clergy in Ireland ; but, in fact, technically, it might be a Royal grant for any other purposes. There was no public recognition by any Act of Parliament of the *Regium Donum*. It was mere surplusage to say that that grant was to be at the disposal of Parliament, when it was voted in the Estimates year by year, and might at any time be abolished, either wholly or in part. The clause if agreed to would be utterly inoperative, and therefore he begged to move that that part of it which referred to the *Regium Donum* should be omitted.

Amendment proposed,

In New Clause (Maynooth and Regium Donum), to leave out the words "and the right of any person to a share in the Regium Donum which shall accrue after the passing of this Act."—(*Mr. Vance.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. GLADSTONE said, he thought the hon. Member had been rather severe upon this clause, and it was a great pity that he had not been present when it was agreed to in Committee. All he could say was that he was in no way responsible for the clause, which had been introduced in order to meet the views of those who sympathized with the hon. Member with respect to this measure, and which was not necessary either to carry out the objects of the authors of the Bill, or to meet the views of the Government as expressed by the right hon. Gentleman the Home Secretary. The hon. Member said that the first part of the clause—that which related to Maynooth — was unjust, and that the second part of it—that which related to the *Regium Donum*—was absurd. He appeared, however, to be more scandalized by the absurdity than by the injustice, for he proposed to omit the absurd part of the clause and to retain the unjust part of it. The course that the House should take upon the subject was quite plain.

These private rights were recognized in the 4th Resolution. In his opinion there could be no doubt that with respect to this clause they had gone beyond all usage; and if the matter were viewed in a strict and fastidious sense, possibly beyond propriety, in taking notice in a statute of rights which depended entirely on the pleasure of Parliament. But if the grant to Maynooth were to be referred to in the statute, it was only just that the *Regium Donum* should be placed upon the same footing, and that the legislation with regard to both grants should be equal, which would be the case if the clause were passed. The fact was that the provision with respect to the *Regium Donum* grew out of the 4th Resolution which had been adopted by the House. That Resolution distinctly recognized the existence of a personal interest on the part of those who received the *Regium Donum*. It was not a legal interest, but it was an interest of a kind with which the House had always shown its readiness to deal generously ; and if they were to make any distinction between the College of Maynooth and the *Regium Donum* they would be committing a manifest practical injustice. The hon. Gentleman appeared to forget that the Bill contained provisions for the discharge of the duties of the minister during the continuance of the Act, and that the only object was to prevent the creation of freeholds until Parliament could deal with the whole subject of the Irish Church.

Mr. NEWDEGATE said, he must reiterate his objection to the Bill; and he presumed his arguments had some weight, because the Roman Catholic Members were so desirous to refute them. He had voted with the hon. Member for Kirkcaldy (Mr. Aytoun) on the ground that it was unjust to pass an Act designed to injure the Anglican clergy, while the professors of Maynooth were allowed to be free from its operations. The right hon. Member for South Lancashire (Mr. Gladstone) apparently thought such a course just, and had voted the other way; but now, by sanctioning the clause, he had endeavoured to cover an injustice by an absurdity. The position of those who derive benefit from the *Regium Donum* was totally different from the professors at Maynooth, because the latter were appointed under an Act of Parliament. It was perfectly true that the *Regium Donum* in the aggregate was sanctioned under the Appropriation Act, but the appointments were not specified in any Act of Parliament. On the other hand there was a clause in the Maynooth Act specifying the appointments. The position of persons receiving a share of the *Regium Donum* was therefore totally different from that of persons appointed under the Maynooth Act of 1845.

Question put, and *agreed to.*

Bill to be read the third time upon *Tuesday* next.

REVENUE OFFICERS' DISABILITIES REMOVAL BILL—[BILL 76.]

(*Mr. Monk, Sir Harry Verney, Mr. Otway.*)

COMMITTEE.

Order for Committee read.

MR. MONK said, that he was glad to afford the Chancellor of the Exchequer an opportunity of which he knew that his right hon. Friend was anxious to avail himself, to explain to the House the circumstances under which Her Majesty's Government had deemed it consistent with their duty not to be present in their places at the hour at which the Speaker usually takes the Chair on Wednesday last, when he had the honour to move the second reading of this important Bill. He was sure that hon. Members who were present on that occasion would bear him out in the remark that he was extremely reluctant to snatch what was deemed by some to be a supposed advantage, but which he desired most distinctly and deliberately to state was not an unforeseen success, through the absence of all Her Majesty's Ministers. It was true that the right hon. Gentleman came down to the House half-an-hour after the usual hour of meeting, but when he (Mr. Monk) rose to address the House there was only one hon. Member present on the five Ministerial Benches above the Gangway. It would have been absurd for him to address mere empty Benches. He believed he was acting discreetly in moving the second reading and in reserving his arguments in favour of the measure for a reply. The reasons which had induced him, as an humble and independent Member, to introduce another Franchise Bill to the House at a time when two most important Government measures for the Reform of the representation of the people in Scotland and Ireland were occupying the greater part of the time and attention of Parliament, were briefly these. It would be in the recollection of the House that when the English Reform Bill was in Committee last year, the hon. Baronet the Member for Buckingham (Sir Harry Verney), proposed a clause by which the right of voting at Parliamentary elections would be conferred upon officers employed in the Revenue Departments, who were otherwise entitled to the franchise. That clause was negatived almost without discussion by the advice and recommendation of the present Prime Minister, and of his right hon. Friend the Member for South Lancashire, partly on the ground that by conferring the franchise on Revenue officers new influences would be introduced into public life, which might not be of a beneficial character, and partly because my right hon. Friend thought that, although there was a fair *primâ facie* case in their favour, preliminary inquiry was desirable; but chiefly because the House was anxious that no delay should take place in sending the Bill to the House of Lords, and that it should become law as speedily as possible. My hon. Friend allowed his clause to be negatived without a division, and for a time the hopes of the Revenue officers were doomed to disappointment. The object of this Bill was to relieve the public servants employed in the management and collection of Her Majesty's Revenues from certain disabilities imposed by an Act of the Legislature in the last century. In 1782, shortly after the formation of the Rockingham Ministry, a Bill was introduced into the House of Commons for the purpose of better securing the freedom of election of Members to serve in Parliament by disabling them from voting at such elections. That Bill was warmly contested in all its stages, but it was passed by considerable majorities, though in no one division were more than 110 Members present. At that time it was computed that the Revenue officers formed nearly 20 per cent of the whole number of electors throughout the country. On the third reading of the Bill the Marquess of Rockingham stated that in no less than seventy boroughs the elections depended chiefly upon the votes of the Revenue officers, so that in point of fact they could influence 140 votes in the then House of Commons. At present, they would, if these disabilities were removed, form a very insignificant proportion of the whole number of electors. Shortly after the union of Great Britain and Ireland the Act of 43 *Geo.* III., c. 25, was passed, creating similar disabilities for the sister country, and by the 7 & 8

Geo. IV., c. 53, s. 9, the provisions of the former Acts were amended and still further extended by increasing the penalty to be inflicted upon a Revenue officer for voting whilst in Her Majesty's service and for two months subsequently, from £100 to £500. Those were the enactments which the Bill sought to repeal. It was simply and solely a Franchise Bill, and was confined to the relief of the officers in the Revenue Departments from a fine of £500 and the further penalty of being for ever disabled and incapable of holding or executing any office of trust under Her Majesty, her heirs, and successors, to which they are liable for voting at elections. The Bill had been for some weeks in the hands of Members and of the public. There had been no undue haste, no surprise. The petitions which had been presented were unanimously in favour of the Bill. It was worthy of note that those Acts affected one branch only of the Civil Service. The Treasury, Home Office, Foreign Office, War Office, and Admiralty were wholly unaffected by them. The *employés* in those Departments could exercise the franchise freely without let or hindrance, and with respect to the officers in the Customs, Post Office, and Inland Revenue, whatever might have been the apprehensions of Parliament in 1782 as to the special influence of the Crown in directing their votes, it was preposterous to suppose that any such apprehensions could reasonably be entertained in 1868; indeed, if there were any grounds for apprehending any undue influence from that, or from any other quarter, an excellent opportunity would have been found for making trial of the ballot in taking the votes of the civil servants of the Crown. The chief argument used in favour of the Disabilities Bill in 1782 was that the Revenue officers themselves desired to be relieved from the franchise. One of the Members for Kent (Mr. Honywood) said that the Bill gave universal satisfaction in the ports in that county, as the officers were liable to be dismissed from their employment if they dared to have an opinion of their own in matters of election. That argument no longer held good. The Revenue officers, as might be seen by their petitions, considered their continued disfranchisement as a stigma and as a disgrace, and as indicating a belief that they were under the control of the Government of the day, and unfit to be entrusted with the franchise. The Revenue officers themselves were a highly educated class, possessing political capacity equal to, if not above, their fellows. They were eminently fit to be entrusted with the franchise, and fully capable of exercising it with intelligence and independence. They had been selected by competitive examinations to fill offices of trust in the public service. Those offices they filled with credit to themselves and with advantage and satisfaction to the country. He would ask the House whether it was not a glaring anomaly that these men should be deprived of their electoral rights upon entering Her Majesty's service, and that they should be restored to them only on being dismissed on account of incompetency or some grave and serious offence? In the face, too, of the wide enfranchisement by the Act of last year, their position would be more galling and intolerable than it had hitherto been. He would appeal to the House whether this was not a necessary corollary of the Reform Act of last year; he would appeal to the Scotch and Irish Members whether this was not a necessary adjunct to the Reform Bills for Scotland and Ireland? Nothing but the good of the State could justify the continuance of those restrictions, and he did not believe that they were necessary for the good government of the country or for the well-being of the public service. At that hour of the night it would be impossible for him to do more than to allude to the Report of the Commissioners of Customs and Inland Revenue just delivered to Members. Some of the arguments were inapplicable to the Bill, others might easily be refuted. But he must call the attention of the House to the remarkable absence of any Report from the Post Office. ["Move, move!"] In deference to the wishes of the House, he would at once move that Mr. Speaker do now leave the Chair.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Monk.*)

MR. SCLATER-BOOTH moved the adjournment of the debate.

THE CHANCELLOR OF THE EXCHEQUER said, he thought it was utterly impossible at that hour of the night to discuss a measure of so serious a character. He wished to explain and apologize to the House for his absence when the Bill stood for a second reading the other day. It came on at an earlier hour than was usual for the first Order of the Day, and he was not prepared for its coming on so soon. He was on his way to the House, but was unexpectedly detained, and reached very soon after twelve o'clock, but found the second reading had been agreed to without any discussion. The hon. Member for Gloucester (Mr. Monk) had on that occasion an ample opportunity for detailing the reasons for reading the Bill a second time —indeed, the Bill might have occupied the whole day; and if he had gone on with his speech he would have had the advantage of the presence of the right hon. Gentleman the Member for South Lancashire, who came into the House a few minutes after he (the Chancellor of the Exchequer) did. A few minutes ago he had received a message from that right hon. Gentleman to the effect that he understood from the hon. Member for Chatham (Mr. Otway), whose name was on the back of the Bill, that it would not be proceeded with to-night, and the right hon. Gentleman had left the House on that understanding. On the same understanding he had told a number of his Friends who intended to support him in opposing the Bill that they were at liberty to leave. He therefore hoped the hon. Gentleman would have no hesitation in acceding to the adjournment of the debate.

MR. OTWAY explained that he had a short conversation with the right hon. Member for South Lancashire, who informed him that, being very much tired, he could not wait for a long discussion, upon which he said he would ask the hon. Member for Gloucester (Mr. Monk) not to proceed with the Bill; but the right hon. Gentleman left the House before he had the opportunity of learning the result of that communication, which was that his hon. Friend intended to persevere in his Motion. He thought it would be impossible now to persist in going into Committee when the Government declined to discuss the principle of the Bill.

MR. CLAY said, he thought his hon. Friend could not, in Parliamentary courtesy, resist the adjournment of the debate, but he hoped a Morning Sitting would be appointed for the Bill, which excited considerable interest among the large class whom it concerned.

Motion made, and Question put, "That the Debate be now adjourned." — (*Mr. Sclater-Booth.*)

The House *divided*:—Ayes 36; Noes 52: Majority 16.

Question again proposed, "That Mr. Speaker do now leave the Chair."

LORD EDWIN HILL-TREVOR moved, "That this House do now adjourn."

Motion made, and Question, "That this House do now adjourn," — (*Lord Edwin Hill-Trevor*:)—after some discussion, put, and *negatived.*

Question again proposed, "That Mr. Speaker do now leave the Chair."

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Powell.*)

After further discussion, the House *divided*:—Ayes 33; Noes 42: Majority 9.

Main Question put, and *negatived.*

MR. MONK said, that if the Chancellor of the Exchequer thought, after what had happened, he (Mr. Monk) had a claim upon the Government, he should be happy to allow the debate to be now adjourned, and he would put the Motion down for Monday.

THE CHANCELLOR OF THE EXCHEQUER said, he thought the question very worthy of discussion, and he should be glad to hear it fully discussed. He had no objection to the proposal of the hon. Gentleman.

Committee *deferred* till *Monday* next.

House adjourned at Two o'clock, till Monday next.

HOUSE OF LORDS,

Monday, June 15, 1868.

MINUTES.]—SELECT COMMITTEE—On Artizans' and Labourers' Dwellings, The Marquess of Bath *added.*

PUBLIC BILLS—*First Reading*—Metropolitan Regulations* (149); Metropolitan Roads* (150); Industrial Schools Act (1866) Amendment* (151).

Second Reading—County Courts (Admiralty Jurisdiction) (108); Unclaimed Prize Money (India)* (121).

Committee—Sale of Poisons and Pharmacy Act Amendment* (103-148).

PUBLIC SCHOOLS.—OBSERVATIONS.

ADDRESS FOR PAPERS.

EARL STANHOPE rose to call the Attention of the House to the Report of the Public Schools Commission in 1864, with the View to some further Measures beyond the Bill now pending in Parliament; and to move for Copies of any Petitions or Memorials on the subject of Public Schools which have been received by Her Majesty's Government since the 1st of July, 1866. He had no intention of discussing the Bill now pending in the other House—had he desired to do so he should certainly have waited until it came before their Lordships; but all he had to say about the Bill was that he heartily wished it success, for it was substantially the measure which was framed two years ago by a Select Committee of their Lordships' House, to which the Bill introduced on behalf of the Government by his noble Friend (the Earl of Derby) was referred. As the Bill was received from the Government, it was intended to legislate for a great number of cases; but the Committee adopted a more general and he thought a much sounder principle—that of leaving each case to be decided as it arose by a Commission which commanded confidence. It was on that principle the Bill which had been introduced into the Commons this year was framed, and he trusted it would come to their Lordships without any material alteration. But, important though the Bill was, it gave no power to the Commission it appointed to deal with the question of the course of studies at public schools. Yet the subject occupied much of the time of the Commission of 1864, and no one would deny that it was one of paramount importance. He did not complain that no power over the course of studies was given to the Commission, for the subject was one which properly belonged to the governing body of a school, and he disclaimed all idea of constraint or compulsion. The question he desired to submit to their Lordships was whether, without any constraint or compulsion, some measures of a practical character might not be introduced which might facilitate the improvements we desired to see effected in the course of studies, and which might enable the governors of public schools to do what he believed many of them were desirous of doing. It did seem most essential, as was well urged by the Commissioners' Report of 1864, that the studies of the public schools should continue to have a classical basis, and that they should still proceed from the languages of Greece and of Rome. A striking testimony to the value of that classical foundation, even where the teaching was of a far less elevated order, was supplied incidentally in that other Report of the Commissioners on Endowed Schools, so ably presided over by his noble Friend opposite (Lord Taunton). In one passage the Commissioners said of such schools—and the words though few are most weighty—"Where Latin is best taught French and mathematics are best taught also. Where Latin is not taught, other subjects are rarely well taught." While concurring in the desire that Greek and Latin studies should be made the foundation of the curriculum of these schools, he would say it did not follow that they should be, as they were fifty years ago the only studies. It was gratifying to find how many other branches of study recommended by the Commission of 1864 were being taught. Until 1836 mathematics were not taught at Eton; it was only provided that the writing master might be permitted to add them to his other teaching. It would appear incredible in the next age that the countrymen of Sir Isaac Newton could be content to leave mathematics at this great public school to be a mere makeweight and appendage to the duties of the writing master. Since then, both at Eton and other public schools, mathematics had become part of the school course. Modern languages had also been introduced at Eton. It was not the least of the many services which the Prince Consort had rendered to the cause of intellectual progress in this country that he had founded prizes at Eton for the study of modern languages. Notwithstanding these prizes, the study of French had been pursued at Eton under, he might say, great discouragement from the school authorities. But at present it was otherwise. Since the subject was last discussed by their Lordships, French had been made a necessary part of the school course. If disparaging terms were to be used of Eton, they could apply only to the past, and not to the present or future; for the system had undergone a most salutary change, and it was probable—nay, more, he would say certain—that Eton would henceforth take the lead in all improvements of study. Modern history and geography had been introduced, and natural science had made more progress at Eton and other public schools than he could have ventured to anticipate. When he last addressed their Lordships on this subject he expressed doubts whether natural science could be introduced into the course of studies; but now he found with great pleasure that this object was actually accomplished. According to a Return kindly supplied to him by the Provost of Eton—

> "French is taught compulsorily throughout the school to the top of Division 4. The first three divisions comprise together just 100 boys. Some branch of physical science is taught compulsorily throughout the fifth form to the top of Division 4. The branches now being taught are physical geography, mechanics, hydrostatics, optics, astronomy. These divisions (4 to 11) comprise about 280 boys."

In fact, so many new branches of study had been introduced that it had become absolutely necessary to consider what portions of the present *curriculum* could be laid aside while retaining the classical foundation—for the conclusion was irresistible, that, with due regard to the health and physical training of the boys, it was impossible to increase materially the time devoted to study. Much might be done by increased application and by improved methods of teaching; but substantially the question was what branches of study were to be given up for the branches which were to be adopted. He could not but think it was desirable with that view to deal with the practice of Greek composition in prose and in verse, which he believed could be wholly set aside. Latin composition might be, not set aside, but restrained within smaller bounds, and especially should it be confined to those who showed an aptitude for it. But he maintained there was no good argument for continuing the practice of composition in Greek verse. To illustrate that point he would take the case of the noble Earl the late Prime Minister (the Earl of Derby), who, it was universally allowed, had gained great credit by his spirited and successful translation of the *Iliad* into English verse, and who, he might remark in passing, would greatly gratify gentlemen of all political parties if he would employ his present leisure in translating the *Odyssey* also. Now, supposing that the noble Earl, instead of giving an English version of the *Iliad*, had been so misled by his school recollections as to have undertaken the translation of *Paradise Lost* into Greek iambics, he would doubtless have been subjected to very disparaging remarks—and, indeed, he observed that the very idea caused his noble Friend to smile. A very painful impression was in like manner produced on his mind by the description of the ludicrous efforts of a school-boy who, being required to celebrate the inauguration of a neighbouring railway in some prize verses, endeavoured to convey the notion of a railway in pure and classical Greek; and it certainly was a strong condemnation of the system that, whereas other branches of study, if pursued in after-life, brought praise and honour to those who cultivated them, the pursuit of Greek and Latin composition would be productive of ridicule. Then when so many other branches of study demanded our attention, what argument could be adduced in favour of continuing this system of Greek and Latin composition at our public schools? The sole argument which he had heard was that it tended to promote good scholarship. But was that the fact? He would venture to bring forward evidence to the contrary, and he felt sure it would be listened to with respect by their Lordships. There was a very important letter, dated the 8th of November, 1862, from Dr. Whewell, the late Master of Trinity College. It would be found in the second volume of the Commission of 1862. In that letter Dr. Whewell said—

> "The very great amount of time and care which is bestowed on this accomplishment [of writing Latin verses] is disproportioned to the value of it as a condition and element of an exact knowledge of the Latin language. Still more are the writing of Greek prose and Greek verse not necessary to the scholar; and it cannot be doubted that a most exact knowledge of Greek may exist in persons who could not fluently translate Addison into Greek prose or Pope into Greek verse. . . . . The great amount of time and attention bestowed on these accomplishments in this University has, I think, an unfavourable effect upon the knowledge of classical literature which our scholars acquire. The result of its occupying so much of their time is that they bestow comparatively little of their time and thoughts upon the reading of Greek and Latin authors with a view to their matter. They are much better acquainted with the Greek and Latin written by themselves and their companions than with any Greek or Latin written by ancient authors."—[p. 43.]

He trusted their Lordships would mark well these words. If even Greek and Latin scholarship were to be taken as the sole and entire aim of public schools, see what so high an authority pronounced to be the effect upon that scholarship of the system of Greek and Latin composition. Dr. Whewell declared that it was actually unfavourable. The result of that system was in general to make the scholars mere copyists of copies—to turn them from the study of such writers as Virgil to the study of such writers as Vincent Bourne. If he wished to describe our present system of compulsory compositions in Greek and Latin by two words only, he would take the two words in which that great critic Boileau described some bad poets of his time—he bade us to beware of their "sterile abundance." Nothing certainly could be more abundant than the crop of Greek and Latin verses at our Universities and public schools; nothing could be more sterile than the supposed advantages they brought. Why was the existing system maintained? He thought he could clearly show that some of our greatest public schools were themselves disinclined to encourage or extend it. Here, for instance, were some extracts from a circular letter, dated April 10, 1867, and addressed by the very able Head Master of Harrow, Dr. Butler, "to masters and tutors engaged in preparing boys for Harrow." He said—

> "It may be convenient for you to receive early information of an important change which we propose to introduce into our school instruction. Boys in the fourth form will be henceforward exempted from Latin verses altogether. In the shells the great majority will be exempted; instruction in verses being reserved for such young boys in this part of the school as shall appear to their tutors to have a decided talent for them."

Dr. Butler then proceeded to show that by some other classes Latin versification might be still pursued; and he said in his final paragraph—

> "You will not, I trust, infer from this circular that I am an opponent of Latin verses. On the contrary, I have a strong sense of their value as a means of imparting and developing a taste for refined scholarship. But experience has convinced me that with a very large proportion of our boys they are thrown away, and I cannot resist the conclusion that the intellectual interests of this large number demand some modification in our long-established system."

The reason why the present system was continued was that the public schools were looking to the Universities, while the Universities were looking to the public schools. Each expected the other to make the first step. Anyone conversant with our public schools, if interrogated as to the reason why the system of Greek composition, which had become the laughing-stock of the best scholars of France and Germany, was still continued in this country, would reply that the public schools were bound to train boys for the Universities of Oxford and Cambridge, where prizes were awarded for Greek composition—as the Porson Prize at Cambridge and the Gaisford Prize at Oxford—and where Fellowships and other posts of dignity and profit were to some extent dependent upon such acquirements; and therefore that if such instruction were not given the boys would not learn what they expected, and would be sent elsewhere. If, on the other hand, any one at the Universities were asked why any encouragement was still afforded to Greek verses, the answer might be—"Why, what can we do? Is not this the very accomplishment to which the young men who come to us from public schools have been most carefully trained? Would it be fair to exclude them from the chance of obtaining academical distinction from that branch of classical study to which they have previously given so much of their time and care? There was much force and weight in those arguments urged on both sides; and though both the public schools and the Universities might desire a change of system neither of those bodies could effect it singly. There was, however, a practical suggestion which much reflection had led him to think would meet the difficulty; and he desired to submit it to their Lordships' attention. The Public Schools Commission, as he had reminded their Lordships, had nothing whatever to do with the course of study; and what he desired to submit to the House and to the Government was, that when the Public Schools Bill had been in operation for some time—say after an interval of a year or more—there should be nominated another Commission, consisting solely of persons connected with the governing or teaching bodies of the public schools, and with the governing or teaching bodies of the Universities. He would have no one on the Commission who was not connected with either the schools or the Colleges, because he thought there ought to be nothing like pressure in the case. If a Commission of able men wholly connected with the public schools and the Colleges were so appointed, and if, assisted by an able secretary, they met from time to time, he thought it highly probable that great improvements would be made in the course of study. He did not mean to suggest that the Report of the Commission should be binding on the governing bodies; but they would have an opportunity of considering it, and he had no doubt that good results would follow. If it was true — and he thought it could not be denied — that those public bodies were desirous of finding time for the more important branches of study, without trenching unduly on the hours of exercise and recreation which it was important to preserve — if it was true that those public bodies were desirous of improvements, and yet could not effect them singly, he asserted that there was no other means by which improvements in the course of study could be brought about than by giving those bodies an opportunity of discussing details with the view of retrenching superfluities in other branches in order to obtain time for those more important subjects to which he had adverted. He owned there was one reflection which occurred to him with great force on reading passages in the Report recently presented in reference to Endowed Schools. He thought it very striking to observe how very much—and he said it to their honour —the middle class of this country at the endowed schools were striving to obtain intellectual superiority, and to push forward for an intellectual lead. Now, he would desire that the sons of the gentry of this country should maintain, as heretofore, the leading position in public affairs—that they should be, as they had hitherto been, the leaders in the intellectual and political movements of this country. If they were to do so—and he did not doubt that such was their desire—it must be by honourable competition in those useful courses of study in which the youth of the middle class were striving to excel them. In the endowed schools they found young men studying the principles that regulate the wealth of nations in the admirable work of Adam Smith; discerning the early revolutions of this planet, and the substances that go to compose it in the recent discoveries of Murchison and Lyell; or with Airey and Adams and other eminent astronomers exploring the still sublimer rules which are obeyed in the starry sphere, and which enable us, mere atoms, to calculate with minute precision the slightest movements of the heavenly bodies. When the young men studying these objects at the middle-class seminaries came to compete with those from the public schools, that competition should find the latter engaged in the same course with perhaps still superior advantages of study. Let not that competition find our grandsons as it would have found our grandfathers—toiling merely in the composition of wearisome Greek iambics, or explaining in full detail the five varieties of the Asclepiadean metres! Let it be remembered, also, that those studies of imitative verse and prose were naturally stationary, while science was progressive. Their Lordships would remember the noble words used by Lord Bacon—*Multi pertransibunt et augebitur scientia.* Some short time ago he took occasion to explain to his noble Friend the President of the Council the object he had in view. He was very far from expecting his noble Friend on the part of the Government to give him any definite reply at present. He was well aware how numerous and pressing were the subjects which now occupied the attention of the Government; but he hoped he might hear from his noble Friend the assurance that this matter would not hereafter be neglected. He thought, moreover, that he was justified in bringing the question under the consideration of their Lordships, because there could be no place better fitted for its discussion than an assembly in which there were so many Prelates who, so greatly to their honour and credit, had at the outset of their careers been teachers of youth in our public schools and Colleges. The education in those institutions was of immense importance; for there was nothing which conduced, in the long run, more effectually to the object their Lordships all had in view—to maintain unimpaired the greatness of the English nation and of the English name.

Moved, "That an humble Address be presented to Her Majesty for, Copies of any Petitions or Memorials on the Subject of Public Schools which have been received by Her Majesty's Government since the 1st of July, 1866."—(*The Earl Stanhope.*)

THE EARL OF CLARENDON said, that as one who took a great interest in our public schools, he could not help expressing his thanks to his noble Friend for having again brought this question before their Lordships. The noble Earl (Earl Stanhope) had alluded to the Report of the Commission over which he (the Earl of Clarendon) had had the honour to preside. That Report was the result of a very laborious and impartial inquiry, in the course of which evidence was taken of a very remarkable character; but he regretted to say that hitherto the labours of the Commission had been almost barren of results. A Bill was brought in and referred to a Select Committee. He admitted that the measure was much improved by the Committee. Machinery was introduced by which great and important reforms might have been effected; but, to the regret and surprise of those interested in the public schools, valuable clauses were struck out by their Lordships after the Bill came from the Select Committee. It was now two years since that Bill had passed their Lordships' House; and although during the last two Sessions the House of Commons had been almost exclusively engaged in the discussion of questions of Reform, he thought that if the Government had been earnest on the subject, and had attached to the Bill of last year the importance it deserved, there would have been no insurmountable difficulty in passing it. This Session the Bill had been introduced in the House of Commons and had been referred to a Select Committee; but whether, after coming down from the Committee, it would undergo another discussion and reach their Lordships in time for consideration, or whether it would be one of those measures abandoned at the close of the Session, he was of course unable to say. Sure he was, however, that no further delay ought to occur in legislation which was universally admitted to be necessary, and in which the middle classes of this country took a great interest, notwithstanding the strange apathy with which it appeared to be viewed by the country, and particularly by the parents of children who would be affected by the public school system of education. To show how deeply interested parents were in improving that system, he would quote a single passage from the Report of the Public Schools Commission—

> "If a youth, after four or five years spent in school, quits it at nineteen, unable to construe an easy bit of Latin or Greek without the help of a dictionary, or to write Latin grammatically, almost ignorant of geography and of the history of his own country, unacquainted with any modern language but his own, and hardly competent to write English correctly, to do a simple sum, or stumble through an easy proposition of Euclid, a total stranger to the laws which govern the physical world and to its structure, with an eye and hand unpractised in drawing, and without knowing a note of music, with an uncultivated mind and no taste for reading or observation, his intellectual education must certainly be accounted a failure, though there may be no fault to find with his principles, character, or manners. We by no means intend to represent this as a type of the ordinary product of English public school education; but, speaking both from the evidence we have received and from the opportunities of observation open to all, we must say that it is a type much more common than it ought to be, making ample allowance for the difficulties before referred to, and that the proportion of failures is therefore unduly large."

He thought he could appeal to many of their Lordships whether there was any exaggeration in this description of the results of our public school education. He would not weary them with any further quotations from the Report or the evidence; but he had quoted enough to show that an education confined to Latin and Geeek was unnatural; that, though these were everywhere professed to be taught, they were not taught thoroughly; and that, in any case, it was a miserable mis-spending of the best years of a boy's life. They were all agreed that the study of Latin and Greek should be the basis of a liberal education. He was convinced that if these were taught upon a better system, there would be abundance of time for them and for studies which were more directly fitted for boys for the practical age in which they lived; and, without overtaxing the brain or encroaching upon the recreation of boys, they might be much better qualified than they now were for the battle of life. He would not follow his noble Friend into the details of Latin and Greek composition and verse-making, because he could not quite agree with his noble Friend that there was any practical utility in such a discussion. Nor could he concur with his noble Friend in thinking that such a Commission as he desired to appoint would be useful at the present moment. Hereafter it might be of use; but just now the whole subject of education had been overloaded by inquiry, and the time had arrived when investigation might safely be suspended, and when legislative action should properly follow. What was really wanted was the passing of this Bill, re-constituting the governing bodies; and by and by the time might arrive when a further number of professional men might be appointed, as his noble Friend suggested. At the present moment he thought there was some risk that the chances of a sounder system of education would be rather retarded than promoted, if men of such eminence and authority as his noble Friend desired to appoint were to commit themselves very strongly in favour of the existing system. A Report by them would have such weight upon the new governing bodies and the executive Commission as rather to hamper than advance the reform of the existing system. It was also quite true that some of the schools had not been inactive or unmindful of public opinion, so far as it had been elicited by the inquiries of the Commission. His noble Friend had alluded to some of these. At Rugby natural science and modern languages were now part of the regular course. At Harrow that cruel infliction of verse-making upon boys, who had about as much aptitude for making verses as they had for flying in the air, was now greatly abated. Modern languages had also been introduced: and he was glad to hear that great changes were in contemplation — he feared, rather than in active operation — at Eton. [EARL STANHOPE: French is now compulsory.] He was glad to hear the fact quoted by his noble Friend, as a triumph of the new system, that 100 boys were now studying French compulsorily at Eton. [EARL STANHOPE: 180.] Such a fact showed that public opinion had operated upon the public schools, and that they could act independently of other bodies. The great point, in his opinion, was to see the governing bodies re-constituted, and the new system brought into action, not in opposition to the Head Masters, but in concert with them, and profiting by their knowledge. When such a system had been brought into operation, the time might arrive for appointing such a Commission as his noble Friend suggested; and he believed that the very men who would now be put upon it would be better fitted a year hence to undertake the task. A great change of opinion was in progress, and the volume of essays upon public education, which no doubt most of their Lordships had seen, would greatly assist in promoting that change. What was wanted was to infuse such new life into our public schools as would be able to deal vigorously with existing prejudices. This could only be done by legislation, and if his noble Friend's speech had the effect of contributing to the passing of the Bill now before the other House this year, he would have done better service than by promoting further inquiry.

THE DUKE OF MARLBOROUGH was glad that his noble Friend had alluded to the Bill which was the practical result of the inquiry of the Public Schools Commission, over which his noble Friend had himself so ably presided. They must remember that the Bill to carry out the recommendation of the Commission had been introduced into Parliament in three successive Sessions. In 1865 the noble Earl who has just sat down (the Earl of Clarendon) presented the Report of the Commission and a Bill which was the complement of that Report followed upon it. That Bill was referred to a Select Committee and underwent a laborious investigation during the greater part of the Session; indeed, so much time was consumed in investigation that the Bill could not be further proceeded with. In 1866 the late Government, acting consistently with what they had done in the preceding Session, re-introduced the Bill into this House, and it was passed and sent down to the Commons; but, owing to the change of Government, the further progress of the Bill was stopped. The noble Earl (the Earl of Clarendon), however, was hardly fair to the Government of which his noble Friend (the Earl of Derby) was the head, when he said that if they had used a little more exertion they might have secured the passing of the Bill; for in 1867 his noble Friend introduced the Bill on the 7th of February, immediately after the meeting of Parliament; the third reading passed on the 8th of March; and it was sent down to the other House of Parliament. Anybody who remembered the proceedings of the other House last Session must be fully conscious how the time of the other House was overtasked with the discussion on the Reform Bill, and could not be surprised that a measure of this importance, occupying the whole time of Parliament, precluded the fair consideration of any other measure. Therefore, considering the magnitude of the question, he was bound to say the Government of his noble Friend (the Earl of Derby) used every exertion to pass their measure; and one of the first acts of the present Government this Session was to re-introduce the Bill in the House of Commons, where it was now under consideration. Their Lordships would, of course, listen with the greatest respect to everything which fell from his noble Friend (Earl Stanhope) on the subject of education in public schools; but, at the same time, considering Parliament was already engaged in legislating on the subject, he thought it would have been better if his noble Friend had postponed his observations until the Bill had come from the Commons, where it was being considered, and perhaps considerably changed, by a Select Committee. The Commissioners had strongly and wisely urged the modernizing of the studies in public schools; and the mere introduction of a Bill to carry out the Report of the Commissioners in three successive Sessions had already exercised a beneficial influence on the governing bodies. At both Eton and Harrow the course of instruction had been modified; and the result so far induced him to recommend their Lordships not to press the heads of schools too far, but to deal with them very tenderly. The noble Earl opposite (the Earl of Clarendon) had admitted that his original Bill had been improved by the Select Committee to which it was referred; it was, therefore, reasonable to hope the present measure would introduce into the government of public schools those salutary changes so ably advocated by the noble Earl. He was sure his noble Friend would not press him, under the circumstances, to give a reply on behalf of the Government to his statement; and, respecting his request for Papers, he assured him that no memorials whatever on the subject had been received by the Government.

LORD LYTTELTON said, he thought that his noble Friend (Earl Stanhope) was wrong on one point, when he said that the Bill now before the Legislature gave the Commissioners no power to deal with the studies of the schools; for one of the clauses expressly gave the Commissioners power to make regulations with respect to the introduction of new classes of studies.

THE EARL OF MALMESBURY rose to Order. The noble Lord was not in Order in discussing the details of a Bill which was now in the other House of Parliament.

LORD LYTTELTON said, he asked leave of the House to point out, as the noble Earl had already referred to the Bill, that the governing bodies and the Commissioners had power to make regulations concerning studies; and, that being so, he contended a measure such as that proposed by the noble Earl was not needed. As regarded the Bill, he desired to express his regret that it had been hitherto dropped, and his hope that it would pass this Session and become law. He believed that it was the necessary and the adequate sequel to the Commission, which could not be said to be a failure till this Bill had been considered on its merits and rejected by Parliament. He thought the chief difference between his noble Friend and the late Commission was as to the time necessary for the different studies. His noble Friend argued that there was not time for the new studies, unless at the expense of the old ones. Now in the Report he would find a carefully prepared scheme with respect to Eton, in which the new studies were introduced, without any unnecessary curtailment of the time given to the old ones. He regretted that the noble Earl had shown himself as inveterate an opponent as ever of Greek and Latin composition. He disagreed from the opinion—eminent though the person (Dr. Whewell) was who had given it—that the boys in public schools and at the Universities were in the habit of imitating the Latin verses of each other rather than of the ancients. It was admitted on all hands, that too much time was now given to Greek and Latin composition, and he and those who thought with him, were prepared to see allotted to them a diminished portion of time—but not that they should be altogether disregarded. It would no doubt be strange if, as his noble Friend had said, *Paradise Lost* should be translated into Greek iambics, but a translation of it into Greek hexameters would not be at all absurd; indeed, if time were given him, he would undertake to do it himself, in a manner he hoped his noble Friend should approve. The noble Earl had referred, in ridicule, to the idea of the account of the opening of a railway being rendered into Greek verse. Well, he would say that one of the most beautiful modern Latin compositions ever seen was a minute description of a steam engine, in hexameters, by the present Bishop of Rochester; and if that could be done in Latin verse much more might be accomplished in the more potent and flexible language of Greece. All he desired was that Greek and Latin composition should be treated just the same as physical science, modern languages, &c. No doubt it was lamentable to hear of a grown-up man who, born with a strong natural turn for science, had been compelled, during all the best learning years of his life, to occupy himself only with studies to which he was disinclined, without opportunity of following that natural turn; and therefore he desired that all branches of knowledge should be placed so far on the same footing, that there should be opportunity for all. Such boys as had a taste for classical composition should be able to indulge it; while others whose inclinations were for science, or physics, or modern languages, should receive full encouragement to acquire them. He thought that the chief responsibility for inaugurating a change upon the present system rested with the Universities. Until they awarded not only honours—for that was already done—but a fair proportion of emoluments, to other subjects besides the classics, it was hopeless to expect that the study of Greek and Latin would cease to occupy the almost exclusive attention of schoolmasters. The schools must necessarily devote the greatest attention to those subjects which were in the greatest favour in the Universities.

EARL STANHOPE wished to say in reference to the observations of his noble Friend opposite (the Earl of Clarendon), that he had not in any case contemplated the immediate appointment of a Commission. He had been careful to explain that he did not wish for its appointment for a year or more after the first Commission to be appointed under the Public School Bill had been at work for some time. His object had been in a great measure attained by the opinions which he had elicited. After the discussion that had been held, and on learning from the noble Duke that no petitions or memorials had been received by Her Majesty's Government since the 1st of July, 1866, he should withdraw his Motion.

Motion (by Leave of the House) *withdrawn.*

COUNTY COURTS ADMIRALTY JURISDICTION BILL. (*The Earl Granville*)

(NO. 108.) SECOND READING.

Order of the Day for the Second Reading read.

EARL GRANVILLE, in moving that the Bill be now read the second time, explained that the object of the measure was to transfer to County Courts, nominated and appointed by Her Majesty in Council, the power and jurisdiction given to two Justices and a County Court Judge by certain sections of the Merchant Shipping Act 1854, and the Merchant Shipping Act Amendment Act 1862. The operation of the Bill would be to enable small suitors in Admiralty cases to make their claims before County Courts. To enable the Judge to perform his functions satisfactorily, he was to be aided by assessors, who were to be approved by the Judge of the High Court of Admiralty. An appeal lay from the County Court to the High Court of Admiralty.

Moved, "That the Bill be now read 2ª."—(*Earl Granville.*)

THE LORD CHANCELLOR said, that in the course of last Session a Bill was introduced by the Government into the other House of Parliament for the purpose of giving County Courts jurisdiction in Admiralty cases; but the measure was obliged to be placed in abeyance in consequence of the exciting subjects which arose at that time, and which fully occupied the attention of Parliament. After the close of the Session, a Commission was appointed for the purpose of considering this among other important subjects connected with the law, and he should have been more satisfied had the present Bill not been introduced until after the Report of that Commission had been made. As, however, there was evidently a strong feeling throughout the country in favour of some Admiralty jurisdiction being conferred upon the County Courts, and as the House of Commons had passed the present measure, he should not wish to oppose the second reading of the Bill. While assenting to the second reading of the Bill, however, he should reserve to himself the right of proposing several Amendments upon it in Committee.

LORD CHELMSFORD also thought that it would have been desirable to have deferred legislation upon this subject until after the Report of the Commission had been presented. He thought it unfair to impose this additional labour upon the County Court Judges, whom he might describe as judicial beasts of burden, upon whom, whenever any new work of judicial business was devised, and it was not known to whom to allot it, the burden was thrown. He objected to the Admiralty jurisdiction in Liverpool being conferred upon the Court of Passage, and to the large fees likely to arise out of the litigation being given to the corporation of that town.

THE LORD CHANCELLOR said, he proposed to introduce an Amendment in Committee relative to the Liverpool Court of Passage.

Motion *agreed to*: Bill read 2ª accordingly.

SALE OF POISONS AND PHARMACY ACT. (*The Earl Granville.*)

(NO. 103.) COMMITTEE.

Order of the Day for the House to be put into Committee read.

EARL GRANVILLE explained that the object of the Bill was to provide for the safety of the public by compelling all persons keeping shop for the sale of poisons, and all chemists and druggists to undergo an examination before the Pharmaceutical Society of Great Britain as to their practical knowledge; and no person was to be permitted to keep a shop for the sale of poisonous drugs, or to call himself a "chemist and druggist" unless duly certified.

The Bill proposed the further precautions of requiring that every box or bottle in which any poison was sold should be labelled with the name of the article, the word "poison," and the name and address of the seller. The Bill further proposed Amendments on the 15 & 16 *Vict.* c. 56, known as "The Pharmacy Act."

Moved, "That the Bill be now read 2ª."—(*Earl Granville.*)

Lord VAUX of HARROWDEN expressed his general concurrence in the Bill, and his wish that its provisions might be extended to Ireland.

Earl GRANVILLE said, as far as he was concerned, he should only be too happy to extend the operation of the Bill to Ireland on the suggestion of so high an authority.

The Duke of MARLBOROUGH said, he would not question the discretion of his noble Friend in extending the Bill to Ireland, but he should have thought that would not facilitate its progress in the other House. [The noble Duke proceeded to quote the Report of the Medical Officer of the Privy Council for 1866 to show the danger to life from the indiscriminate sale of poisons in village shops, and referred to the fatal case at Bradford, in which arsenic was sold by mistake for plaster of Paris, and used in the making of lozenges.] The Pharmaceutical Society was a voluntary one, and if there had been any other of the same character, it would have been fair to consider its claims to be put upon an equal footing; but as this Society occupied the ground alone, having come forward in the public interests to promote examinations, it was desirable that it should have the advantage which the Bill would confer of conducting throughout the country such examinations of chemists as were necessary for the protection of the public. But it was necessary, as these examinations were to be made compulsory upon all persons undertaking the trade of chemists and assuming that name, that the Government should have some control over the mode in which the examination was to be conducted; and to carry out that view he had given notice of an Amendment, which was assented to by the noble Earl opposite. It proposed that the Privy Council should be the authority to see that these examinations were conducted in a proper manner, and also that the Society should have the power to make regulations for the general sale of poisons, subject to the approval of the Privy Council. He concurred in the view that it would be better to look to these regulations as the means of effecting general security in point of detail than to attempt the embodiment of every minute provision in the strict terms of an Act of Parliament. He rather questioned whether the noble Earl (Earl Granville) had included in the Schedule of the Bill all the poisons which were sold and used to the destruction of human life. For instance, there was ample evidence that opium and its preparations were most extensively sold in several parts of England. It was not only largely used by men and women but it was given to infants, and great destruction of life was the result. The reports on the subject were most distressing, and he should, therefore, have been glad to see opium added to the Schedule. He did not know whether there was any special reason for omitting it; but, in the absence of any such reason, there was good ground for adding it if the House thought fit to do so. With these qualifications, he approved the measure as one calculated to be generally useful.

Lord REDESDALE said, he had given Notice of a clause, which many noble Lords and others were anxious to see introduced, and if any objection were taken to inserting it in Committee, he would move it on the Report. The Pharmaceutical Society had not proposed it because at first it might give a little trouble to adopt one form of bottle as a "poison bottle," but when once it became known that poisons were to be sold only in a particular form of bottle, which would be known as the "poison bottle," and when it was made unlawful, not only to sell poisons in other bottles, but to sell things not poisonous in "poison bottles," there would be far less risk than there was at present of persons been poisoned by mistake, as too many unfortunately were. Fatal mistakes were sometimes made in the dark, and these would be avoided by having a bottle of such a character that anyone who took hold of it would know it was the "poison bottle."

The Marquess of CLANRICARDE feared that if the Bill were extended to Ireland it would require more Amendment than the mere assertion of the name.

House in Committee.

Amendments made: The Report thereof to be received *To-morrow*; and Bill to be *printed* as amended. (No. 148.)

VOLUNTEER REVIEW AT WINDSOR.

QUESTION.

LORD TRURO asked, Whether it is the intention of Her Majesty's Government to grant a general holiday to those employed in the Offices of the Public Departments on the occasion of the Queen's Review of the Volunteers at Windsor on the 20th of June? The Government were as much interested in the success of this Review as anybody, and large employers of labour would be a good deal influenced by the decision of the Government in granting a holiday to their *employés.*

THE EARL OF MALMESBURY said, that the object of the noble Lord was a very desirable one, and he was glad to say that the Government, having taken the matter into consideration, had already given their subordinates who were Volunteers leave to join their respective regiments. Besides this, a Treasury Minute had been sent to the Public Departments directing that a holiday should be granted to the clerks and others who were Volunteers.

METROPOLITAN REGULATIONS BILL [H. L.] (NO. 149)—A Bill to provide Regulations for the Government of the Metropolis in certain Matters: Also,

METROPOLITAN ROADS BILL [H.L.] (NO. 150)—A Bill to improve the Roads of the Metropolis: And also,

INDUSTRIAL SCHOOLS ACT (1866) AMENDMENT BILL [H.L.] (NO. 151)—A Bill to amend the Industrial Schools Act, 1866:

Were severally *presented* by The Marquess TOWNSHEND; read 1ª.

House adjourned at half past Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, June 15, 1868.

MINUTES.]—SUPPLY—*considered in Committee —Resolutions* [June 4] *reported.*

PUBLIC BILLS—*Ordered*—Local Government Supplemental (No. 6).*

First Reading—Local Government Supplemental (No. 6)* [175].

Second Reading—Government of India Act Amendment [91]; Governor General of India [92]; Registration [167]; Inclosure (No. 2)* [162]; Courts of Law Fees, &c. (Scotland)* [158]; Curragh of Kildare [134].

Referred to Select Committee—Curragh of Kildare [134].

Committee—Representation of the People (Ireland) [71]—R.P.; Petroleum Act Amendment (*re-comm.*) [141]; County General Assessment (Scotland)* [84]; Local Government Supplemental (No. 4)* [159]; Local Government Supplemental (No. 5)* [160]; Alkali Act (1863) Perpetuation* [153]; Court of Session (Scotland)* [45]; Court of Justiciary (Scotland)* [46]; Drainage Provisional Order Confirmation* [169]; Judgments Extension (*re-comm.*)* [163].

Report—Petroleum Act Amendment (*re-comm.*) [141-171]; County General Assessment (Scotland)* [84-172]; Local Government Supplemental (No. 4)* [159]; Local Government Supplemental (No. 5)* [160]; Alkali Act (1863) Perpetuation* [153]; Court of Session (Scotland)* [173]; Court of Justiciary (Scotland)* [174]; Drainage Provisional Order Confirmation* [169]; Judgments Extension (*re-comm.*)* [163].

Third Reading—Thames Embankment and Metropolis Improvement (Loans) Act Amendment* [133]; New Zealand Company* [156]; Duchy of Cornwall Amendment* [136]; Voters in Disfranchised Boroughs* [128], and *passed.*

COLLIERY PROSECUTION.

QUESTION.

MR. LOCKE said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to the case of a man named Hopley, who having been summoned before the Magistrates at the instance of Mr. Wynne, the Inspector of Mines for the Staffordshire district, for having refused to bring up a gang of Colliers from the Madeley Court Colliery when required to do so, had dismissed the summons; and whether the reasons had been given which induced the Magistrates to dismiss the summons?

MR. GATHORNE HARDY said, in reply, that he was informed by the clerk to the magistrates in question that there was not sufficient evidence adduced before the Bench to justify a conviction. The circumstances appear to have been that the men down the mine disobeyed orders by not sending up the weight which should have been used to counterbalance the other shaft, and Hopley, therefore, would not send down the "doubles" to bring them up. The men below then procured "doubles" from another place, but Hopley gave them notice that he would not land them until they sent up the weight.

IMMORAL PUBLICATIONS AND PLAYS.

QUESTION.

MR. HUBBARD said, he would beg to ask the Secretary of State for the Home

Department, Whether his attention has been directed to the lamentable amount of juvenile criminality, largely attributable to the spread of cheap publications and theatrical representations of an exciting and immoral character, which corrupt the children of the lower classes, and stimulate them into courses of dishonesty and vice; and, whether the Government will propose any remedy for these growing and most serious evils?

Mr. GATHORNE HARDY said, in reply, that the hon. Member had been good enough to place in his hands samples of the publications of which he complained. The police authorities had also placed similar periodicals in his possession. The publications, although very bad in their character, were not of such a nature as to make them liable to prosecution. They were merely sensational, and did not come within the provisions of Lord Campbell's Act, or they would be seized and destroyed. With respect to the theatrical representations referred to, he was informed that there was a great deal of exaggeration. With regard to those places that were known as "penny gaffs,"—the police had told him that those which they had visited the performances were not in themselves immoral, and therefore the authorities could not interfere. As to the publications, he begged to assure the hon. Member that if anything whatever could be done to counteract their tendency he should be happy to do so.

EGYPT—LAW COURTS.—QUESTION

Mr. LAYARD said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he has received any proposal from the Egyptian Government on the subject of a modification of the Capitulations, and the introduction of improved Law Courts in Egypt, to which all foreigners shall be amenable; whether such proposal, if made, has been entertained; and, whether he will lay upon the Table of the House, Copies of a Despatch on this subject addressed to Her Majesty's Consul General in Egypt in the month of October of last year; of a Note on the same subject communicated by the Egyptian Government to the European Powers; and of any other Correspondence relating to the Capitulations and Consular jurisdiction in Egypt? He wished also to know whether the Papers could be produced at an early period, the matter being of such importance that he thought it called for discussion in the House?

Lord STANLEY said, in reply, that a proposal similar to that referred to by the hon. Member had been received, and that it had and was engaging the most serious consideration of the Government, who were consulting the Law Officers upon the subject. The question was also receiving the attention of the other Great Powers of Europe. He need not say that the subject was one of very great difficulty and perplexity, and that it would take some time to decide. He should be happy to produce a copy of the despatch which he addressed to the British Consul General in Egypt in October last containing the views of Her Majesty's Government upon the subject. He apprehended that there would be no difficulty in laying the Note of the Egyptian Government also upon the table; but he thought it better to wait as regards the production of the rest of the Correspondence, until it was completed.

SCIENTIFIC INSTRUCTION IN FOREIGN COUNTRIES.—QUESTION.

Mr. SAMUELSON said, he wished to ask the Vice-President of the Committee of Council on Education, What is the cause of the continued delay in the production of the information received from our Legations abroad on Scientific Instruction in foreign countries?

Lord ROBERT MONTAGU, in reply, said, the delay complained of arose from the immense mass of matter to be translated. As soon as the translations were prepared, they were forwarded to the Foreign Office, in which Department the responsibility of printing the papers rested.

Mr. SAMUELSON said, he would like to know if any delay had arisen in the Foreign Office?

Lord STANLEY did not know, but would make inquiry as to the fact. He believed the fact to be that a large portion of these Papers were already in print.

Mr. W. E. FORSTER said, he would beg to ask, If the Reports received from the Secretaries of Legation could not be laid on the Table at once, leaving the other documents to follow as soon as ready?

Lord ROBERT MONTAGU said, there could be no objection to this being done. He believed that 260 pages had already been printed.

SMALLPOX HOSPITAL.—QUESTION.

SIR J. CLARKE JERVOISE said, he wished to ask the Vice President of the Privy Council on Education, Whether he has observed in the Annual Report of the Smallpox Hospital just issued the increase in vaccinated cases from 66·7 per cent in the epidemic of 1851-2 to 84·1 per cent in 1867, and how this is accounted for; and, when the Report of the Medical Officer of the Privy Council, which Members were informed they might calculate on having in their hands immediately after the Easter Recess, will be delivered?

LORD ROBERT MONTAGU said, in reply, that the Privy Council Report had been delayed in consequence of the great number of chromo-lithographs which it was to contain, and in consequence of the work of lithography occupying much more time than he had anticipated. With regard to the Smallpox Hospital he had to say that he had seen the Report alluded to; but in consequence of the great number of cases he feared that the operation of vaccination must have been performed very imperfectly.

THE BRINDISI ROUTE.—QUESTION.

MR. GOLDSMID said, he wished to ask the Secretary to the Treasury, Whether, in consequence of the opening of the Fell Railway over Mont Cenis, Her Majesty's Government intend to adopt the Brindisi route for the Indian Mails; and, whether they have made any application to the French Government to put an end to the twelve hours' detention in Paris of Letters posted for Italy by the Evening Mails?

MR. SCLATER-BOOTH said, in reply, that he thought it was premature at present to form an opinion as to the necessity of changing the route for the Indian Mails. The subject was fully considered by a Select Committee which sat in 1866, and, anticipating the opening of the Fell Railway, a very elaborate Report was presented to the Post Office by Captain Tyler. On the settlement of the contract with the Peninsular and Oriental Steam Company last November, it was stipulated that the Brindisi route should be adopted in preference to Marseilles if circumstances rendered the change expedient. With regard to the latter part of the hon. Member's Question, he was informed that although the detention operated inconveniently for letters from London, this was not the case with respect to provincial letters, and that the present arrangement was most convenient for the French service and for all parties interested.

FOREIGN OFFICE AGENCIES.
QUESTION.

MR. LABOUCHERE said, he would beg to ask the Secretary of State for Foreign Affairs, Whether any Correspondence has taken place between the Foreign Office and the Treasury on the subject of the amount of compensation to be granted to Foreign Office Agents in the event of their agencies being abolished; and, if so, whether he has any objection to lay such Correspondence upon the Table of the House?

LORD STANLEY said, he would lay on the table the Correspondence between the Foreign Office and the Treasury on the amount of compensation to be awarded to Foreign Office Agents in the event of their offices being abolished.

IRELAND — POST OFFICE.—QUESTION.

GENERAL DUNNE said, he wished to ask the Secretary to the Treasury, Whether he will lay upon the Table of the House the Report of a Commission or a Commissioner directed by his Grace the Postmaster General to inquire into the subject of a deduction of 25 per cent from the salaries of officers employed in the Irish Post Office, and to state any reason why that deduction was made in 1854, after a Minute of the then Postmaster General had stated that the salaries of the officials in London and Dublin should be the same?

MR. SCLATER-BOOTH, in reply, said, he understood that no reduction of 25 per cent ever was made from the salaries of the clerks in the Irish Post Office, nor was any Report of a Commission or Commissioner made to the Postmaster General on that subject. The supposed Minute of the Postmaster General did not exist. The question was probably founded upon the fact that there was a Treasury Commission which sat upon the salaries of the London Post Office officials, and which recommended that in the event of a re-arrangement of the salaries of the Edinburgh and Dublin officials, similar alterations should be made, due regard being had to the relative cheapness of living in Dublin and Edinburgh as compared with living in London.

METROPOLIS—NEW COURTS OF JUSTICE.—QUESTION.

Mr. WALDEGRAVE-LESLIE said, he wished to ask the First Commissioner of Works, Whether the statement in the *Builder* of the 13th of June, that Mr. E. M. Barry, A.R.A., has protested against the appointment of Mr. Street as architect of the New Law Courts, on the ground that such appointment is at variance with the letter and spirit of the conditions of the competition entered into by the architects, be a correct statement ?

Mr. SCLATER-BOOTH, in reply, said, it was true that Mr. Barry had written a letter to the Treasury, which had been published that morning in the newspapers, protesting against the appointment of Mr. Street as architect of the New Law Courts. This letter would be laid on the table, with other Correspondence on the same subject. With regard to an exhibition of the designs of the New Law Courts in the Library of the House, he might remark that the designs had already been on view for six months in Lincoln's Inn, and that no object would be gained by another exhibition in the Library.

Mr. WALDEGRAVE-LESLIE: Was Mr. Barry's protest received before or after Mr. Street's appointment ?

Mr. SCLATER-BOOTH: After his appointment.

SPAIN—CASE OF THE "TORNADO." QUESTION.

Mr. SMOLLETT said, he would beg to ask the Secretary of State for Foreign Affairs, with reference to the discussion in the House of Commons on the 23rd of July last, If any authoritative decision has been given by the Spanish Tribunals in the case of the *Tornado* ; whether the claims of the crew for compensation for harsh and unjustifiable treatment are still under consideration ; and, if he is prepared to lay upon the Table of the House, any further Correspondence in the matter of the seizure of the ship, and the prolonged detention of the crew of that vessel ?

Lord STANLEY: Sir, I regret to say that no authoritative decision has yet been come to on the subject. I have more than once made representations to the Spanish Government, but the answer has always been the same—that the Government could not interfere with the ordinary Courts of Law. With regard to the granting of compensation, that, I apprehend, will depend upon the decision that may be come to as to the character of the vessel. A few weeks ago I laid upon the table such Papers as I had, and since that time nothing of importance has been received.

ELECTRIC TELEGRAPHS. — QUESTION.

Mr. AYRTON said, he wished to ask the Vice President of the Board of Trade, When the Return relating to Electric Telegraphs ordered by this House on the 21st April will be presented ; and what is the cause of the delay in preparing this Return, and the annual Returns relating to Railway Companies ?

Mr. STEPHEN CAVE said, in reply, that it would be impossible to say when the Return relating to Electric Telegraphs would be presented. Notwithstanding a second circular, the required information had not been received from the London and North-Western, London and South-Western, Midland, Manchester Sheffield and Lincolnshire, Great Northern, Great Western, Caledonian, and other railway companies. It was evident that without particulars from these large railway companies the Return would be so incomplete as to be entirely useless. A similar Answer must be given to the second part of the hon. Member's Question. The delay in presenting the compiled annual Returns of the Railway Department was due to the failure of the companies to send in the particulars earlier. These particulars were compiled daily as they arrived at the Board of Trade ; so that as soon as the last details were received the compiled Return was ready for presentation, allowing a few days for computing the totals. It was generally also in type at the same time ready for printing. Last year no less than five reminders were sent out before the whole of the Returns were made.

THE ABYSSINIAN DESPATCHES. QUESTION.

Mr. LAYARD said, he would beg to ask the First Lord of the Treasury, Whether the Despatches from Abyssinia have yet been received; and, if not, whether he can account for the great delay in their transmission ? If they have been received, perhaps the right hon. Gentleman will be able to inform the House when he proposes to move the Vote of Thanks to Sir Robert Napier and the Army of Abyssinia ?

Mr. DISRAELI: Sir, the Despatches have not yet been received. Some portions of the Despatches have been received; but not the Despatch which ought to be placed before the House before the Vote of Thanks is moved, and which refers particularly to the recommendations of Sir Robert Napier as to the services of the individuals engaged. The moment the remaining Despatches are received they will be placed on the table, and the House will see that it is absolutely necessary to have them. When they are received, I will give Notice of a day for moving the Vote of Thanks.

Mr. LAYARD said, the delay was a little remarkable. Was the right hon. Gentleman aware that there were some persons now in town who had been present at the taking of Magdala?

Sir STAFFORD NORTHCOTE: As I have seen the officers who have returned from Abyssinia, I will venture to answer the Question. Sir Robert Napier informed me, in a Despatch which has been laid on the Table of the House, that it was his intention to send an officer—Colonel Milward—with a Despatch containing details of the engagement which resulted in the capture of Magdala. On Saturday evening last Colonel Milward arrived, having been detained in consequence of the vessel in which he sailed getting aground. The Despatch gives full details of the action before Magdala; but the closing paragraph states that Sir Robert Napier proposed to send by the following mail a further Despatch, which would give the re-embarkation of the troops, and at the same time full particulars of the services of those whom he wished to recommend to notice. In a private letter to me Sir Robert Napier said he hoped to send this by Colonel Fraser. Very late on Saturday Colonel Fraser arrived, and left some letters at my house. The Despatch in question was not among those letters; but I have hopes that it may be among some other Papers that were sent to the Horse Guards.

REVENUE OFFICERS' DISABILITIES REMOVAL BILL.—QUESTION.

Mr. MONK said, he would beg to ask, Whether the First Lord of the Treasury would appoint a Morning Sitting for the discussion of this Bill?

Mr. DISRAELI: Sir, it is always most agreeable to me to accommodate Gentlemen on both sides of the House who are intrusted with the conduct of any public question of importance. At the same time I have a primary duty to fulfil—to carry through the necessary Business of the House with all possible despatch consistent with mature legislation. It is therefore very difficult to give those facilities which I should otherwise be happy to afford. I do not understand that the hon. Gentleman has any grievance to complain of. He experienced, I am informed, unexpected facilities in passing his Bill through a second reading, and that, of course, cannot be a cause of complaint on his part, but one rather of rejoicing. Inasmuch, however, as there was no discussion upon a Bill which it is admitted is one of grave importance, he could hardly doubt that on the Motion for going into Committee a discussion would ensue. I believe that there was an opportunity of going into Committee on Friday an hour after midnight, when it is our custom not to enter upon discussions of a grave character. I am, therefore, justified in saying that the hon. Member has no cause of complaint so far as the course of Public Business is concerned. The measure is, however, one which is of interest to Gentlemen on both sides. I should be sorry to be churlish in the matter, and on Friday there is an opportunity of placing this as the first Order of the Day after the Notices of Motion. I trust that this facility will meet the wishes of the hon. Gentleman.

ARMY—VOLUNTEER REVIEW AT WINDSOR.—QUESTION.

Lord ELCHO said, that Her Majesty had graciously signified her intention of reviewing the Volunteer Force in Windsor Great Park on Saturday. As it was desirable that there should be as large an attendance as possible, he wished to know, Whether it is intended to give the gentlemen engaged in the Government Offices who are Volunteers a holiday on Saturday, in order that they may have an opportunity of going to Windsor? If the Government set the example by giving the holiday, it would be followed, he trusted, by employers in the metropolis.

Mr. DISRAELI: Notice, Sir, has already been given to all those engaged in Public Offices who are Volunteers, that their public services will not be required on Saturday next, in order that they may have an opportunity of attending the review. That Notice has been generally communicated to all engaged in the Public Service, and if there have been any omissions I will take care they are supplied. I trust that the good example thus set by the Government may be followed by others.

GOVERNMENT OF INDIA BILLS.

QUESTION.

SIR EDWARD COLEBROOKE said, he would beg to ask the Secretary of State for India, Whether it is his intention to go on with those Bills that night?

SIR STAFFORD NORTHCOTE said, in reply, that, although he was anxious to proceed with those Bills, there were others of greater importance on the Paper—the Irish Reform Bill for example—which stood before them on the Paper, and the Registration Bill, which stood next. If he found that the Committee on the Irish Reform Bill was concluded at such an hour as would leave the Registration Bill sufficient time to pass a second reading, he would proceed with the India Bills, but not otherwise.

MR. CHILDERS said, he wished to know, Whether the Electric Telegraphs Bill would be taken on Thursday?

THE CHANCELLOR OF THE EXCHEQUER: Yes.

MR. CHICHESTER FORTESCUE said, he wished, in consequence of an Answer just given to a Question by the Chancellor of the Exchequer, to ask the First Lord of the Treasury, Whether, in case the Committee on the Irish Reform Bill should not be finished that night, which was highly probable, he did not think it would be right to place it first on the Orders for Thursday?

MR. DISRAELI: I think there are reasons why the arrangement which has been made should be adhered to at present; but I will certainly take care that the Committee on the Irish Reform Bill shall not be neglected.

PARLIAMENT—BUSINESS OF THE HOUSE.

MR. MORRISON said, he would beg to ask, When the Government intended to bring on again the Election Petitions and Corrupt Practices at Elections Bill; and also, if they were to have Morning Sittings?

MR. DISRAELI: In answer, Sir, to the hon. Member for Plymouth (Mr. Morrison), I would just make one remark on the proposition which I am about to make, because it greatly affects the conduct of Public Business. The Motion is, that on Tuesday, the 7th of July, and on every succeeding Tuesday during the Session, Orders of the Day shall have precedence of Notices of Motion, and that the Orders of the Day of the Government shall have precedence over other Orders of the Day. That is an indulgence which, if the House felt any considerable indisposition to grant us, I should be sorry strongly to press for, because I attach much value to the privileges of private Members. At the same time, it is an indulgence which was extended to the Government some years ago almost perpetually in the month of July. It interferes, no doubt, to a certain degree with the privileges of hon. Members; but, on the whole, I think the Government may be permitted to have this great assistance in winding up the Public Business. The hon. Gentleman asks me whether I am going on with the Corrupt Practices at Elections Bill, and whether I will have Morning Sittings? Now, I adhere to the statement I originally made on the subject of Public Business—namely, that my first object was to carry the three supplementary Reform measures. Now, the Scotch Reform Bill and the Boundary Bill, though they have not yet left this House, may be regarded as virtually settled. But we have still a third measure of Reform before us which may require from us a great deal of consideration; and when I see that measure in the same position as the Scotch Reform Bill and the Boundary Bill, I shall then be able to take a general view of the Business before the House, and to state the course of Public Business which I think will be satisfactory to hon. Gentlemen generally. Therefore, I would rather postpone saying anything about the Corrupt Practices Bill, or about having recourse to Morning Sittings at this moment. If the Motion with which I shall presently conclude is acceded to, the Government may be able, without unnecessarily using what, no doubt, is a most efficient instrument for carrying on the Public Business towards the end of a Session—namely, Morning Sittings — to attain the results which we all desire. I would remark that Morning Sittings, under the system which, with the favour of the House, I instituted last year, are certainly a most powerful instrument under certain circumstances. They are admirably efficient when dealing with an important Bill in Committee. Then you may make very great progress; and if it be necessary we can have recourse to them for the Corrupt Practices Bill. But they are really productive of very slight results, when devoted to the second reading of a Bill; because there is something so captivating in the discussion of a general principle that time is whiled away in a most extraordinary manner; and such a sacrifice of the comfort, the convenience, and the time of the House has generally a very injurious effect upon the efficiency of the Evening Sitting, if the Morning Sitting has been occupied in debating a second reading. Therefore, though the weapon in our armoury is one of great value and powerful temper, still I think we should not unnecessarily and with levity resort to it. At present, if the House consents to the Motion which I am now making, there is a fair prospect that we shall not need to task the energies of the House in an extraordinary manner with respect to Morning Sittings. But, at the same time, I should not refrain, if I thought there was not a fair chance of our disposing of the Corrupt Practices Bill without them, from proposing Morning Sittings.

MR. GLADSTONE: No doubt, Sir, the Motion just made by the right hon. Gentleman is one that is agreeable to the usage of the House at a certain period of the year; and that time is generally fixed by a reference to the amount of Business before the House in the hands of the Government, by the general views of the House as to the termination of the Session, and by the amount of Business also before us in the hands of private Members. As far as I am aware, I know of no reason connected with any of these topics to prevent us from acceding to this Motion; and if it should happen that there is any Bill in the hands of a private Member that it is desirable to send forward, which would be impeded by this arrangement, I have no doubt the Government will be glad to take it into their consideration. But I wish, in giving a cheerful assent to this Motion, to say one word. I trust the right hon. Gentleman will adhere with some rigour—and, perhaps, with greater rigour of construction than he seems disposed to adopt—to the rule that we should make it our main object to progress with the Bills relating to Parliamentary Reform. It is obvious that when we enter into Committee on the Irish Reform Bill, which I trust will not take a long time—although it would be sanguine, perhaps, to expect to finish it to-night—our proceedings in regard to it ought, at any rate, to be continuous, and we ought not to have other Business in the hands of the Government interpolated, unless it is Business of great urgency. The Government are quite right in asking for a full discussion of the subject of Electric Telegraphs; but I am at a loss to know why it should be necessary to take that subject on Thursday, in preference to going on with the Irish Reform Bill. I also hope that when the details of the Irish Reform Bill have been disposed of the right hon. Gentleman will not only keep in mind the Corrupt Practices at Elections Bill, but, if possible, place it next in order, for undoubtedly it stands in close relation to the other measures of Parliamentary Reform, and our legislation on Reform will not be complete until the House has had an opportunity of fully considering and disposing of that question. I trust, therefore, that the Corrupt Practices Bill will be allowed to tread on the heels of the Irish Reform Bill either immediately or with the intervention of no other measures except those of urgent and pressing importance.

MR. OTWAY said, he wished to know, Whether any Morning Sittings would be devoted by the Government to discussions on the Army Estimates?

MR. DISRAELI: I will take the inquiry of the hon. Gentleman as a suggestion, and I will consider it.

MR. MORRISON said, he thought the right hon. Gentleman seemed to have misunderstood the Question which he had addressed to him a few moments before. He by no means wished to convey the idea that the Government were not anxious to proceed with the Corrupt Practices at Elections Bill. On the contrary, he was quite convinced of the sincerity of their intentions in the matter, and he knew that there was a large number of Members on the Liberal side of the House who were equally desirous that they should go on with it.

SIR HENRY WINSTON-BARRON said, he would suggest that the Irish Reform Bill should be passed through Committee before any new Business was entered upon.

Resolved, That upon Tuesday the 7th day of July next, and every succeeding Tuesday during the present Session, Orders of the Day have precedence of Notices of Motions, the right being reserved to Her Majesty's Ministers of placing Government Orders at the head of the List.—(*Mr. Disraeli.*)

Mr. DISRAELI said, that if the House assented to another Motion of which he had given Notice, and should meet at two o'clock to-morrow and sit till seven, as was done last Session, he proposed that the Public Schools Bill should be the first Business taken. That would not occupy, he thought, the whole, perhaps not even the greater part of the time, and he should be quite ready to proceed with the Irish Reform Bill in Committee after the Public Schools Bill had been disposed of.

Resolved, That this House do meet Tomorrow at Two of the clock, subject to the Resolutions of the 27th day of May 1867. —(*Mr. Disraeli.*)

PARLIAMENTARY REFORM— REPRESENTATION OF THE PEOPLE (IRELAND) BILL.

(*The Earl of Mayo, Mr. Disraeli, Mr. Attorney General for Ireland*).

[Bill 71.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. REARDEN rose, pursuant to Notice, to move the following Amendment:—

"That no Bill can be satisfactory to the people of Ireland which does not provide for a rental franchise of £6 or upwards in counties, instead of a rating franchise of £12 or upwards, and a rental franchise of £3 or upwards and a lodger franchise of £3 or upwards in boroughs, instead of a rating franchise of £4 or upwards; that votes at Elections be taken by ballot; and that no borough be disfranchised, but that the boundaries of boroughs having less than 6,000 inhabitants be extended so as to include within the limits of such boroughs all premises, for the purpose of conferring the franchise on the inhabitants thereof."

Mr. SPEAKER: Before the hon. Member moves his Resolution I wish to point out to him that it exceeds the limits prescribed for such Motions by the Rules of the House. It is a Resolution which in reality anticipates discussion on every clause of the Bill, and on some points with respect to which Notice of Amendment has been already given. It seems to me to go beyond the rules laid down by the practice of this House. It would, I think, be more regular to move that the Committee on the Bill be postponed than to propose a Resolution couched in such terms.

Mr. REARDEN said, he would withdraw his Motion in deference to the opinion of the Speaker. He hoped to be able to carry the Amendments embodied in the Resolution in Committee on the Bill; for without them he did not believe it would be worth the paper on which it was printed.

Mr. SANDFORD said, he rose to urge upon the Chief Secretary for Ireland the expediency of proceeding only with the enfranchising portion of the Bill. The redistribution part could not stand, inasmuch as those boroughs which it was proposed to disfranchise were not the smallest, and appeared to have been selected for disfranchisement on some capricious system, in support of which no valid argument could be advanced. He felt assured, he added, that nobody could be more thoroughly actuated by a desire to act justly in the matter than his noble Friend the Chief Secretary for Ireland; but then, he must acknowledge that it was a somewhat arbitrary mode of proceeding to propose to give a third Member to Dublin on the minority principle, and to divide the counties in those cases in which an addition was made to their representation. Then, although it was intended to disfranchise six boroughs, only one of the seats—that conferred on Dublin—was to be given to a town, although, as things at present stood, the counties were represented in nearly the proportion of two to one. What he would suggest was, that the town of Portarlington alone, which only possessed 100 voters, should be disfranchised, and that the seat thus obtained should be conferred on Kingstown, Dalkey, Monkstown, and Blackwell, which contained a population of something like 28,000. If that suggestion were adopted matters might be much simplified; but if the Bill were proceeded with as it stood, it was clear, from the number of Amendments of which Notice had been given, that the discussions on it must occupy several nights.

Mr. HENLEY said, that taking into account that they had reached the middle of June, and that everybody was anxious to prepare the way for an early dissolution, it was desirable that the discussions on the Bill should be shortened as much as possible. There were various Amendments on the Paper which would clearly, if brought on, raise questions of principle and lead to long debates; and it would be a great blessing, he thought, if they could be set aside so that hon. Members might be the earlier released from their labours. He saw no hope of their getting through the Bill in anything like a reasonable period if they were to proceed with the proposals of the Government, as to re-distribution of seats. Ireland would not suffer by leaving the remainder of the scheme to be dealt with by the better or worse men who were to follow in the new Parliament.

MR. PIM said, that in England 37 per cent of the Members would, under the new Bill, be returned by counties; whilst in Ireland the county Members were in the proportion of 62 per cent. It was, therefore, a very extraordinary thing to propose an increase of the number of Irish county Members. There was no doubt that the small boroughs in Ireland were not independent; but no party on either side of the House seemed to take into consideration the arrangements by which they might be made independent. The same arguments brought against five of the boroughs which it was proposed to disfranchise could be brought against all boroughs with less than 10,000 inhabitants. There were many boroughs in Scotland and Wales with under 2,000 population. His own opinion was that these boroughs in Ireland could not be rendered independent by any other plan than that of grouping, which had been found so successful in Scotland and Wales. Though he should prefer to see Portarlington grouped instead of being disfranchised, yet he was willing to admit that that borough afforded by far the least strong case for the retention of representation, while Kingstown afforded by far the strongest case for enfranchisement; and he should be well content if the whole principle of re-distribution were given up, with the exception of the transference of the representative from Portarlington to Kingstown. The question of the Irish Church was at present one of absorbing interest in Ireland, and there were also other questions engaging the attention of the lower classes in that country, and preventing them from taking an interest in the subject of Parliamentary Reform, their feeling rather being not to be connected with that House at all. He therefore thought that it would be advisable that the whole matter of re-distribution should be put off until those questions were settled and the mind of the Irish people was in a fit state to express their feelings with regard to Parliamentary Reform. Under these circumstances he should be glad if the suggestion of the hon. Member for Maldon (Mr. Sandford) were acceded to.

MR. BAGWELL said, that when the Bill was introduced he objected to the disfranchisement of a number of boroughs in Ireland. The proposal to disfranchise boroughs while the county representation was increased could not be borne out by reference to the principle adopted in the case of England or of Scotland. He thought that such an arrangement would be fatal to the establishment of a fair system of representation. In the counties the landed interest and the landlords had a preponderating influence, and he did not wish to see that influence increased; but in towns the population consisted of people of varied interests and varied opinions. He still entertained the same objection to the Bill as he expressed on the night of its introduction. The suggestion made by the hon. Member for Maldon (Mr. Sandford) was one which was well worthy the attention of the Government. It would meet with very considerable support in Ireland, and, if adopted, would facilitate the progress of Business in that House. It was not to be regarded as in any sense a party question; and he hoped both sides of the House would concur in adopting the suggestion which had been made. He believed that the Bill would double the constituencies in boroughs; and therefore the number of voters would be so large as to form a good argument against disfranchisement.

SIR FREDERICK HEYGATE said, he hoped the House would not forget the strong claims which Ulster possessed to increased representation. The present proposal of the Government by no means commended itself as likely to be a permanent measure. He would take the statistics of the hon. Member for Dublin (Mr. Pim) himself, and he found that the number of Members, if allotted to the four provinces in proportion to population, and also to the annual value of property in each, would be as follows. According to the population in 1861, Leinster, with a population of 1,457,635, would have 26 Members; Munster, with a population of 1,513,558 would have 27 Members; Ulster, with a population of 1,914,236, 34 Members; and Connaught, with a population of 913,135, would have 16 Members. According to the annual value Leinster (£4,386,986) should have 35 Members; Munster (£3,263,804), 27 Members; Ulster (£3,830,040), 30 Members; Connaught

(£1,416,301), 11 Members; and combining the population and annual value Leinster should have 34 Members; Munster, 27 Members; Ulster, 29 Members; and Connaught, 13 Members. The numbers who could read and write in each province were — Leinster, 638,436; Munster, 533,516; Ulster, 712,999; and Connaught, 221,013; so that Ulster deserved more Members on every ground—of population, annual value, mean of population, and annual value, and education, as also on the ground of freedom from crime and number of electors. He altogether objected to the principle of grouping, which was accurately enough described by Mr. Whiteside when he said—

> "You add one melancholy little town to another melancholy little town, and their union makes a still more melancholy state of things than did their separate existence."

The practice in Scotland could not properly be adopted in Ireland, because the state of things in Scotland was different. In Scotland among grouped towns the religion, the politics, and frequently the trade were one; but in Ireland it was proposed to group towns which were twenty miles away, and, which were in no way connected. This could only be regarded as a very temporary measure. Speaking for Ulster, she could happily afford to wait, and the longer she waited the more Members she would have allotted to her.

Mr. CHICHESTER FORTESCUE said, he could not allow the question which had been brought before the House by the hon. Member for Maldon (Mr. Sandford) to pass without some expression of opinion. The impression he had and which was considerably strengthened by what had been stated on both sides within the last half-hour, was that there was a great deal of force in the appeal made by the right hon. Gentleman the Member for Oxfordshire (Mr. Henley). From the state of the Notice Paper there certainly appeared no prospect of a very speedy agreement upon the re-distribution scheme of the Irish Reform Bill; and he had other grounds for feeling anything but enthusiastic in entering on the consideration of the re-distribution clauses. The proposals themselves were objectionable, and he found it utterly impossible to assent to them, while, on the other hand, he well knew the difficulties a private Member had to encounter in proposing to substitute other provisions. Although the present system was exceedingly faulty, the possible changes must inevitably lie within a narrow compass, and therefore he thought it right to say that if the Government were disposed to let that part of the Irish Reform Bill stand over for future consideration there would be but little objection made on that side of the House, and the public interests of Ireland would not be imperilled thereby. But, at the same time, if the Government thought it right to go on with that part of the Bill, he should—feeling the proposals made by them extremely unsatisfactory—do his best, in conjunction with others on that side, to substitute some plan of re-distribution which he considered more suitable to the circumstances of the case and fairer to the various interests, especially with reference to the proportion of seats held by county and borough Members.

General DUNNE said, that he had been surprised to hear of any commercial interests requiring protection in the greater number of the towns in Ireland. With the exception of Belfast, Dublin, and Cork, there were no such interests. The interest towns were very nearly as agricultural as the counties, for what trade they had depended on the prosperity of the agricultural population. But he could not agree that there was a proper Irish representation. The immense county of Cork was under-represented, so was the county of Tipperary, and also the county of Down: these counties had but two Members each. The hon. Gentleman below him (Mr. Sandford) had said that he was surprised there should be so many representatives of the agricultural classes in Ireland; but what was the proportion of electors in boroughs and counties? In the boroughs there were 32,000 electors, with four representatives; in the counties 134,000, with only sixty-four representatives. He contended that the counties ought to get more Members, not by taking them from the boroughs, but by giving Ireland additional representatives. Scotland had no better right to additional Members than Ireland. If they were to take population as the test, Ireland ought (not according to any calculation of his, but according to a Return that had been laid on the table of the House) to have 131 Members. The Scotch Members coolly set down the Irish Revenue at £6,500,000, and placed their own at £7,500,000; but the fact was that the Irish Revenue was nearer £9,000,000. Therefore, comparing both population and revenue, Ireland was clearly entitled to a large increase of Members.

When speaking to other Irish Members on this subject they said that the claim of Ireland to additional representatives was perfectly just, but pointed out that there was no use in pressing it, because they would not get them. But, for his part, he could not allow the debate to close without protesting against giving Scotland additional Members when they were denied to Ireland. However, if the Government chose to accept the suggestion of his right hon. Friend the Member for Oxfordshire (Mr. Henley), to leave the present distribution of seats within Ireland as they now exist, he felt that he could not hope for support even from Irish Members, and therefore would not at present throw any impediment in the way.

MR. GREGORY said, that they ought to adopt one of two courses—either to proceed to the disfranchisement, or at once to abandon that portion of the Bill. He had, however, one exception to take to the suggestion of the hon Member for Maldon (Mr. Sandford) that they should execute the wretched borough of Portarlington, and leave untouched all the other small boroughs, which were not a bit better. He dissented altogether from the idea that the present House was not perfectly competent to deal with a few boroughs, instead of leaving them over for a future Parliament. After settling the great questions of English and Scotch Reform, were they to pronounce themselves unable to decide about a few small boroughs? He did not agree with the plan of Her Majesty's Government; but the points upon which he differed from them were but few, and he was prepared to meet them upon those points. He quite agreed in the proposal that Kingstown and Rathmines should have a Member, because they were among the most rising townships in Ireland. The right hon. Member for Louth (Mr. Chichester Fortescue) had said that there was no necessity for any re-distribution; but he recollected the same right hon. Gentleman on a former occasion saying that these were small trumpery boroughs, of which six if put together would not make a decent constituency. As a county Member, and not looking to the North or the South, he was always for giving to every borough that had a claim its due representation. He hoped, therefore, that a Member would be given to-night to Kingstown, and also a second Member to Londonderry, although in all probability he should disagree in opinion with the Gentlemen who might represent them. When the hon. Member for Clonmel (Mr. Bagwell) spoke of the county representation as satisfactory, did his hon. Friend mean that the great county of Cork, with 490,000 inhabitants, was to remain content with only two Members? In England they had the land represented by a number of highly respectable Gentlemen, somewhat slow, but very sure—were it not for some recent indications he should say they were a remarkable honest body. But it was from the representation of the towns in England that they got all the vigour and energy of the nation. He had chanced that morning to look over the income tax accounts in England, and he found that while in 1815 the national income was derived from £137,000,000 of property it was distributed in this way—land was represented by £39,000,000, profits of trade under Schedule D by £37,000,000, and houses, funds, &c., by £61,000,000, the proportion being land, £39,000,000, as compared with £98,000,000 from other sources. But in 1867 the national income was derived from £291,000.900, of which the land represented £46,000,000, profits of trade under Schedule D £84,000,000, and houses, funds, &c., £160,000,000, or a proportion of £46,000,000 to £244,000,000. While, therefore, between 1815 and 1867 the increase from land had been only £7,000,000, the increase from all other sources was no less than £147,000,000. Now the increase in the borough representation strengthened every one of those great sources of income. But was that the case in Ireland? Nothing of the kind. There were in Ireland 39 Members of boroughs, the population of which was only 707,000, the valuation being £1,600,000. Supposing the voters in these boroughs were taken on a £4 franchise the whole number would not be more than 66,000. On the other hand, the counties had only 64 Members, their population was about 5,000,000, their valuation £11,500,000, and the number of voters would, under this Bill, be 176,000. Therefore the claims of the Irish counties, especially the flourishing counties of Cork and Down, for additional representation could not be put aside.

SIR HERVEY BRUCE said, he thought that, as the re-distribution scheme of the Government apparently gave satisfaction to neither side of the House, it was advisable to abandon it. If it were proceeded with he should be prepared, at the proper time to urge the claims of Ulster to increased representation; for he believed that Ireland, and especially that province, had as good claims as Scotland, if not better. The valuation Returns for the last ten years showed that in Ulster there had been an increase of £1,500,000, while in other parts of the country there had been a decrease.

Mr. LAWSON said, there was not the same reason for disfranchising small boroughs in Ireland as in England. In England there were large and growing towns, with enormous populations, which sent no representatives to that House, and it was in order to provide representatives for those places that the disfranchisement of small boroughs in England was urged. But that was not the case in Ireland. It appeared that the only town in Ireland over 10,000 inhabitants which did not send a representative to that House was Kingston and Rathmines, in the county of Dublin. He protested against borough seats being transferred to counties for it had always been held that variety of representation should be studied. The Irish county Members were, almost without exception, the proprietors of landed estates in the counties they represented or in adjoining ones. Members of the trading, professional, and mercantile classes were only returned by the boroughs. He did not believe the proposal to transfer five seats from boroughs to counties would meet with approval, and he was not surprised to find hon. Members desirous to get rid of the difficulty by asking the Government to withdraw their scheme. He objected to any middle course being taken, and he protested against his own borough being made the scapegoat. Portarlington was not smaller than some English boroughs which, until the recent decision of the the House, had returned Members, nor was it much smaller than Dungannon.

Mr. SYNAN said, that although the discussion was premature and not altogether in Order still he did not regret that it was raised, and he hoped it might lead to some advantageous arrangements between the two sides of the House. The proportion between the urban and the county representation had been fixed in 1800 and in 1832, and there had been no change since. As a county Member he objected to the annihilation of boroughs to increase the county representation. Such a change would lead to lamentable consequences in every sense with respect to the interests of Ireland. The desultory propositions of several Members ought not to be attended to, inasmuch as they had given no Notice of them and placed no scheme whatsoever before the House for the consideration of Members. In fact, there were only two schemes before the House, one, the scheme of the Government and the other the scheme of his hon. and gallant Friend the Member for Longford (Colonel Greville-Nugent). The scheme of the Government was devoid of all principle, and that of the hon. and gallant Member for Longford was founded upon a fallacious principle. The scheme of the Government was against all constitutional principle, inasmuch as it proposed to merge the borough representation in the county representation; and the scheme of his hon. and gallant Friend the Member for Longford was founded on a fallacious principle, inasmuch as it placed the English and Irish boroughs on the same basis as to population. A population of 5,000 in an English borough represented a decaying village, but not so in Ireland. An Irish borough with 5,000 inhabitants, according to the proportion of the urban population in the two countries, was equivalent to an English borough with 10,000. He recommended that the defective scheme of the Government should be struck out of the Bill, and in that case he recommended his hon. and gallant Friend not to persevere with his scheme, but to withdraw it.

Mr. H. BAILLIE said, the Government re-distribution scheme seemed to be condemned by Gentlemen opposite, because they disliked the transfer of borough seats to counties, and by his own (the Ministerial) side, because it gave additional representation to the South and not to the North. He thought Ireland should be treated in same way as England—boroughs with less than 5,000 inhabitants being disfranchised, and the seats being given partly to the large towns and partly to the counties. Kingstown ought certainly to be represented, and additional representation should be given to Cork city, Dublin city, and, perhaps, to Belfast, as well as to the counties of Cork and Tipperary.

Colonel GREVILLE-NUGENT said, he hoped the Government would tell the House what they really intended to propose, and not lose time by discussing points that might hereafter be given up, and that could only be dealt with in Committee.

Colonel FRENCH said, he could not

understand the object of the discussion, unless it was to throw cold water on the whole plan for the reform of the Irish representation. For hon. Members to pick out and discuss particular portions of the question was certainly to prejudice it. He did not see why this Bill should be divided, and a half left to be passed by another Parliament. He was anxious to go into Committee, and he should then be able to meet the statements and arguments of the hon. Members for Dublin (Mr. Pim) and Londonderry (Sir Frederick Heygate), and show that the claims of Ulster were not paramount. The English Reform Bill had occupied almost the whole of last Session; and he had no reason to suppose that the Government or the House would be reluctant to give sufficient time for the fair and full consideration of the Irish Reform Bill.

MR. DISRAELI: I do not understand what ground there is on the part of the hon. Member for Longford (Colonel Greville-Nugent) for blaming the Government in regard to the course they have taken. They have moved that the House go into Committee on the Irish Reform Bill, whereupon a discussion not originated by the Government, but in which the Irish Members on both sides have taken a great interest, has arisen. It would not have been becoming in us to stifle that discussion, because it has enabled us to learn the general opinion of the House on the matters which have been raised. All that has been said shall receive respectful and careful consideration; but I do not understand that anything has occurred to prevent the House from going into Committee on the Irish Reform Bill. I hope that the Committee will now go on with the business before us.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Clause 2 *postponed.*

Clause 3 (Occupation Franchise for Voters in Cities, Towns, and Boroughs).

MR. LAWSON said, he rose to move an Amendment. The existing franchise in boroughs in Ireland was a rating of £8. When the Chief Secretary for Ireland moved for leave to bring in the present Bill he stated that he proposed to lower the borough franchise from £8 to £4; but instead of lowering it to £4, the noble Earl had made it necessary that a voter should be rated at something "more than £4." [The Earl of MAYO: I said "about £4."] The clause now made the franchise above £4, for which there was no sufficient reason. The valuation in Ireland was conducted by persons appointed by the Government, and the valuation usually proceeded by steps of from 10*s.* to £1. The effect of the clause would be that in order to entitle a man to the franchise he must be rated at, say, £4 10*s.* It was desirable that the Government valuators should not consider whether the effect of their rating would be to give the franchise or not. His Amendment would render it necessary to alter the law of rating, and he had put upon the Paper a Notice in conformity with his present Amendment. The effect of the clause, as it was now worded, would be to disfranchise all who were rated at £4, of whom there are considerable numbers. Such an amount would be quite high enough, because it would usually indicate a house of between £5 and £6 rental. He begged to move on page 2, clause 3, line 4, to leave out the words "more than," which would place the borough franchise on an intelligible and rational basis.

Amendment proposed, in page 2, line 4, to leave out the words "more than."—(*Mr. Lawson.*)

THE EARL OF MAYO said, the proposal of the right hon. Gentleman, taken in conjunction with a Notice he had given of an Amendment in Clause 26, would practically alter the law of rating in Ireland as it had existed ever since the Poor Law was established in that country. That law of rating was that in the case of all tenements rated above £4 the poor rates were paid, one half by the landlord and the other half by the tenant; whereas in the case of all tenements at or below £4, the whole of the rates were paid by the immediate lessor, and no demand was ever made on the occupiers for poor rates. That principle had worked very satisfactorily, and it practically exempted from the payment of poor rates the greater number of persons who were unable to pay them. That system got rid of the difficulty in the way of the collection of rates which existed in many instances both in England and Scotland, and he believed the day was not far distant when some such system—he was then speaking only in regard to the collection of rates—would be adopted for the entire United Kingdom. The great closeness between the rates struck and the rates paid in Ireland was, perhaps, one of the most remarkable features presented by the administration of the Poor Law. Since the introduction of the Poor Law into Ireland the total amount of rates made was £20,300,000, of which £19,500,000 sterling had been actually collected; so that the total amount of poor rate declared irrecoverable out of that very large sum in a period of more than thirty years, including the time of the famine, was under £1,000,000. The Committee ought, therefore, to pause before it interfered with a system which had worked so admirably. The increase which the right hon. Gentleman's proposal would cause to the constituency, although not very large, would include the very poorest class, and as a rule precisely those whom the law had declared to be unable to pay their rates. The increase to the borough constituency which would be made by giving household suffrage to every man in Ireland who paid rates would, in round numbers, be about 9,700 or 10,000; and the adoption of the right hon. Gentleman's Amendment would add to that number some 2,000 persons scattered all over Ireland, the greater portion of them living in the city of Dublin. The great objection to the Amendment was that it did not affect only the persons who were rated at £4 in boroughs. Taken in connection with the Amendment proposed in the 26th clause, it would interfere with the system of rating over the whole of Ireland, and would render the occupiers of 39,000 tenements who were now exempted from poor rates, liable to pay those rates. No cause had been shown why they should create so great a disturbance in the Irish Poor Law and inflict so great a hardship on thousands of poor people. Nobody had asked for such a change. On the contrary, all whom he had spoken to were perfectly satisfied with the working of the present law, and not a single petition had been presented to the House since then. He therefore hoped that the Committee would reject the Amendment.

Mr. CHICHESTER FORTESCUE said, he thought the proposal ought to be limited to boroughs, and believed his right hon. Friend the Member for Portarlington (Mr. Lawson) was quite willing that it should be so limited. Thus altered, the noble Earl the Chief Secretary for Ireland had given no sufficient reason for opposing it. It was true that was not a very large question, but that fact told both ways; and in speaking of the great disturbance the Amendment would cause in the rating system, the noble Earl much exaggerated its effects, especially if it were confined to boroughs. He could confirm what the noble Earl had said in regard to the admirable manner in which the poor rates were collected in Ireland; but he could not believe that that inconsiderable departure from the present line at which the occupier became personally liable, but which would make a considerable addition to the borough franchise, would seriously impair the collection of poor rates. Again, the noble Earl himself proposed a much greater departure than his right hon. Friend (Mr. Lawson) now did from the present system of rating in regard to five large cities, of which Dublin was one; for in those five places the limit of liability was to be reduced from £8 to over £4. The entire addition to the borough constituencies resulting from that Bill was a very moderate one indeed, and he should welcome the extension, however small, that would be given to it by the Amendment of his right hon. Friend, which he hoped the Committee would support.

Mr. VANCE said, that on the second reading of the Bill, the late Chief Secretary for Ireland entirely approved the principle of the proposed borough franchise for Ireland. Occupiers at and under £4 would not wish to have the franchise on the condition of paying rates, and the Amendment before the Committee would be regarded in Ireland among all the parties concerned as a breach of faith.

Mr. MURPHY said, that the consequence of retaining these words in the clause would be to do great injustice to five large towns in Ireland. It would disenfranchise the occupiers of 319 tenements in Cork alone, and practically fix the rating qualification at £4 10*s*., which would be equivalent to a £7 rental.

Lord JOHN BROWNE said, he wished to ask the right hon. Member for Portarlington (Mr. Lawson) whether he was prepared to accept the suggestion of the right hon. Member for Louth (Mr. Chichester Fortescue) with respect to limiting his Amendment to the case of boroughs?

Mr. LAWSON was understood to answer in the affirmative.

General DUNNE said, that if the Amendment were adopted, it would lead to much confusion, as well as open the door to fraud and corruption, inasmuch as the very poor class of householders could never pay the rates for themselves.

MR. O'BEIRNE said, that the operation to which the noble Lord the Chief Secretary for Ireland now so much objected, he had himself proposed to carry out with regard to no less than two-thirds of the whole of the voting population of boroughs.

THE ATTORNEY GENERAL FOR IRELAND (Mr. WARREN) said, that all the Government were proposing to do was to assimilate the law of rating all over Ireland, so that a principle which had been found by experience to act well might prevail in counties and boroughs alike. The proposal that came from the other side was to compel occupiers of houses in boroughs to pay rates and to leave those in counties exempt.

MR. SULLIVAN said, this clause did not follow a single principle which had been laid down with respect to the English Bill. A most inconvenient "hard and fast line" would be imposed by it. The proposition of the Government was to give every man a vote who was rated over £4, and the Amendment was to give every man a vote who was rated at £4. In Dublin, Cork, Limerick, Belfast, and Waterford, those who occupied tenements valued under £8 paid no rates and the Government proposed to give every man in those towns a vote who was rated at more than £4. In other words, in giving a man a right to vote they put upon him the hard condition that he should submit himself to a rate to which he was not now liable. This would apply to eight-tenths of those admitted to the franchise. Why not accept the convenient figure of £4? By this clause, the noble Lord was inflicting a great hardship on eight-tenths of those admitted to the franchise.

Question put, "That the words 'more than' stand part of the Clause."

The Committee *divided*:—Ayes 188; Noes 177: Majority 11.

Clause *agreed to.*

Clause 4 (Lodger Franchise for Voters in Cities, Towns, and Boroughs).

MR. REARDEN moved, in line 30, to leave out the word "ten" in order to insert the word "three."

Amendment *negatived.*

Clause *agreed to.*

Clauses 5 and 6 *agreed to.*

Clause 7 (Successive Occupations in Counties).

MR. REARDEN moved, in line 30, after the word "year," to leave out to the end of the Clause.

Amendment *negatived.*

Clause *agreed to.*

Clause 8 *agreed to.*

Clause 9 *postponed.*

Clause 10 (Disfranchisement of certain Boroughs).

MR. DISRAELI said, he proposed that this and the two following clauses should be postponed, in order that the Government might have the opportunity of considering the suggestion which had been made to-night. He proposed, however, to go on with Clause 13, and to accept the Amendment of the hon. and learned Member for Portarlington (Mr. Lawson) so as to do away with the Boundary Commissioners.

MR. BAGWELL said, he did not understand why Clause 13 should not be postponed also.

THE EARL OF MAYO said, he would explain that when they came to the clause.

Clause *postponed.*

Clauses 11 and 12 *postponed.*

Clause 13 (Appointment of Boundary Commissioners).

MR. BAGWELL inquired what the Government proposed with regard to this clause?

THE EARL OF MAYO said, that with the permission of the Committee, he would explain the course the Government meant to take with respect to the question of boundaries. He was sure the Committee felt it would be a matter of great convenience if any inquiry into the question of boundaries could be dispensed with. There was really, as he would show, no necessity for any extensive alteration of the Parliamentary limits of boroughs. He found that in fourteen out of the thirty-three boroughs in Ireland the Parliamentary boundaries were the same as the municipal boundaries. These boroughs were Armagh, Carlow, Clonmel, Tralee, Wexford, Bandon, Dungannon, Ennis, Enniskillen, Kinsale, Mallow, New Ross, Portarlington, and Youghal. In these fourteen cases they would be disposed to leave the boundaries as they were, being the same for municipal and Parliamentary purposes. In a considerable number of them the population had increased since 1841, so that there was really no case whatever for altering any of their boundaries. In fourteen of the remaining boroughs the Parliamentary boundaries were larger than the municipal —namely, Carrickfergus, Cork, Drogheda, Galway, Kilkenny, Limerick, Waterford, Dungarvan, Lisburn, Newry, Sligo, Cashel, Coleraine, and Downpatrick. In these fourteen boroughs, with the exception of Carrickfergus and Lisburn, the population had decreased; in no instance had they extended beyond the present municipal boundary; therefore, they did not require to be enlarged, and no one suggests their reduction. That leaves only five boroughs to be dealt with—that is, Dublin, Belfast, Londonderry, Dundalk, and Athlone. In Dublin there were some small portions of the city north of the North Circular Road and south of the South Circular Road which were contained within the municipal boundary, but were beyond the Parliamentary borough. These parts of the city should be included in the Parliamentary boundary. As regarded Belfast and Londonderry, the Parliamentary boundaries should be extended, as in both these places the towns, from considerable additional buildings and a largely increased population, had gone beyond the present Parliamentary limits. The Government proposed that in these cases also the Parliamentary boundaries should be extended, so as to correspond with the municipal. In Dundalk and Athlone a small extension will take place by assimilating the municipal and Parliamentary boundary. The Government were prepared to omit the 13th clause, and to adopt the first portion of the clause of which the right hon. and learned Gentleman the Member for Portarlington (Mr. Lawson) had given Notice, which provided that where the boundary of any municipal borough did not coincide with the Parliamentary borough, all that part of such municipal borough extending beyond the limits of the Parliamentary borough, but within the municipal limits, should hereafter form part of the Parliamentary borough. The second part of the right hon. and learned Gentleman's clause would provide that in the case of any borough not municipal, but under Town Councils or Commissioners, the boundaries as settled for the purpose of local government should be the Parliamentary boundaries also. This would bring in such towns as Carrickfergus, Lisburn, Coleraine, Galway, Newry, Downpatrick, and Cashel, and as it would have the effect of curtailing the limits of those boroughs he should not think the Committee ought to agree to it. He believed that in the case of the borough of Cashel it would have the effect of reducing the number of voters to the extent of one half. He thought that if the Committee adopted the first part of the right hon. and learned Gentleman's clause, and agreed to the suggestion of the Government, they would get rid of all necessity for a Boundary Commission in the case of the Irish boroughs.

Mr. LAWSON said, he would withdraw the latter portion of the clause of which he had given Notice. He had not intended that it should apply to the boundaries of existing Parliamentary boroughs, but introduced it to meet the case of Kingstown if it should get a Member.

General DUNNE: What does the right hon. Member for Portarlington (Mr. Lawson) really want?

The Earl of MAYO said that the general principle on which the Government proposed to act in cases where the municipal now exceeded the Parliamentary boundaries was to extend the latter so as make them conterminous with the former.

Clause 13 *negatived.*

New clause *inserted—*

(Boundaries of Parliamentary Boroughs).

"Where at the time of the passing of this Act the boundary of any municipal borough does not coincide with the Parliamentary borough, all that part of such borough situate beyond the limits of the Parliamentary borough but within the municipal limits, shall form part of the borough for all purposes connected with the Election of a Member or Members to serve in Parliament for said borough."

Clause 14 *agreed to.*

Clause 15 *postponed.*

Clause 16 *agreed to.*

Clause 17 *postponed.*

Clause 18 (Payment of Expenses of conveying Voters in Boroughs to the Poll illegal).

Mr. GREGORY, in the absence of Mr. G. Morris, moved an Amendment, having for its object to except from the operation of the clause the towns of Carrickfergus, Drogheda, and Galway, and the cities of Cork, Kilkenny, Limerick, and Waterford.

Amendment proposed,

In page 7, line 4, after the word "borough," to insert the words "except the several boroughs of the county of the town of Carrickfergus, county of the city of Cork, county of the town of Drogheda, county of the town of Galway, county of the city of Kilkenny, county of the city of Limerick, county of the city of Waterford."—(*Mr. George Morris.*)

VISCOUNT GALWAY said, that when the English Reform Bill was under discussion he voted for an Amendment having a similar object with regard to certain places in England to that of the Amendment now proposed by the hon. Member in favour of certain Irish boroughs; but the agents on both sides were now of opinion that it would have been better to provide additional polling places.

SIR GEORGE GREY said, he hoped that the noble Earl the Chief Secretary for Ireland would not assent to the Amendment. He thought the exception made last year in the English Bill was of doubtful policy; but the Amendment now proposed did not rest even on the same ground. The boroughs included in it were not, he presumed, of the extent of Manchester or Liverpool.

MR. G. MORRIS, who had entered the House after his Amendment had been proposed, said, that some parts of the Parliamentary borough of Galway were seven or eight miles from the town. If voters living at that distance were not conveyed to the poll by car they would in winter have to start from home before daylight in order to vote at an election. If expenses of conveyance were allowed at all, they ought to be allowed in boroughs comprising a large rural district. He hoped the Government would agree to his Amendment.

MR. MURPHY said, that although the Parliamentary boundary of the city of Cork extended for seven English miles, no polling places were allowed beyond the limits of the municipal boundary. He would suggest that in Cork and similar places the candidates should be allowed to convey to the poll voters who lived beyond the municipal boundary. The only other way of meeting the difficulty would be to create additional polling places; but his own opinion was that adopting such a course would lead to inconvenience,

MR. SYNAN said, that these county towns were really districts of counties, and it would be impossible to provide polling places for the sparse population scattered over them. The candidates for such districts should be allowed to provide cars for voters, as the candidates for counties were allowed to do.

SIR HENRY WINSTON-BARRON said, that as the representative of one of the boroughs affected by the Amendment, he was quite sure that candidates for these places would rather not have the privilege of increasing the expenses of their election in this way. He could speak feelingly, for he knew the extravagance and imposition which attended this form of expenditure. He hoped the Committee would reject the Amendment. Those voters who wished to come in and vote were perfectly able to do so.

COLONEL TOTTENHAM said, he wished for a clear explanation of how the Amendment would operate. Would candidates be debarred from paying the travelling expenses of voters who happened to be away in the country?

MR. PIM said, that with regard to the remarks of the hon. Member for Waterford (Sir Henry Winston-Barron), though his (Mr. Pim's) election had cost a great deal of money, he had found the carmen of Dublin less inclined to imposition than many in a higher social position. Still he doubted not that the voters in outlying districts always contrived somehow to attend every fair and market in the borough, and he did not see why they should not be left to find their way to the poll. Scarcely any of them were without a horse.

LORD JOHN BROWNE said, that many of the electors in these boroughs were poor men, who could not afford to pay the expense of a cart, especially as carters demanded higher terms at election time. Unless the candidates were allowed to pay these expenses a number of voters would practically not be allowed to exercise the franchise. The exception made in favour of certain English boroughs ought to be extended to analogous cases in Ireland.

MR. SERJEANT BARRY said, he thought Dungarvan should be included in the Amendment, as it comprised a large rural district.

MR. G. MORRIS said, he had no objection to strike out Waterford and insert Dungarvan, since the hon. Member for the former town (Sir Henry Winston-Barron) seemed to have a painful recollection of the impositions which had been practised upon him.

COLONEL FRENCH said, it was ridiculous to suppose that Galway voters were unable to walk five miles. They frequently walked such a distance to markets and fairs; and such an exertion, for an election happening perhaps once in three or four years, was surely not unreasonable.

VISCOUNT GALWAY had learnt, since he recently addressed the Committee, that the five polling places in Galway were all in the city, whereas in the English boroughs they were so distributed that no voter had to walk more than two miles or two and a half. It was manifestly unjust to expect voters to walk five miles.

SIR HENRY WINSTON-BARRON said, that he objected to the clause altogether, as subjecting candidates to imposition, and not merely to its application to Waterford.

MR. GREGORY said, the discussion ought not to turn on the virtues or vices of carmen. He thought the fault of the Amendment was that it went on a general principle, regardless of the particular circumstances of each borough. Drogheda, for instance, had an area of only 5,000 statute acres. He thought the Amendment was defective, inasmuch as it proposed to except small as well as large boroughs. In places of great size, like Limerick, which comprehended 33,000 acres, he thought that exception might fairly be allowed.

MR. WHITWORTH said, that the Amendment if carried would only be a temptation to bribery and corruption.

MR. G. MORRIS said, he was willing to omit Waterford as well as Drogheda from the Amendment.

MR. VANCE said, he did not know why Dublin should not be one of the excepted places, especially as Dublin was itself a county. The better course would be to strike out the clause altogether and allow these expenses to be paid where they were not paid corruptly.

MR. O'BEIRNE said, he thought that this clause was a very peddling way of dealing with bribery and corruption. That question could not be satisfactorily dealt with in a clause such as this, nor could a clause be framed to carry out even the limited object at present in view if justice were to be done to the peculiarities of different boroughs.

MR. M'LAREN said, it appeared from a Parliamentary Return that out of ten boroughs in England exceeding thirty square miles in extent, only two were exempted. He objected altogether to the exemption of Drogheda which had an area of but nine square miles.

MR. M. CHAMBERS said, he was of opinion that their principle should be to diminish the expenses of candidates, and then they would not get a corrupt House of Commons. The proper remedy for the evil complained of was the increase of polling places. That was the only way to grapple with the question of candidates' expenses. He would divide the boroughs into districts and establish polling places in each. He would have additional polling places even where there were only three or four voters. Why should electors have to go five or six miles to record their votes?

LORD JOHN BROWNE said, that at present it was no easy thing in Ireland to establish a number of new polling places, though it might be easy to pass an Act to effect that object. A good deal of formality had to be gone through before they could be erected; and the inhabitants of the neighbourhood in which the polling places were usually situated would always oppose with the utmost violence the granting of any new polling places by the Quarter Sessions, because their sale of whisky would thereby be effected. But it was a mistake to suppose that the expenses of the candidates would be diminished by an increase in the number of polling places. Booths must be erected, each candidate must have an agent and a polling clerk at every polling place, and in fact the remedy would be worse than the evil.

MR. J. STUART MILL said, he thought that if the House was in earnest on this subject of Parliamentary Reform in Ireland there ought to be no hesitation in dealing with the question now before the Committee. If they decided upon granting the suffrage to the Irish people, they ought to give all possible facilities for the exercise of the voting power. Those facilities ought not, however, to be provided at the expense of the candidates, but of the public; and even if carriages were necessary for the conveyance of voters to the poll, these also ought to be provided at the public cost. Additional polling places were provided in the English Reform Bill, and if, being necessary in Ireland, they were not provided by the Legislature, what would the Irish Reform Bil be worth after all? There were numbers of places in England much larger than those in Ireland for which exemptions were now sought, and, in his opinion, exceptions ought only to be made in extreme cases.

MR. MURPHY said, he was of opinion

that if the Amendment of the hon. Member for Galway (Mr. G. Morris) were adopted it should be limited to those cases in which there were voters outside the municipal limits of the boroughs. No payment should be made for car hire within those limits.

THE EARL OF MAYO said, he could not consent to withdraw the clause which was framed on the English Act. The best course that the Committee could adopt was to follow the precedent of the English Act as a general rule, but he admitted that there were cases in which such a rule would be equivalent to depriving residents outside the municipal boundaries of their votes. Under these circumstances he proposed to omit the boroughs of Drogheda, Kilkenny, and Waterford from the clause, leaving Limerick, Galway, and Cork under its operation. He did not think the plan suggested by the hon. Member for Cork (Mr. Murphy) would work satisfactorily. It would only lead to difficulties if one portion of the voters of a borough were subject to a different law from those who lived in another portion of it.

MR. BRADY said, though car hire was of some importance, Reform in Ireland was more important. They could not introduce corruption into a borough more readily than by sanctioning the payment of car hire. In his opinion the constituency ought to pay the expenses of conveying voters to the poll.

SIR GEORGE GREY said, that no sensible man could entertain a doubt with regard to Drogheda. In the English Bill of last year an exception was made in favour of four places, which were called boroughs, but were to all intents and purposes more like counties than boroughs. If an exception was made with regard to Irish boroughs they ought to be in the same category as the places to which he had alluded, otherwise the rule that had been laid down by Parliament would be broken through. Cork was the only borough which came within that rule.

THE EARL OF MAYO said, that he proposed to limit the exception to three towns —Cork, Limerick, and Galway. They were the largest in extent of any in Ireland. Cork had an area of 70,000 acres, Limerick 33,000, and Galway 34,000. The case in their favour had been very much pressed, and he thought it would be better to conclude the matter by making an exception in their regard.

MR. GLADSTONE said, that if twenty-four square miles was considered a sufficient area to justify an exception being made in favour of one of these boroughs, it would be impossible for Parliament to resist any applications for a similar exception that might be made by English towns.

MR. G. MORRIS said, that in the borough which he represented there were voters living at a distance of five Irish miles, which was equivalent to something like seven English miles, from the only polling place in the borough; and to have to walk that distance to and from the poll was no slight matter. He should divide the Committee with regard to Galway.

MR. HIBBERT said, that until he was persuaded that an Irishman could not walk so far as an Englishman he must oppose the Amendment. The largest of the boroughs contained only 47,965 acres, while the smallest of the boroughs excepted in England contained 51,246.

MR. CANDLISH said, that in his opinion no case had been made out except on behalf of Cork, for Galway comprised thirty-five and Limerick forty-one square miles, so that if the polling place were central voters could be only about three miles from it.

MR. SYNAN said, that the polling place was at one extremity of the borough, and this made all the difference.

Amendment amended, by leaving out the words "county of the town of Drogheda."

Another Amendment proposed to the said proposed Amendment, to leave out from the words "county of the town of Galway to Waterford, inclusive."

Question put, "That the words 'county of the town of Galway' stand part of the proposed Amendment."

The Committee *divided:*—Ayes 134; Noes 86: Majority 48.

MR. VANCE said, that nearly all the counties of cities and towns in Ireland had been exempted from the operation of the clause except Dublin. It was true Dublin was not of a large area; but the Parliamentary boundary extended several miles beyond the municipal boundary, and there were many more voters, who would have to go six or seven miles to the poll. He should move, therefore, that Dublin be added to the list of exemptions, and he was sure the hon. Member for Dublin (Mr. Pim) would support him.

Mr. PIM said, he would do no such thing. It was true that Dublin deserved to be exempted as much as Cork or Limerick, but as he was opposed to the exemption of those places he could not agree to include Dublin.

The Earl of MAYO said, he hoped his hon. Friend would not press his Amendment, which there was nothing in the circumstances of Dublin to justify.

Amendment, by leave, *withdrawn.*

Lord CLAUD JOHN HAMILTON moved to include in the Amendment his borough, Londonderry which was peculiarly situated. Its area was not very large, but the town was divided by a river, over which there was a bridge, and as on this bridge a toll was levied, persons wishing to record their votes on the occasion of an election would be subjected to a fine. [*Laughter.*] Hon. Gentlemen opposite might laugh; but seeing to what extent the franchise had been lowered, 1*d.* was a great object to some who would in future exercise it. He thought the candidate standing for Londonderry should be allowed not only to engage carriages to convey voters to the poll, but also to pay the toll of the bridge.

Mr. PEEL DAWSON said, he thought the noble Lord had made out a strong case, and as he (Mr. P. Dawson) was well acquainted with the locality he would give him his support.

Mr. O'REILLY said, if there was to be any payment at all it should be the payment of 1*d.* to each voter to enable him to cross the bridge. It would be for the noble Lord, or some other candidate—and he hoped it would be another candidate—to pay the voters their toll.

Colonel GREVILLE-NUGENT suggested, as a way of getting over the difficulty, that there should be a rider, making the bridge free on polling days, as Chelsea Bridge was thrown open on Sundays.

Amendment *withdrawn.*

Amendment, as amended, by striking out Drogheda, Kilkenny, and Waterford *agreed to.*

Mr. J. LOWTHER said, he thought it would be necessary to insert words restricting the payment for conveyance to the case of voters brought from places within the Parliamentary borough, or else it might include voters brought from the Continent. He would move to add words to that effect on the Report.

Clause *agreed to.*

Mr. Vance

Clause 20 (Notice of Claim in Cities, Towns, and Boroughs).

Mr. LAWSON moved to omit the words "for any city, town, or borough," and to insert the words "or on behalf of" before the word "claimant." Claimants might be abroad and it was only fair that some one on their behalf should assert their claim to be put on the register.

The Earl of MAYO said, he thought the proposed alteration would be very disadvantageous, and that it would be much better to assimilate the law in boroughs to that in force with regard to counties. There was no reason why there should be a distinction between them. It was desirable to get rid of fictitious notices, sent in by mere political agents, and often signed without the knowledge of the person on whose behalf they were ostensibly made. The public were put to great expense in respect to fictitious claims, there being no power to give costs against those who resorted to the practice.

General DUNNE said, that if an agent were permitted to sign a notice, it should be provided that he should be required to prove that he had received authority to act as agent. Otherwise a political agent might of his own accord send in claims for half a county on the plea that he was acting "on behalf" of the persons concerned.

The SOLICITOR GENERAL said, such an Amendment as that had always been steadily opposed in England, because its practical effect would be that a political agent would sign any number of claims without the parties hearing a word of the matter, and when once he got their names on the register he would regard them as his voters, and they would never escape from him.

Mr. LAWSON said, he would withdraw his Amendment.

Mr. MURPHY said, that there was no penalty against a clerk of the Union for omitting the name of a qualified person from a list of electors. He begged to direct the attention of the Chief Secretary for Ireland to the subject in order that a remedy might be provided.

The Earl of MAYO said, the offenders could be called to account by the Poor Law Commissioners.

Clause *agreed to.*

Clauses 21 to 24, inclusive, *agreed to.*

Clause 25 *postponed.*

Clause 26 (Where value of Premises do not exceed Four Pounds, in Dublin, Cork, Limerick, Belfast or Waterford, immediate Lessor to be rated).

Mr. MONSELL said, that as proposed by the clause, the rate in certain boroughs was to be made on the immediate lessor, where the value of the property was not more than £4, and it would be a very hard case if the lessee, through the act of the immediate lessor, should be deprived of his right to vote.

The Earl of MAYO suggested that the clause should stand for the present, and he would bring up a new clause.

Mr. Serjeant BARRY: It is better to postpone it.

The Earl of MAYO: In regard to the ensuing election, it would be necessary to pass a temporary clause relating to the position of the voters this year, while this clause will refer to them in future. There is no necessity for postponing this clause.

The CHAIRMAN put the Question that the clause stand part of the Bill.

Mr. Serjeant BARRY proposed to add a proviso, to the effect that the occupants of land or tenements in a borough rated at the net annual value of less than £8, and more than £4, should be entitled to be put on the register and vote at the election of Members of Parliament, notwithstanding the immediate lessor should not have been rated.

The CHAIRMAN: The Question has been put that the clause stand part of the Bill.

Clause *agreed to.*

Clauses 27 to 31, inclusive, *agreed to.*

On Question, "That the Chairman do report Progress,"

Colonel FRENCH asked when the new clauses would be brought up and the consideration of the Bill resumed. He gave Notice that as soon as the postponed clauses were disposed of he should ask the House to adopt in the Irish counties a franchise of £8 instead of £12.

Mr. DISRAELI: I think it is due to the right hon. and gallant Gentleman, and also to the importance of the question generally, that no time should be lost in coming to a conclusion upon this question of the Irish representation, and therefore I will remove the Order which I had arranged for Thursday, and will put this Bill first for that day.

House *resumed.*

Committee report Progress; to sit again upon *Thursday* next.

GOVERNMENT OF INDIA ACT AMENDMENT BILL—[Bill 91.]

(*Sir Stafford Northcote, Sir James Fergusson.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Stafford Northcote.*)

Mr. AYRTON said, that when the question of the Government of India was under discussion some ten years ago it was evident that it was the intention of Parliament that it should be at liberty to reconsider the mode in which the Council at home should be appointed, and the time at which their offices were to expire. He could not understand, therefore, why it was now proposed to grant the members of that Council pensions at once. The term of office which was suggested in their case by the Bill was in his opinion too long. The great object which it was desirable to attain he apprehended to be the introduction into the Council of men who had recently returned home from India, and who would be able to give the Secretary of State the benefit of the latest knowledge obtained in that country. That object could not, however, be secured if the members of the Council were to receive their appointments for a great number of years. He ventured to think that seven years would be ample time, and as the Council consisted of fifteen members, he would have two of them retire every year, so that a new element might thus constantly be introduced into that body, and that freshness communicated to it which it was of great importance, in his opinion, that it should possess. This plan would open a door for the employment soon after their return home of those who had served their country in India. He wished also to point out that the Under Secretary of State for India was not by law entitled to take any part in the proceedings of the Council, even in the absence of his chief from London. That he regarded as a most anomalous and unsatisfactory state of things, and he should submit that as the Secretary of State was empowered to appoint eight out of the fifteen members, the eighth should be, *ex officio*, the Under Secretary, who should take his place in his absence, just in the same way as the Under Secretary for the Home Department transacted its business in the absence of its head.

Mr. J. STUART MILL said, he agreed with his hon. Friend in thinking that seven years was a sufficiently long period for the tenure of office in the case of members of the Council; but he would suggest that there should be a power of re-appointment, because, while it was desirable to bring in those whose information was fresh, it would often be a great disadvantage to the Council to lose the services of some particular Member. Instead of two members being obliged to retire every year, one of the two might be eligible for re-appointment.

Mr. CHILDERS said, that when introducing the Bill his right hon. Friend the Secretary of State for India stated it to be his intention, in the event of its passing, to propose that the accounts of Indian expenditure should be dealt with in the same way as the Imperial accounts, in the respect that they should be submitted to the Standing Committee on Public Accounts appointed every year by the House. Before that was done, however, it was, in his opinion, desirable that that Committee should have an opportunity of considering the whole of the arrangements which the Government meant to make for the audit of Indian accounts. It was intended that the auditor of those accounts should stand in an independent relation to the Secretary of State for India, and that the audit should be one of a real and effectual character; but his impression was that the auditor at the India Office held some other appointment, that so far he could not fairly be called an independent officer, and that the audit was reduced to something like a mere shadow. What he should under those circumstances suggest was, that before any further action was taken in the matter the whole question of the audit of Indian accounts should be referred to the Committee on Public Accounts, so that it might be dealt with thoroughly previous to the third reading of the Bill. Proposals had been made to the effect that there should be an independent auditing of those accounts, as in the case of the Imperial accounts.

Colonel SYKES said, he thought that the term of twelve years was too long for the tenure of office by members of the India Council. Under the East India Company directors went out every four years and could not be re-elected for a year. The civil servants in India, some of whom returned to England every year, were thoroughly acquainted with the change which

the progress of education was making in the minds of the Natives of India, and it would be a great advantage to have such men taken into the India Council at short intervals. At the three Universities of Calcutta, Madras, and Bombay, numbers of Native graduates every year took honours in the examinations, in the same way as at Oxford or Cambridge, who necessarily from their self-respect looked to fill situations of influence, honour, and emolument. Where was the opening for the employment of such men unless the Covenanted Civil Service in India was thrown open to them? He intended, in the Committee upon the Bill, to propose that the duration of the tenure of office by the members of the India Council should not exceed five years, the time for which the Governor General and Governors of the Presidencies and staff appointments were tenable in the army. It might be desirable, as suggested by the hon. Member for Westminster (Mr. Stuart Mill), that certain individuals distinguished by capacity for Office should be permitted to retain their posts in the Council for a longer period than others; and power might be given in the Bill to enable the Secretary of State for India to grant this permission in exceptional cases.

Sir STAFFORD NORTHCOTE said, that the main principle of the Bill was to provide for the service in the India Council of a succession of men coming fresh from India. There were various ways in which that might be done, and when the Bill went into Committee he would discuss the several propositions which had been made; and be prepared to state why, on the whole, he thought the proposal in the Bill the most convenient. In a Council of fifteen members, each employed for twelve years, there would probably be rather more than one new appointment per annum, and, allowing for vacancies, there might be two appointments in every three years. A man gained a great deal of experience in the India Council, and often got more complete views of Indian business after being a year there than he had when first appointed. He should be perfectly ready to adopt the suggestion of the hon. Member for Pontefract (Mr. Childers), and to refer the mode of auditing the Indian accounts to the Committee on Public Accounts, who, after considering the subject, might make such recommendations as they thought desirable. Though the position of the auditor might be unsatisfactory in respect to his holding another situation, the audit was, nevertheless, efficiently conducted.

Bill read a second time, and *committed* for *Thursday.*

GOVERNOR GENERAL OF INDIA BILL.

(*Sir Stafford Northcote, Sir James Fergusson.*)

[BILL 92.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Stafford Northcote*).

Mr. AYRTON said, he hoped that when the Bill got into Committee the Secretary for India would offer some explanation respecting the power proposed to be given to the Governor General to make laws for Natives of India wherever they might be, whether in India or in any other part of her Majesty's dominions. Hitherto this power had been limited in its application to Natives in India, and he wished to know why it was now to be extended. The provision in the Bill giving to the Lieutenant Governors of different Provinces very summary powers to make laws appeared to be a rather retrograde proceeding. The Bill provided for a difficulty—which now existed—in case of a difference between the Governor General and the majority of his Council; but it contained no provision to remedy an important defect in the present constitution of the Governor General's Council. Some further provision was requisite by which the Governor General should be empowered to conduct the ordinary business of government, by dividing his great administration into several Departments and placing one member of the Council at the head of each. The provision for introducing Natives into the permanent Civil Service required great consideration, for it was of no use subjecting candidates at home to stringent examinations if there was to be a back door in India by which the Governor General could usher Natives into the Civil Service. He thought it would be very much better to guarantee to the Natives that to which they were clearly entitled—namely, the uncovenanted branches of the Civil Service. He was afraid that at present it was too much the practice for those in power to appoint their own dependents to this part of the service; and the result was that the Natives had little confidence in the manner in which public business was conducted.

Colonel SYKES said, he thought it objectionable that the Governor General should have power to introduce Natives of India into the higher branches of the service without proper provision being made to test their capabilities and qualifications. With regard to the Uncovenanted Service, he took a similar view to that of the hon. and learned Member for the Tower Hamlets (Mr. Ayrton). Of the civil servants in that branch, 75 per cent were European adventurers, ignorant of the languages of India, and usually the protegées of men in Office.

Sir EDWARD COLEBROOKE said, he thought that, in the absence of any Papers bearing on the question of the admission of Natives into the Civil Service, such an explanation ought to be given as the importance of the change deserved, particularly with reference to the extent to which it was to be carried.

Sir STAFFORD NORTHCOTE admitted the propriety of the suggestion that Papers bearing on the question ought to be produced. He had laid before the House Papers relating to the administration of Bengal, which ranged to a considerable extent over the more important questions raised by the Bill; but there were Papers relating to the appointment of Natives which it was desirable the House should be in possession of before passing the Bill. He would take care that they should be laid on the table, and in the meantime it would, perhaps, not be convenient that he should discuss the general subject.

Motion *agreed to.*

Bill read a second time, and *committed* for *Thursday.*

SUPPLY.—REPORT.

Resolutions [June 4] *reported.*

Mr. CHILDERS said, that on Thursday week, when the Votes now reported were taken, he took occasion to ask the Chancellor of the Exchequer for what period the Government proposed to take Supplies. The right hon. Gentleman was not in a position to answer him then; but on Monday night he stated that he proposed to take them for twelvemonths. It was not his (Mr. Childers') intention to make any objection to Supplies being taken for that period; but he wished to point out that the arguments adduced by the right hon. Gentleman on that occasion would, if accepted as valid, establish a precedent which might be dangerous on future occasions.

He desired also to note briefly some of the expressions which fell from the right hon. Gentleman whilst he was making his statement, and which he could hardly have intended to bear their literal signification. He said he did not know why the Government should not receive the same frank and honourable treatment which had been received by former Ministries under similar circumstances; but he was sure his right hon. Friend did not mean to impute that there was anything but frank and honourable treatment in the putting of the Question as to the time for which Supplies were to be taken. As soon as the Government had definitely made up their minds as to the period for which the present Parliament would last, he asked, stating that it was not a party, but strictly a constitutional Question, what course they would pursue, having regard to former precedents; and he did not mean to insinuate that his right hon. Friend either had departed or would for a moment depart from that uniformly straightforward course which in this and all other matters he pursued. In reply to the Question the right hon. Gentleman gave reasons why the Government would not follow the course which had been pursued on former occasions, but would ask for Supplies for the whole period of twelve-months. He (Mr. Childers) had cited the precedent of 1841, and quoted the speeches of Sir Robert Peel and Lord John Russell, in which they said they followed the precedent of 1830; and his right hon. Friend said the precedent he had quoted was not applicable, and if it were it would not point to the conclusion that the Supplies should be taken for nine months, for in 1841 Supplies were granted four months before the time when a dissolution was possible, to last two months after the time when Parliament would meet again. That, however, was not strictly correct, because the Supplies were voted on the 7th of June, and the dissolution did not occur till the end of the month, so that the Supplies were really voted only for three months after the dissolution. As the House met in that year on the 19th or 20th of August, he admitted that there was a difference of some ten or fifteen days between that time and the time which would have elapsed had only nine months' Supply been granted on the present occasion; but at the same time he must say that the reasons adduced by his right hon. Friend were not reasons which could on constitutional grounds be adopted by the House. His right hon. Friend had said that in 1841 a Vote of Want of Confidence had been passed, so that the Ministry of that day could not carry through the House the measures which they deemed important for the public welfare; but that on the present occasion there had been no such Resolution, and although the Government had been defeated on one important measure, they had, with the acquiescence of the House, proceeded with other important Business. Now, that was not a correct description of what had occurred during the present Session. The right hon. Gentleman at the head of the Government, when describing the circumstances under which the dissolution was about to occur, distinctly said that he had told Her Majesty that his advice and that of his Colleagues was that Her Majesty should dissolve the present Parliament and take the opinion of the country as to the conduct of her Ministers and the question of the Irish Church, and he added that no business would be taken except in connection with the Reform Acts. Therefore, his right hon. Friend was not correct in stating that this was simply a dissolution on one particular question in regard to which the Government had been defeated. He wished, however, to point out that whenever a dissolution had been announced, whatever had been the reasons for such a step, the invariable and constitutional principle had been acted upon, and the existing Parliament had not been asked to grant more Supplies than were necessary to carry on the public services until the new Parliament met. His right hon. Friend, in speaking on this subject the other day, had only alluded to the precedent of 1841, but he wished to call his right hon. Friend's particular attention to that of 1830 which he (Mr. Childers) had quoted. In 1830 there was no Resolution adopted by Parliament either of want of confidence, or approval of a policy which the Government could not support. The dissolution was caused by the King's death; but the Government and the Opposition were equally anxious to lay down the constitutional principle that that dissolution having been notified to Parliament the result followed that Supply should only be granted for the period of the existence of the then Parliament. In June, 1830, Sir Robert Peel distinctly stated that a Vote on account would be not for the whole year, but for such time only as the circumstances rendered necessary, and on the following 2nd of July he remarked that the taking of Votes for a limited time was a pledge that Parliament would be assembled at an early date. The simple question which arose in the present instance was whether, if Supplies were now voted for nine months, there would be time in December next, when the Parliament was to be called together, to take the remaining Votes. Now, if Parliament met on the 8th of December he confessed it would be impossible between that day and Christmas to go through the necessary forms for taking additional Votes for the financial year. Four or five days would be occupied in swearing the new Members; it was a tedious process to set up the Committee of Supply in a new Parliament, and it would be necessary to pass a new Appropriation Act. He therefore admitted that the reasons of convenience given by his right hon. Friend were conclusive, and that if Supplies for nine months only were granted it would be impracticable to obtain a fresh Vote in December for the remaining quarter of the year; and accordingly although he was of opinion that Government were wrong when they urged that the cause of the dissolution had anything to do with the taking of Supply, he should not offer further objection to the Votes being taken for the whole twelve months.

The CHANCELLOR of the EXCHEQUER assured the hon. Gentleman that he had not intended to make any remarks to which exception could be justly taken. He believed that the words he had used on a former occasion would not bear the interpretation which the hon. Gentleman had put upon them. He had merely said, "Why should the frank and honourable course pursued in 1841 be departed from now?" In that year the Leader of the Government in the House of Commons stated openly the intention of the Government to call a new Parliament, and the Leader of the Opposition accepted that statement and relied upon it most implicitly. He certainly was of opinion that a like course should be taken now, and that the statement of the Government ought to be accepted without question. He was still unable to agree with his hon. Friend that the precedent of 1841 was applicable to the present case, because the House then determined that the ordinary Business should not be carried on until the autumnal Session, and therefore there was an opportunity towards the close of the year of proceeding with the regular Business, and fully discussing the Estimates. But this year the Government were not in a position to appeal at once to the new constituencies, and, therefore, the two cases were by no means parallel. As to the precedent of 1830, the dissolution was then caused by the decease of the Sovereign, and entirely new arrangements had consequently to be made for the transaction of the Business of Parliament.

Mr. GLADSTONE said, the House would observe that the right hon. Gentleman the Chancellor of the Exchequer and his hon. Friend the Member for Pontefract (Mr. Childers) were perfectly at one with regard to their practical conclusion, and it might, therefore, be deemed unnecessary that he should prolong the conversation; but the principle involved was of great importance, and it was even possible that the proceedings of the present Session might be hereafter referred to as a precedent. Therefore it was expedient that not only should a certain line be taken, but the reasons for that line should be recorded. He agreed with his hon. Friend that it was on the whole convenient that Supply should be voted for the entire financial year; but he felt bound to demur to the reasons which had been urged by the right hon. Gentleman in favour of the adoption of such a course. The right hon. Gentleman had asserted that the dissolution in 1841 ought to be regarded rather as an interruption of the Government with a view to the resumption of Business in the autumn. But this was not by any means the case, as, in point of fact, the ordinary Business was not resumed during the autumnal Session. Nothing was done in the way of what might be termed ordinary business except the passing of a Bill about the Bishop of Jerusalem. Then, the importance of the precedent of 1830 did not seem to be duly appreciated by the right hon. Gentleman the Chancellor of the Exchequer. That precedent showed, in reality, that the principle of voting Supplies for a limited period was the deference paid to the authority of the new Parliament by the expiring Parliament. He was not at all prepared to admit the distinction drawn by the right hon. Gentleman, for he did not think the Constitution recognized anything but this—that when an adverse vote was given on any vital point the Government had the power of dissolving, or might elect to resign. He would not go into the question of what were the particular reasons that justified the alternative of a dissolution. That was not the matter to be discussed at the present moment; but when the Government recognized it all arrangements should be made for dissolution. There were not two sets of circumstances applicable to such a situation. In 1841, the right hon. Gentleman says that the conduct of Sir Robert Peel was frank and honourable in accepting the declaration of the Government; but that was accompanied by a guarantee in the voting of the Supplies only for a short term. It involved no confidence, no reliance, and was entitled to no other praise than that of propriety or prudence, because the promise given by the Government was accompanied by a practical measure which absolutely insured the fulfilment of the promise.

Vote 8. £511,324 (Public Education in Great Britain).

Mr. POWELL moved that the Vote be reduced by the sum of £1,500. He found that the expense put down for the preparation of the examination papers amounted to £3,000; while there was another item for inspection and examination which amounted to £5,450, and another of £2,800 for travelling expenses. He thought these items were excessive, and he wished to have some explanation concerning them, and for that purpose he moved the reduction of the Vote.

Mr. E. POTTER said, he wished to call attention to the mode adopted of remunerating those persons who examined art collections for the South Kensington Museum. He had been invited to examine a certain collection which the Heads of the Department thought of purchasing; and after sending in his Report he received a cheque for £5 5*s*., which he need hardly say he returned. He thought such a plan as that was rather dangerous, and liable to great abuse; for cheques for such professional services were showered abroad right and left.

Lord ROBERT MONTAGU said, that the Examiners of King's College and other Colleges, and the Examiners in the Science and Art Department at South Kensington, were not paid out of this Vote. They received no salaries, but only fees in proportion to the number of students they examined. The Vote last year was exceeded, and this year the number of schools examined and of pupils presented for examination had very much increased This year 300 science schools were examined in different subjects of science, having 851 classes and 14,000 students under instruction, of whom 8,000 presented themselves for examination. The examinations, which were in 24 branches of science, were held at 275 centres; 1,154 examinations were thus held, and 13,113 worked papers were returned. The Examiners by whom the examination papers were prepared and by whom the worked papers were looked over were some of the most eminent men in the country in their respective subjects. They were Mr. J. Anderson, Professor Ansted, Mr. Buckland, Professor Bradley, Rev. B. M. Cowie, Dr. Frankland, Professor Huxley, Dr. Percy, Professor Ramsay, Mr. Warrington Smyth, Dr. Thomson, Dr. Tyndale, and Rev. Joseph Woolley. In art the professional examiners were the President of the Royal Academy, Mr. Maclise, R.A., Mr. Horsley, R.A., Mr. Westmacott, R.A., Mr. Leighton, A.R.A., Mr. Digby Wyatt, and Mr. Marshall, F.C.S. In art the examinations were very large; 125,000 papers being issued. The cost and preparation of all these papers was defrayed by this Vote. He was sorry he could not hear what was said by the hon. Member for Carlisle (Mr. E. Potter). Indeed, he could hardly catch a word that fell from him, further than that he had been asked to give his opinion on some collection; but he would make inquiries, if the hon Gentleman would give him Notice of his Question, and let him know the result.

First twenty-four Resolutions *agreed to.*

Vote 25 (£19,377, Miscellaneous Expenses): Resolution read a second time.

Mr. Alderman LUSK said, he wished to draw attention to the item of £6,070 for "robes, collars, and badges." He thought that persons who received Orders ought to pay for their own investiture. He believed, however, that English Orders were sent to some countries in which they were not appreciated as much as we might suppose. At all events, he thought it was monstrous to call on the taxpayers of the county, in one year, to disburse so large a sum for ornaments, for whomsoever they were intended, or whether they were prized or not. As this item had been £1,500 on the average for some years past, he moved the reduction of the Vote by the sum of £4,500.

Amendment proposed, to leave out "£19,377," and insert "£14,877,"—(*Mr. Lusk,*)—instead thereof.

MR. SCLATER-BOOTH said, it was quite true that the average of the item for robes, collars, and badges had been about £2,000 for some years past; but at intervals of a few years a larger amount was required in order to replenish the stock of decorations. Of the item of £6,070, a sum of £1,500 was to replace the decorations which had been distributed to Knights of the Bath. He admitted that the largest portion of the item objected to by the hon. Member was not very regularly placed in the Votes for this year. It ought rather to have appeared in those of last year; but the account for this service last year had not been rendered in sufficient time to put them in the Votes of the Session of 1867, or even in the Vote for Civil Contingencies presented in March last. A sum of £3,000 was for investing the Sultan, the Emperor of Russia, the Emperor of Austria, and Prince Arthur, with the Order of the Garter. He might observe, too, that some few years ago Her Majesty had been pleased to dispense with the statutes which required the heirs of deceased knights to return the decorations of the Orders, as it was thought desirable that these decorations should be left as heirlooms in the families of the knights.

MR. CHILDERS said, that the portion of the item which was for expenses properly chargeable last year ought to have been included in the Vote for Civil Contingencies.

MR. SCLATER-BOOTH said, he had already explained why it had not been so included.

Question, "That '£19,377' stand part of the Resolution," put, and *agreed to.*

Resolution *agreed to.*

Subsequent Resolutions *agreed to.*

REGISTRATION BILL—[BILL 167.]

(*Mr. Secretary G. Hardy, Sir James Fergusson.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Gathorne Hardy.*)

MR. BAINES said, he wished to call attention to the fact that neither in this Bill nor in the Reform Act of last year was there any provision for the serving of notices of objection on lodgers, who consequently would not know until they went into Court whether they were objected to or not. Now, this new class of voters, to whom the franchise had been conceded after much consideration and controversy, would number many thousands in the metropolis, and would be very numerous in the principal towns, and they would be grievously disappointed if they found themselves practically debarred from their anticipated privileges. The service of notices of objection answered two good purposes —it apprised the claimant that his claim was disputed, so as to enable him to attend the Court, and establish his right, and it relieved from the necessity of attending those whose claims were not objected to. Now, as many of the lodgers would be working men, it could not be expected that they should attend the Court day after day in order to see whether they were objected to or not. He was sure the Home Secretary and the Solicitor General would be anxious to have this defect supplied, and he had called attention to it in order that it might be considered by the Select Committee to which the Bill was to be referred.

MR. LABOUCHERE said, he wished to call attention to another point. He was advised by a barrister well fitted to give an opinion that in thickly-populated counties, such as Middlesex, where many persons had qualifications in one district and their place of business in another, in which latter they would vote, a poll could not be got there as the Bill stood in one day. Under Clause 6, the numbers in each polling district would begin with 1, so that throughout the county there would be many of a particular number; but those who voted in a polling-place other than the district where their qualification was situated would have no number at all. Supposing a quarter of the constituency were in that position, and assuming the constituency of Middlesex to number 20,000, there would be 5,000 without numbers; and how would it be possible for the poll clerks, without a numerical list to guide them, to find the name of any such person who presented himself? He trusted this point would be considered by the Committee. Moreover, under Clause 15, claims might be made until the 25th of August; but the Act of last year altered the day for making objections from the 25th of August to the 20th, consequently there would be no opportunity of objecting to persons who might send in claims between the 20th and the 25th.

Mr. PUGH said, he hoped the House would not proceed with unnecessary precipitation in this matter. If ever there was a time for exercising due deliberation and caution it was now, when the country would have to manipulate three most important Acts conferring great privileges on the people. Therefore he objected to decapitating the revising tribunal. He objected to cutting off the head of the Common Pleas. He had every confidence in the legal ability of the Revising Barristers; but he was certain they would be glad to be supplemented by the learning of that high Court. And it would be satisfactory to the country to know that amid the changes and chances of electioneering life there was an august tribunal, unruffled by the popular breeze, to which the more difficult questions of their franchises could be referred—

> " Apparet Divum numen, sedesque beatæ,
> Quas neque concutiunt venti, neque nubila nimbis
> Aspergunt."

There was a practical matter to which he wished to refer. He feared the time was coming when the Election Petitions and Corrupt Practices Bill must be withdrawn. If all the Election Petitions, with which they would certainly be inundated, were to be tried as usual by this House, would not the Public Business be seriously interfered with? He agreed with an ancient critic that a hastened maturity generally results in failure—*celerius occidere festinatam maturitatem.* He believed the Government wished to do what is right; but they were mistaken in thinking that there was any desire in the House, or out of it, that the new Parliament should meet before February. For his own part, he would say, " Stay a little, that we may make an end the sooner."

Mr. J. STUART MILL said, he thought the point relating to lodgers a very serious one. Unless the lodger franchise was to be merely nominal, the law ought to require that notices should be served upon them when their right to vote was objected to; for otherwise, though the greater portion of them would be poor men, they would have to attend the Court from the very beginning of the revision to the end, in order to know whether they were objected to or not. Knowing this, very few of them would register at all. The obstacles in the way of the lodger were much greater than in the way of any other class, for instead of being put on the register by the overseers he had to make his own claim, and to repeat it every year. He ought not, then, to be liable to unknown objections at an unknown time.

Mr. LOCKE said, that the Act of last year required the lodger to appear before the Revising Barrister, and substantiate his claim by proving the value of his lodging and the other conditions which he had to satisfy. The service of a notice of objection would thus make no difference, for under any circumstances he was bound to attend the Court, whereas the ordinary voter was placed upon the register by the overseer and had no need to attend unless objected to.

The SOLICITOR GENERAL said, that on the lodger franchise being considered last year it was thought impossible that the overseers should make out the list of lodgers, and that it was necessary that lodgers should make their own claims. The fear that lodgers who had made a claim would waste much time in waiting on the Revising Barrister for fear their claim should be disputed had no foundation; a certain day would be appointed for lodgers to prove their claim, and objectors would be heard on that day and no other. He did not think the objections raised by the hon. Member for Middlesex (Mr. Labouchere) were to any extent insurmountable, and he had no doubt the Select Committee would soon find a way to meet them.

Sir GEORGE BOWYER said, he thought the Bill demanded most serious consideration. It was agreed on both sides of the House that an early dissolution was desirable; but the question arose, what was necessary and what unnecessary delay? To decide on this question, he appealed to a great principle, which he proposed to lay before the House. The next Parliament would be the most important ever yet elected by the English people; and this he said without fear of contradiction. Parliament had resolved on making the greatest change in the Constitution ever resolved on since Parliament had existed; the change might be described as a statutory revolution, because it transferred political power from a mixture of classes to at least a body in which one class preponderated. He would not take as certain the opinion of the wisest man in the country, as to what the next Parliament would be; no one could speculate with accuracy upon it; they were, indeed, taking a leap in the dark. The next Parliament might be a success; it was just as likely to be a failure, and result in the total subversion of the state of things which had raised England to its present eminence. Under these circumstances, it was of the utmost importance this new Parliament should be elected according to the law; and that could not be done without carrying out in the most stringent manner all those safeguards with which the wisdom of Parliament had surrounded the admission of electors to the franchise. So far from passing a law to hasten the process of making up the register, he would, on the contrary, have extended the time; the change was so momentous that, instead of having the electoral roll compiled with increased haste, he would have the work done with greater deliberation, and have no pains spared to secure a more genuine constituency than any that had ever before existed. How did the case stand, as regarded the Court of Appeal? To hasten the formation of the new electoral rolls, several additional Revising Brrristers were to be appointed; the chance of diversity of opinion would, therefore, be proportionately increased. Under such circumstances the need of appeal would become more urgent; but, strange to say, the Government proposed to do away with it altogether; and the new House would find itself in the extraordinary position of having among its Members some who would not be entitled to their seats, if the appeals from Revising Barristers had been duly heard. He had yet another point to offer for the consideration of the House. Immediately a difficulty arose in the new Parliament, the Government of the day would be able to point to the extraordinary circumstances he had detailed as a valid reason for saying the country had no confidence in the Parliament as a true representation of its opinion; another dissolution might therefore be reasonably expected in the course of a year, simply because Parliament had been elected in a hurry and a scramble. He did not, however, intend to oppose the second reading of the Bill, weighty as were the reasons for condemning it; he merely wished to point out what a grave responsibility rested upon the Select Committee to which it would be referred, and to urge that Committee to consider the question without respect to party, and with a full appreciation of the tremendous results their acts might bring about.

Mr. MELLY said, he thought that no greater tax should be imposed upon the artizan who claimed to vote under the lodger franchise than was now imposed upon the householder. It would be extremely hard that a man in receipt of good wages should lose his day's earnings, and, in some cases, his earnings for two or even more days, because he received no notice, whereas a shopkeeper, who could easily and without loss leave his shop for an hour or two in the course of the day, was entitled to the notice.

Mr. LEEMAN said, that as an old clerk of the peace—perhaps the only one in the House—he wished to congratulate the Government on their having brought forward this Bill, which he believed would effectually accomplish the object that both parties had in view. He could scarcely believe that the hon. Baronet the Member for Dundalk (Sir George Bowyer) had read the Bill, or he would have seen that there was no interference with the preliminary stages of registration, and that it was not till the Revising Barrister came into play that there was any change in the periods allowed for the purposes of registration. The changes that had been made were such as he thought would effectually enable the clerks of the peace to have the register ready by the time required in order to have the elections in November. With regard to the lodger any defects in regard to his case might easily be remedied in Committee. They were all agreed that as the lodger was not rated he would not be put on the register without sending in his claim; but having done that, he would be put upon the register, and there ought to be no necessity for his appearing unless his claim were objected to, in which case there was no reason why he should not receive notice. There was no difficulty in the Bill that might not be remedied in Committee.

Mr. KENDALL admitted that the authority of the hon. Member for York (Mr. Leeman) as an old clerk of the peace was very high; but the hon. Member had himself convinced him on a former occasion that an election at the time proposed was impossible.

Mr. LEEMAN explained that he was then referring to a proposition that came from his own side of the House, to have the elections in the middle of October.

Mr. KENDALL was sorry if he had misunderstood the hon. Gentleman. He confessed that he could not understand why Her Majesty's Government had shortened the time at all. There were many hon. Members who, like himself, had supported the Government in carrying the Reform Bill through the House, who were anxious that the full advantages of the measure should be extended to those who were to be enfranchised under its provisions. Now upon this question he would cite the authority of the clerks of the peace in the most important counties of England, nineteen of whom had met last week to consider the subject. These gentlemen were of opinion that it would be extremely dangerous to shorten the time usually allowed for the purposes of registration, the decision they had arrived at being as follows:—

> "Resolved, that in the opinion of this meeting it is not practicable to accelerate the preliminary stages of the registration prior to the day (the 1st of September) prescribed for the delivery of the lists by the overseers to the clerks of the peace, except at the cost of depriving of the franchise a certain class of persons on whom the right to vote has been newly conferred. 2. That this year, if extra exertions were used to obtain the delivery of the lists punctually by the 1st of September, it might be arranged for the Courts of the Revising Barristers to commence not later than the 21st of September, as an interval of at least twenty-one days is requisite for collating the lists, extracting the claims and objections for the guidance of the Revising Barrister, and the appointment and advertising of the Courts; and that such Courts should terminate by the 17th of October. That by extra exertion and expense the printing of the registers for delivery to the sheriff might be effected by the 30th of November; but that, having regard to the length of registers in the more populous counties, the printing and binding could not be executed at an earlier date; and that the meeting believed it to be extremely doubtful whether the printing could in some counties be completed by the day suggested, if the names were to be numbered consecutively throughout as at present."

It certainly appeared, therefore, in the opinion of these high authorities, that the shortening of the time of registration would have the effect of depriving a large number—he believed about a third—of those entitled to the franchise under this measure of their privilege as electors. He apologized for having troubled the House; but he never rose except for a practical purpose, and always endeavoured to apply his remarks to the particular point under discussion.

Mr. HIBBERT said, he would remind the hon. Member for East Cornwall (Mr. Kendall) that no alteration had been made in the time allowed for the preliminary stages of registration, and that it was to those stages that the objections of the clerks of the peace chiefly applied. The work of the Revising Barrister, could be accelerated by the appointment of additional barristers. He wished, however, to refer to a point noticed by the hon. Member for Middlesex, and to suggest that while the voters should be taken according to their respective parishes the numbering had better be left in the hands of the clerk of the peace. This might be done by beginning at 1001; and the difficulty with regard to the districts might be got rid of by asterisks. He could see no reason why the hon. and learned Member for Dundalk (Sir George Bowyer) should fear that justice would not be done to the new electors in case of an election coming on before there had been time to decide the appeals from the decisions of the Revising Barristers. He did not believe that any difference would be made between the new voters and the electors under the present system, and it was now the practice, in case an election came on before an appeal had been decided, to permit the elector to record his vote. Some improvements were required in the arrangements as to polling booths. The Act of last year left the law in that respect as it was settled by the Act of 1832.

Mr. P. WYKEHAM MARTIN said, he had voted in two places without a number, and therefore there could be no practical difficulty with regard to the absence of the number. As to the lodger being obliged to "dance attendance day by day in the registration booth," all he could say was that he had himself proved that any voter himself on the register could defend any other person claiming the franchise. He had done it himself. If so, the lodger must be a most unfortunate individual if he could not get a neighbour to defend his claim in the Revising Barrister's Court. The thanks of the House were due to the Government for bringing in the Bill, and for their statement that they would secure a General Election as soon as possible. What object could there be in delaying the dissolution till January? There was great discontent out-of-doors at the prospect of delay in the assembling of the new Parliament. Trade was partially paralyzed, and therefore the sooner the present state of suspense was put an end to the better.

Mr. DENMAN said, he hoped there would be power given to the Committee to examine witnesses. The Bill was a very good Bill; but it contained points requiring alteration. If one or two Revising Barristers, one or two county clerks, and one or two parliamentary agents were examined some difficulties which had been pointed out as likely to arise might easily be got rid of.

MR. DODSON said, it would be important to have the House meet, if possible, at even an earlier date than was proposed. He thought it not desirable to shorten the time for making claims, nor the time for the Revising Barristers revising those claims. The object should be to gain time after the Revising Barristers had given their decision. At present, the clerks of the peace were allowed two months to make up the registers; under the Bill only from the 7th to the end of October. This time might be considerably shortened. The registers might be made up and completed in a week or ten days after the last day of the revision. All that was wanted was an increase in the staff of clerks in the office of the county clerks. All knew the rapidity with which the debates were taken down in that House late at night, copied, and printed, so as to be ready for transmission by the early trains. At all events the time might be shortened considerably. And this was the point to which the attention of the Select Committee should be directed. A list of persons entitled to the franchise, according to the information which reached the overseers, was published, according to law, on the 31st of July. This he would not interfere with. But in counties claims on the part of ratepayers omitted from the list were to be sent in by the 20th of August; in boroughs by the 25th of August. He could not see why the two things should not be assimilated by making the date in both the 20th of August. The overseers were allowed now to the 1st of September to copy out and fix the lists of objections on the church doors. He did not see why four or five days would not be enough for that work, and thus there would be a saving of a week; the Revising Barristers would be able to commence their duties on the 7th instead of the 14th of September, and, allowing them three weeks, their task would be completed by the 28th of September, and the registers might be published by the 5th of October. Allowing a week for the copies to be made, everything might be completed by the 12th of October, when the writs might be issued, and, allowing an interval of twenty-eight days, as proposed by the Government, the new Parliament might be brought together by the 9th or 10th of November.

MR. GATHORNE HARDY said that generally the objections which had been taken to the Bill were such as would naturally come under discussion in the Select Committee. With respect to those which had been made by his hon. Friend who had spoken last, he would only say that there was not one of them which had not been most carefully considered by the Government. As for the saving of time which might be effected in the printing, while aware that in towns where there were great appliances much might be done, he must say there were parts of the country where it would be extremely difficult to expedite matters. With respect to the points raised by the hon. Member for Oldham (Mr. Hibbert) he would venture to say that the hon. Gentleman had not read the clause with his usual attention, otherwise he would have found that if 300 could vote in a compartment under the statute of William, 500 could vote under the proposed Bill. He did not mean to go into all the objections which had been urged, because they were much more fit for discussion in the Select Committee; but in reply to what had fallen from his hon. Friend the Member for East Cornwall (Mr. Kendall) he would say that the Government having conceived it their duty had brought in a Bill to shorten the time within which Parliament might be assembled; and having done so on a principle which they thought right for themselves and the country they were quite prepared to submit the Bill to the consideration of the Select Committee. He should leave the question of examining witnesses entirely to the Committee.

Motion *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

And, on June 23, Committee *nominated* as follows: — Mr. Secretary GATHORNE HARDY, Sir GEORGE GREY, Mr. SOLICITOR GENERAL, Sir ROBERT COLLIER, Mr. GRAVES, Mr. WILLIAM EDWARD FORSTER, Mr. BOUVERIE, Sir RAINALD KNIGHTLEY, Mr. LEEMAN, Captain SURTEES, Mr. AYRTON, Sir GEORGE BOWYER, Mr. GARTH, Mr. HIBBERT, and Sir CHARLES RUSSELL:—Power to send for persons, papers, and records; Five to be the quorum.

PETROLEUM ACT AMENDMENT (*re-committed*) BILL.

(*Sir James Fergusson, Mr. Secretary Gathorne Hardy.*)

[BILL 141.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. M'LAGAN said, he should oppose the Motion on the grounds that the Report of the chemists to whom the Bill had been referred was directly opposed to that of the Committee of last year, and that certain Amendments had been lately put on the Paper which altered the character of the Bill, and made the igniting point lower than under the present Act. He moved that the Bill be referred to a Select Committee.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. M'Lagan,*)

—instead thereof.

Mr. HORSFALL said, he hoped the Under Secretary would not consent either to withdraw the Bill or to refer it to a Select Committee. He was quite satisfied that the point of 100 which had been agreed on would be a sufficient protection to the public.

Mr. GORST said, he must ask for a longer time for the consideration. The Bill might either be postponed or referred to a Select Committee.

Mr. AYRTON suggested that the Bill should be put through Committee that night, then re-printed, and that a week should be allowed for the re-consideration of the Report.

Viscount GALWAY said, he hoped the Bill would not be referred to a Select Committee.

Sir JAMES FERGUSSON said, it was admitted on all hands that some legislation on the subject was necessary. The substances proposed to be dealt with by the Bill were of a very dangerous character; and these oils were used in lamps sold at a very cheap rate, and used to a great extent by poor people. Great precautions were therefore necessary. The Bill was originally framed in accordance with the recommendations of the Select Committee of last Session; but it being urged by various deputations that the test proposed was too rigorous, the question was referred to chemists representing both sides, and to the chemist generally consulted by the War Office. The recommendations of these gentlemen had been adopted in their integrity, and he believed the measure as now settled would ensure perfect surety. The modifications which had been made would effect the same end as the more rigorous test originally proposed, while the machinery already in use would not have to be materially altered; and he had the authority of the Petroleum Association for stating that the trade would not be injuriously affected. If the House should decide on referring the Bill to a Select Committee he should be compelled to withdraw it, since there would be no hope of its passing this Session; but he hoped they would agree on going into Committee.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee, and *reported;* as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 171.]

CURRAGH OF KILDARE BILL—[Bill 134.]

(*Mr. Sclater-Booth, The Earl of Mayo, Mr. Attorney General for Ireland.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Earl of Mayo.*)

Mr. COGAN objected to the Bill being read a second time at so late an hour, and without explanation.

The Earl of MAYO said, he thought that the right hon. Gentleman was rather unreasonable. The Bill was a hybrid Bill, and notices had been duly given in the Irish papers. Its objects were to make better provision for the preservation of the Curragh, and to appoint a Commission to ascertain the rights of the parties interested.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Lord Otho FitzGerald.*)

Motion, by leave, *withdrawn.*

Bill read a second time, and *committed* to a Select Committee of Eleven Members, Six to be nominated by the House and Five by the Committee of Selection.

Select Committee *nominated:*—Earl of Mayo, Mr. Attorney General for Ireland, Sir Graham Montgomery, Lord Proby, Mr. Cogan, Lord Otho FitzGerald, and Five Members to be added by the Committee of Selection:—Power to send for persons, papers, and records; Five to be the quorum.

LOCAL GOVERNMENT SUPPLEMENTAL (NO. 6) BILL.

On Motion of Sir JAMES FERGUSSON, Bill to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the districts of Harrogate, Layton with Warbrick, Bury, Lower Brixham, Hexham, Tipton, Gainsborough, Worthing, Aberystwith, Cockermouth, Burnham, Wednesbury, Burton upon Trent, Hornsey, and Keswick; and for other purposes relative to certain districts under the said Act, *ordered* to be brought in by Sir JAMES FERGUSSON and Mr. Secretary GATHORNE HARDY.

Bill *presented*, and read the first time. [Bill 175.]

House adjourned at Two o'clock.

HOUSE OF LORDS,

Tuesday, June 16, 1868.

MINUTES.]—PUBLIC BILLS—*First Reading*—Thames Embankment and Metropolis Improvement (Loans) Act Amendment* (152); Voters in Disfranchised Boroughs* (153); New Zealand Company* (154).
Second Reading — Salmon Fisheries (Scotland) (142).
Committee—Poor Relief (132-155).
Report—Sale of Poisons and Pharmacy Act Amendment (148).

NEW PEER.

William O'Neill, Clerk, having been created Baron O'Neill of Shanes Castle in the County of Antrim—Was (in the usual Manner) introduced.

POOR RELIEF BILL—(No. 132.)

(*The Earl of Devon.*)

COMMITTEE.

House again in Committee (according to Order).

Clause 9 (Poor Law Inspectors to make Report as to idiotic and harmless Lunatics in Workhouses).

LORD PORTMAN said, he objected to this and the five following clauses, which provide that Poor Law Inspectors shall report to the Clerks of the Peace the number of idiotic, imbecile, and harmless insane paupers in union workhouses on each 29th of September; that on receiving the Reports the Justices at the next Quarter Sessions may appoint a Committee to consider the expediency of providing an asylum for the county alone, or, in conjunction with some adjoining county or counties; that the Justices at Quarter Sessions may provide such asylums; that Guardians, on receiving notice of their completion, may send idiotic and imbecile paupers to such asylums, and that the Poor Law Board, or a Poor Law Inspector may, after due inquiry, require the removal of a pauper to such an asylum. He thought that clauses of this description, which must greatly increase local taxation, ought to have originated in the other House of Parliament. He objected also that it was very undesirable to increase the discretionary power of Courts of Quarter Sessions. If it is necessary to establish such asylums, the law should be imperative; but, in his opinion, the number of idiots would not require many asylums, and that it would be better to establish as many as may be required in a few convenient localities, and to manage them under the control, and at the expense of the Government, out of the Consolidated Fund. He also thought it was a subject that should be considered apart from the Poor Laws, and from the attention it might require, should be proposed to Parliament in a separate Bill. For these reasons he should divide the House against the clause in this Bill.

Moved, "To leave out Clause 9."—(*The Lord Portman.*)

THE EARL OF DEVON said, he could not concur with his noble Friend in thinking that the subject with which these clauses dealt was not one which should have been included in the Bill. The clauses as they stood were not in the Bill as it was originally submitted to the Select Committee. He had himself proposed clauses in the Committee which were permissive; and he did so in full confidence that their Lordships would not shrink from making the provision required for the large numbers of the unfortunate classes in question, especially when it was remembered that there were many young persons whose condition might be improved by judicious treatment. The Select Committee took a different view of the clauses, and, on the suggestion of the noble Earl below the Gangway (the Earl of Carnarvon, they introduced the clauses now in the Bill. He opposed the introduction of the clauses because he then believed, and he still believed, that the substitution of a degree of compulsion for permission would to a certain extent defeat the object in view; and he had more confidence in the object being attained if the matter were left to the Guardians. Therefore he would support the noble Lord opposite (Lord Portman), if he divided the Committee. The clauses now under consideration went no further than the law did at present; for the present law empowered the Justices in Quarter Sessions to enlarge existing asylums, or to combine with the Justices of other counties in erecting asylums where those who were deemed fit persons might be placed in safe custody. His first objection to the clauses in the Bill was that they would excite alarm in the country in reference to the additional burdens to be thrown upon the rates; and his second objection was that the clauses were unnecessary, because the present law gave power to do that which was proposed.

THE EARL OF CARNARVON asked what course the noble Earl would pursue if the clauses were struck out of the Bill, on the Motion of the noble Lord?

THE EARL OF DEVON said, that respect for the Select Committee would have prevented him bringing his own clauses forward in Committee; but if the present clauses were struck out he should be prepared to move his own on the third reading.

THE EARL OF CARNARVON said, that one and the same principle was recognized by the original clauses and by those introduced by the Select Committee. It was admitted that provision must be made for the insane, and the only point was as to the manner in which the principle should be carried out. The original plan threw the formation and superintendence of the districts entirely into the hands of the Guardians. The real difference between the two proposals was that, whereas his noble Friend aimed at placing asylums of this kind under the management of the Guardians, his plan was to put them under the control of the county Justices. If the Boards of Guardians had the management the result would be that there would sometimes be two different sets of lunatic asylums for this particular class of patients—one under the control of the Justices and the other under the Board of Guardians. Under such a system it was not improbable that conflicts would occur and much inconvenience be produced. But if the control were vested in the Justices there would be but one of these subordinate and inferior establishments in each county, and, as it would probably be placed in most instances in the immediate neighbourhood of the county asylum, great advantages would be gained, because the staff of the former might be rendered available for the inferior institution. Better medical advice would be obtainable, while the management would be much more economical than if the Guardians had the control. In conclusion, he expressed a hope that their Lordships would not without full consideration strike out the clauses which had these beneficial objects in view. As a matter of fact there was scarcely any accommodation throughout the country for the treatment of paupers whose imbecility or idiotcy did not bring them within the technical definition of lunacy or whose cure was hopeless; while there was abundant reason for their separation from the thoroughly sane inmates of workhouses. Their Lordships would do well, therefore, to pause before they struck out clauses which, he firmly believed, constituted the best part of the Bill as it at present stood.

THE MARQUESS OF BATH felt it to be his duty to vote against the clauses as they now stood and in favour of the change proposed by the noble Lord opposite (Lord Portman). He thought that as a matter of justice, both to the Courts of Quarter Sessions and to the ratepayers, the power of increasing the local burdens should be vested in Boards of Guardians, who represent the ratepayers and not in the Justices of the Peace, who do not. At the same time he confessed that he should vote against the original clause, if it was proposed to reinstate it; because he did not think that the burden of establishing these asylums, if they were necessary, should be thrown upon that particular class of the public who paid rates. It should be borne by the nation at large, and should be defrayed out of the Consolidated Fund.

THE EARL OF STRADBROKE thought that the unhappy persons referred to should be to some extent classified, and that lunatics should be sent to a lunatic asylum, idiots in a proper asylum, and the harmless imbecile paupers should be kept in the Union houses, where they were much more happy among those with whom they had long lived, and where they found a kind of employment in performing some of the requisite duties of the house. In reply to the noble Earl (the Earl of Carnarvon)—who seemed to think that the change of system would not add to the Union charges, he must say that—although expense was a secondary consideration—the cost of building new houses, and attaching the necessary staff would at least double the expense now required.

THE EARL OF SHAFTESBURY said, he thought the striking out of the clauses would produce consequences more serious than the noble Lord intended. No doubt, the intention of the noble Lord was to secure a peculiar protection and care for the congenital idiots; but the rejection of the clauses would affect lunatics of other descriptions, and would go far to prevent the depletion of the county asylums, where there were now a great many patients who ought to be removed in order to make way for more recent cases. Where cases remained without treatment more than twelve months their affliction would most probably become chronic, and their recovery was almost an impossibility. Indeed, trustworthy authorities on this subject stated that 80 per cent of recent cases could be easily cured; but that not more than 10 per cent at the utmost of those patients were curable who had been left without medical care more than a year. These chronic lunatics required a certain treatment and diet, which they could not get in our workhouses. He thought that if the clauses were carried into effect, with some slight modifications, very beneficial results would ensue.

EARL GREY said, some change in the present system was desirable; but he thought their Lordships hardly competent to deal with the subject, as it was one affecting the taxation of the country.

THE EARL OF MALMESBURY said, there could be no doubt that great efforts had been made of late to improve the state of our workhouses and the condition of their inmates. His own knowledge enabled him to confirm the statement of his noble Friend (the Earl of Stradbroke) that insane persons were much more happy among their own class than they would be if shut up in what they would regard as a kind of prison.

THE EARL OF KIMBERLEY said, the proposition of the noble Earl who brought forward the Bill (the Earl of Devon) was that the rates for these asylums should be raised on the authority of the Guardians. The proposition of his noble Friend near him (Lord Portman) was that the expenses of these asylums should be under the control of the magistracy. His noble Friend (the Earl of Shaftesbury) had just pointed out how desirable it was that lunatics and idiots should be under the same management. But if they waited for this purpose till they could arrange their differences as to the disposal of local rates, they would not be able to move in the matter at all till they had established Financial Boards. He agreed in the desirability of idiots being removed from the workhouses and from under the control of the Guardians. However, as so much difference of opinion appeared to prevail with respect to the clauses under discussion; and as those clauses could hardly be sent down to the other House in time to admit of their being properly considered there, he thought the best course would be to allow them to be struck out of the Bill.

THE EARL OF DEVON thought that the difficulty which his noble Friend (the Marquess of Bath) had pointed out as to the management of the funds lay at the root of the whole question. In the one case it was contemplated that the funds should be expended by the elected representatives of the ratepayers; in the other, it was proposed that they should be administered by the Justices of the county. Now, independent of any argument on the subject, there could be no doubt that the first plan was the more popular. There was one other point to which he wished to revert. It had been argued as if he (the Earl of Devon) was desirous of keeping idiots and the chronically insane in the workhouse; but the reverse was the fact, for the proposition which he brought forward had for its special object to facilitate the removal of these classes from the workhouse, by enabling several Boards of Guardians to unite for the purpose of forming a special establishment for their reception.

THE EARL OF SHAFTESBURY said, there were cases of hopeless idiotcy, where but little actual benefit could be looked for from removal. But there were many others in which by removing idiots from the ridicule and annoyance to which they were too often exposed, and bringing them under proper tuition and treatment, they could be rendered capable of the enjoyment of life.

EARL FORTESCUE said, nothing could be more undesirable or unpopular, than any attempt to increase the burdens of the ratepayers at the mere discretion of the county magistracy. But any man must be blind who did not see that before long the representatives of the ratepayers must be admitted to a share in the control of the expenditure of the county rates. But if they were now to have unions for the purpose of dealing with those chronic cases of idiotcy that were now in workhouses—and no one was more sensible than he was of the desirableness of removing them—then they would create an anomalous and embarrassing system in dealing with two analogous classes, lunatics and idiots, and all because they could not rely upon the speedy establishment of Financial Boards. Their parochial system was now practically at an end. Parishes were superseded except for the purposes of voting church rates, and no one supposed that would last long. The Union was now the unit of administration, and it was very undesirable that there should be no intermediate stage between the Union and the Central Board in London—a Board that had not been able to inspire the public with confidence.

LORD LYTTELTON hoped that no discretionary power would be given either to Justices or Boards of Guardians. In a great many large workhouses there was abundant space for keeping idiots and incurable cases; but all curable cases, all young persons affected in this manner, and all recent cases, especially, ought to be dealt with separately.

EARL GRANVILLE, differing from some previous speakers, believed that this was just the sort of question upon which the House was competent to pronounce an opinion with advantage. He therefore hoped their Lordships would not hesitate to adopt whatever clauses they thought best adapted to secure the end in view.

THE EARL OF CARNARVON said, the usual course in dealing with such a clause as the present in this House was that after the third reading the clause was struck out, but was afterwards printed separately and sent down to the Commons along with the Bill. If the clause was then accepted by the Commons it came up to their Lordships as a new clause inserted by the Commons, and was passed accordingly.

LORD PORTMAN thought the subject was such as could be more satisfactorily dealt with by an altogether separate measure.

On Question, That the said Clause stand Part of the Bill, their Lordships *divided* :—Contents 26; Not-contents 61: Majority 35.

CONTENTS.

Salisbury, M. [*Teller.*]
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Amherst, E.
Carnarvon, E. [*Teller.*]
Ellenborough, E.
Fortescue, E.
Granville, E.
Kimberley, E.
Morley, E.
Nelson, E.
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Eversley, V.
Lifford, V.

Bangor, Bp.
Carlisle, Bp.
Gloucester and Bristol, Bp.
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Belper, L.
Churchill, L.
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Fitzwalter, L.
Foxford, L. (*E. Limerick.*)
Lyttelton, L.
Northbrook, L.

NOT-CONTENTS.

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Cleveland, D.
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Selkirk, E.
Stanhope, E.
Stradbroke, E.
Strange, E. (*D. Athol.*)
Tankerville, E.

De Vesci, V.
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Churston, L.
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Clifford of Chudleigh, L.
Clonbrock, L.
Colchester, L.
Colville of Culross, L. [*Teller.*]
Congleton, L.
Delamere, L.
Dunboyne, L.
Elphinstone, L.
Foley, L.
Kingston, L. (*E. Kingston.*)
Mostyn, L.
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Saltoun, L.
Silchester, L. (*E. Longford.*)
Stanley of Alderley, L.
Stewart of Garlies, L. (*E. Galloway.*)
Strathspey, L. (*E. Seafield.*)
Templemore, L.
Vaux of Harrowden, L.
Vernon, L.

Further Amendments made; the Report thereof to be received on *Thursday* next; and Bill to be *printed* as amended. (No. 155.)

SALMON FISHERIES (SCOTLAND) BILL.

(*The Duke of Richmond.*)

(NO. 142.) SECOND READING.

THE DUKE OF RICHMOND, in moving that the Bill be now read the second time, said, that in 1859 a Commission which had inquired into this subject, had recommended that a Commission should be created to regulate the Scotch fisheries with power to make by-laws. The law respecting the Scotch salmon fisheries had been dealt with by several Acts of Parliament in 1862, 1863, and 1864. In 1866 a Bill was introduced in their Lordships' House the main object of which was to confirm and make binding the by-laws which had been framed by the Commissioners. The Bill was referred to a Select Committee of their Lordships, by whom it was considered, and was afterwards passed by the House as amended; but in the Commons it was withdrawn on account of the lateness of the Session. The present Bill was substantially the same as that of 1866. There were, however, some recommendations of the Committee which being likely to give occasion to controversy had not been embodied in the present Bill. If their Lordships were pleased to read the Bill the second time these questions could be very properly considered in Committee.

Moved, "That the Bill be now read 2ª."—(*The Duke of Richmond.*)

The Earl of AIRLIE approved the general principle of the Bill; but believed he was not singular in fearing that some most desirable clauses had been omitted from it.

Lord ABINGER said, he believed that the main object of the Bill was the confirmation of the by-laws of the Commissioners. By the Act of 1862 every river in Scotland had been formed into a separate district; but it had been found in practice that the provisions of the Act could not be carried out. He trusted that the question of the Solway would receive attention, and that the present anomalous system by which the fixed engines in the English and Scotch sides of the river were differently dealt with would be abolished. This could only be accomplished by providing that no method of fishing should be legal in Scotland which would be illegal were it situated in England. He perfectly acknowledged the necessity of legislation on the question of the Solway Firth; but he doubted whether it was prudent to attempt to deal with it at this period of the Session.

Motion *agreed to:* Bill read 2ª accordingly and *committed* to a Committee of the Whole House on *Tuesday* next.

SALE OF POISONS AND PHARMACY ACT AMENDMENT BILL—(No. 148.)

(*The Earl Granville.*)

REPORT.

Amendments *reported* (according to Order).

Lord REDESDALE moved to insert a new clause to follow Clause 17:—

> "From and after the 31st day of December, 1868, it shall not be lawful to sell any Poison in a Bottle unless such Bottle shall be of an angular Form, corrugated and opaque, to be thenceforth known and described as a Poison Bottle; and it shall not be lawful to sell any preparation not Poisonous in any such Bottle; and any Person offending against either of the aforesaid Provisions shall be liable to the Penalties hereinbefore enacted for selling Poison not distinctly labelled."

The LORD CHANCELLOR doubted whether the noble Lord could have been fully aware of the consequences of proposing this clause—which, moreover, in its language was not reconcilable with some of the other clauses. The Bill, it should be remembered, referred to compounding as well as to selling, and did the noble Lord intend to render a chymist liable to the penalties of the Bill if he compounded a prescription which contained something poisonous but did not supply it in a bottle of the shape suggested in this clause?

The Marquess of SALISBURY also expressed a hope that his noble Friend would not persist in his Amendment, which treated the subject with a minuteness and detail which ought only to proceed from an executive body such as the Board of Trade.

After a few words from Lord Northbrook,

Lord REDESDALE said, that he must press the clause upon their Lordships, as he thought something ought to be done to protect the public with regard to the sale of poisons.

The LORD CHANCELLOR suggested that the object of the noble Lord might be answered by the Pharmaceutical Society determining what the shape of the poison bottle should be, that shape being approved by the Privy Council, and advertised in the *London Gazette.*

Earl GRANVILLE wished to know what were the views of Her Majesty's Government upon the question?

The Earl of MALMESBURY: What, upon the shape of the bottle?

Lord REDESDALE said, that he would not divide the House now, but would move the clause on the third reading of the Bill.

Motion (by Leave of the House) *withdrawn.*

House adjourned at Seven o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, June 16, 1868.

The House met at Two of the clock.

MINUTES]—PUBLIC BILLS—*Ordered*—Municipal Elections (Scotland).*
Second Reading — Ecclesiastical Titles [37], debate *adjourned.*
Committee — Public Schools (*re-comm.*) [135]—R.P.; Inclosure (No. 2)* [162].
Report—Inclosure (No. 2)* [162].
Considered as amended—Alkali Act (1863) Perpetuation * [153]; Judgments Extension * [163].
Third Reading — Established Church (Ireland) [117]; Drainage Provisional Order Confirmation * [169], and *passed.*

SCOTLAND—POOR LAW.—QUESTION.

SIR ANDREW AGNEW said, he would beg to ask the Lord Advocate, When the Return of Poor Rate (Scotland), for which an Address was moved on the 9th day of March, may be expected to be laid upon the Table of the House?

THE LORD ADVOCATE said, it would be laid on the table very shortly.

ELECTRIC TELEGRAPHS BILL.
QUESTION.

MR. LEEMAN said, he would beg to ask the First Lord of the Treasury, Whether the Boundary Bill or the Telegraphs Bill will take precedence in the Orders of the Day for Thursday?

MR. SCLATER-BOOTH said, in reply, that the Electric Telegraphs Bill would be taken as the second Order of the Day on Thursday.

PUBLIC SCHOOLS (*re-committed*) BILL.
(*Mr. Walpole, Sir Stafford Northcote, Mr. Secretary Gathorne Hardy.*)
[BILL 135.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. NEATE moved that the Bill be referred back to the Select Committee, in order that clauses may be inserted in it giving power to the new governing bodies and the Commissioners to be appointed by the Bill to deal with the constitution and revenues of Eton and Winchester Colleges, He said he would be unwilling to do anything to impede the progress of a measure which contained in it some useful provisions were he not convinced that no harm would be done by delay, and that no great good could be obtained by legislation at the present time. The public schools of this country were not in a bad state as regarded moral discipline and the formation of character; they might no doubt be improved, but there was no necessity for any hurry in doing so. If hon. Gentleman had gone to Eton the other day as he had done and seen the state of the school they might have asked themselves, just as he had, why need they hurry to reform it? It must be admitted that Eton produced gentlemen; but the masters had little to do with that. The reason why gentlemen were produced at Eton was because the boys belonged to families in which they saw and heard nothing at home but what was good. But the boys at Eton, Harrow, and Winchester were after all only specimens of English boys, and one of the objections which he made to this Bill was that it was special legislation for the sons of the upper classes. He would ask whether the idea of having to provide for a mother and sisters, as the sons of those in an humbler sphere so often had to do, was not as ennobling as anything that might be set before the children of the upper classes? He admitted that the public schools were defective as places of instruction; but he would point out to those who were eager to carry the Bill that no effective change in the teaching of the schools could take place until the Universities had set the example and proposed a rule which the schools must follow. As long as the Universities required both Latin and Greek—and he was sorry to say very little else—as the condition of a degree, what was the use of imposing upon the schools the obligation of teaching the boys what would be of no advantage whatever to them in their future career? His Motion referred to Eton and Winchester because they were two special bodies. He believed it was the intention of the Committee to frame a Bill which would enable the new governing bodies with the assistance of the Commissioners, or the Commissioners themselves without the concurrence of the new governing bodies, to deal with the revenues of the two Colleges. He would venture to say, however, that such an intention would be but very inadequately fulfilled by the Bill. He made bold to maintain that it was wholly inadequate to give any power whatever to the bodies that might be created under it to deal in any way with either the revenues or constitution of Eton or Winchester Colleges. Eton School existed only as an off-shoot and dependency of Eton College, which might at any time suppress, suspend, or reduce the School to the condition of a proprietary establishment. The legislation that was proposed three years ago aimed at subjecting Eton College to certain legal obligations to provide for the School, but the Bill before the House was wholly silent in that particular. There was nothing whatever in it to vary the original legal obligations of Eton College to provide merely in a very limited way for a certain number of scholars, and make a payment of a few pounds to a master who might be charged with their education. If Eton College was to say " We have nothing to do with this new-fangled scheme; we are content as a College to enjoy what we now have, our £20,000 a year, which will soon become £30,000, and even £40,000, and we do not care about the school. If the Eton masters can take advantage of the goodwill that belongs to the place and establish a great school we are very willing they should do so, and if they wish to buy the buildings we have erected we do not object to sell them,"—he did not say that such a thing was likely, or that it would be allowed by the Legislature, but the state of affairs that now existed ought not to be allowed to continue. It was intended by the original Bill in the House of Lords to give to the new governing body and the Commissioners appointed to control them the power of dealing with the revenues and constitution of Eton and Winchester Colleges, because a clause of the Bill contained words to this effect, they—

> "Shall have the same real and personal property rights, powers, and privileges, and be subject to the same obligations, as the existing governing body of those schools."

He saw nothing in the present Bill which at all corresponded with such a provision, and he challenged anyone to show him anything in the measure which would enable the new governing body or the Commissioners to touch the revenues or constitution of the Colleges. He did not go so far as some in his reverence for ancient corporations; but he would not treat the present governing bodies with so little ceremony as that which had been shown them by the framers of the Bill, and they might justly complain that they had been taken by surprise by the proposal to transfer their powers to new bodies. He doubted, however, whether the terms of the measure would have sufficient legal force to transfer to the newly-created bodies the whole management of the revenues of these foundations. He thought that before proceeding to legislate the House ought to be in possession of fuller information as to those revenues. The evidence given on this head before the Royal Commissioners was offered in a very hesitating spirit; but even according to that evidence the income of Eton College was about £20,000, with a probable increase of £10,000, and that of Winchester about £17,000. Knowing the reticence with which public bodies were likely to state their income, he believed the probable future income of Eton might be taken at not less than £50,000. He once suggested £32,000 as the prospective income of Winchester College, and an old friend of his there jocularly expressed a hope that he would not live to see that amount reached, for that his life would be a burden to him; but even this gentleman did not go beyond arguing that a considerable time would elapse before his estimate was realized. He had had some experience of the way in which Returns were made, and hon. Members must be aware that the income assigned to livings in the *Clergy List* was considerably below the actual value. Assuming that the probable future income of the two foundations was £80,000 a year, it had to be considered how they should be dealt with. Now, this Bill had apparently been framed with the special object of excepting Eton and Winchester from the recommendations of the Commissioners. Dealing with the present income of £20,000 at Eton, they proposed to lessen the number and emoluments of the Fellows. The income of the Provost was stated at over £1,800, and of the Fellows at £814; but the latter sum did not include the occupation of a house, and certain perquisites in the shape of coals and candles, which practically raised it to £1,200. The Fellows enjoyed this income without any duty being attached to it, and they might also enjoy livings of the value £700 or £800 per annum, being specially exempted from the condition of residence. The patronage of Eton comprised eight livings worth between £100 and £200; nine between £200 and £300; nine between £300 and £400; four between £400 and £500; two between £500 and £600; one between £600 and £700; one between £700 and £800; one between £800 and £900; and one between £1,000 and £1,200. Any one of these was a very pretty addition to an income of £1,200. These livings might be given to the school chaplains, but they were not, and the Bill proposed to leave the Fellows in uncontrolled exercise of this patronage. There appeared to him two ways in which the surplus revenues might be dealt with. One, which he submitted to the House on a former occasion, was to apply them to the creation of a middle-class school, for which class the endowments were in the first instance chiefly, if not exclusively, designed. The other, which had since suggested itself to him, was to make this £40,000 a year the nucleus of a University in the North of England, founded upon principles similar to those of Oxford and Cambridge, with the difference that its curriculum should be so arranged as to encourage the industries of the district in the midst of which it should be placed. He would not enter into such a scheme now; but he insisted on the right of Parliament to deal with these surplus incomes. He might, indeed, be met with an assertion of the prescriptive rights of corporate property; but he regarded this argument as threadbare, it being repudiated by all who had given attention to the subject. The House was deeply concerned to repudiate the notion that corporations possessed property in the same sense as individuals. They could only hold property so long as they were corporations, and it was absurd to maintain that the State was bound to continue them as corporations after they had ceased to perform the duties which called them into existence. He was far from asking the House to divert any portion of the revenues of Eton College from the purposes of education. All that Eton College gave to Eton School was £400 a year; while the College derived much more than that from the School in the increased value of the College lands. So far from diverting from the School any of the benefits it derived from the College, he would rather make the College subsidiary to the interests and benefit of the School, so that the College should foster the growth of the School more than it did. It was in evidence that the Provost of Eton received £2,000 a year, and the Fellows £1,200 a year each; yet a few years ago they had allowed the School to degenerate, and the number of the King's scholars to be diminished from seventy to forty. Their conduct had, indeed, been such as to deserve language stronger than it was usual to apply to those who had gone to their account. Let it be hoped that their present successors would enter upon their career in a spirit of sincere and reflective repentance. It was well that those successors should know that the House knew as well as themselves for how many generations of men the Provost and Fellows of Eton had been so indifferent to the pleasures of a good conscience that, in the words of one of their favourite poets, they "seemed to enjoy the anger of the gods." One especial abuse had been the diminution in the allowance to the choristers, who, to eke out a living, had been obliged to run in the most indecorous manner from the services at Eton to take part in those of Windsor Chapel. At the present moment, however, whether he looked at the Eton masters or the boys, it was with kind, respectful, and hopeful feelings. He trusted that, as to Eton at least, the House would make the revenues of the College far more subservient, subsidiary, and useful to the government of the School. With regard to the constitution of the College, the Provost was, he thought, of no use whatever. It was said that he was the means of obtaining for the boys an intercourse with the outer world, and that he gave dinners which formed an introduction to society. He did not think that these services were sufficient to justify the continuance of this useless honorary office. The dignity and duty of the Provost ought to be given to the Head master, so that instead of receiving £370 from the College as at present he should receive the £2,000 a year now given to the Provost. The Provost and Head master ought in that case to have a Vice Provost to assist in the management. It was necessary to deal in some way both with the revenue and constitution of Eton and Winchester.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Bill be referred back to the Select Committee, in order that Clauses may be inserted in it giving power to the new governing bodies and the Commissioners to be appointed by the Bill to deal with the constitution and revenues of Eton and Winchester Colleges,"—(*Mr. Neate,*) —instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. MOWBRAY said, he would not follow the hon. and learned Member for the city of Oxford in his very discursive speech; but would ask the House to consider the position in which, at the present period of the Session, that question stood. The animus of the hon. Gentleman's proposition was disclosed at the commencement of his remarks, in which he said there was no necessity for legislation, and that the question might wait. Now, it was more than four years since the Royal Commissioners presented their Report to Her Majesty. That Report was in the hands of Members of Parliament before Easter, 1864; a measure was introduced on the subject in 1865; the question was referred to a Select Committee of the House of Lords; the Bill that was then framed came down to the House of Commons too late in the Session to be passed; again, in 1866 and 1867, Bills were introduced; and now the existing Government had brought in a measure sanctioned by their predecessors, and on which a Select Committee of that House had bestowed much valuable time and the greatest pains in order to render it as perfect as possible. The hon. and learned Member for the city of Oxford was himself a very active Member of that Select Committee, before which he had an opportunity of urging all the arguments which he had just addressed to the House. The speech which the hon. Gentleman had made that day ought to have been delivered in 1865, 1866, 1867, and 1868 against the second reading of the Bill. The hon. Gentleman wanted to refer the measure back to the Committee that they might provide for the cases of Eton and Winchester Colleges; but by the interpretation clause of the Bill the word "school" included, in the cases of Eton and Winchester, the Colleges at those places. If the hon. Gentleman had Amendments to propose, let him propose them in Committee of the Whole House. But what was the hon. Gentleman's object? Why, that those bodies might come before the Committee and be heard by counsel after the 16th of June. If that were done, the Bill was not likely to pass this Session. He believed it was the opinion of the House that legislation on that subject was now required, and he hoped the dilatory plea of the hon. Gentleman would not be listened to. The schools were anxious for the completion of that legislation, and the action of Eton and Winchester themselves, as well as of the others, would be paralyzed by a prolongation of the present state of suspense. For these reasons he trusted that the House would now go into Committee on the Bill and discuss its provisions.

MR. NEWDEGATE, as one of the trustees for Rugby, did not see why Harrow and Rugby should be summarily dealt with, while Eton and Winchester should have legislation in regard to them virtually postponed, or, at all events, be legislated for on a different footing. Harrow and Rugby had one peculiarity — namely, that their governing bodies consisted of laymen of the Church of England; but he did not see why, on that account, they should be treated, as was proposed by the Bill, in a more summary manner than institutions whose governing bodies were clerical. There was no pretence for saying that the governing body of Rugby had thwarted the success and prosperity of the School, for their only difficulty was to find accommodation for the number of pupils who were anxious to enter. He attributed the success of the School in great part to the Head master, but the governing body had not impeded — on the contrary, he trusted they had aided—the efforts of the Head master. The Bill proposed that before the 1st of January, 1869, the governing bodies of Rugby and Harrow should be compelled, in Japanese fashion, to effect their own extinction. In Japan, as the House was aware, executions were conducted in this way. The culprit was expected to acknowledge the justice of his sentence, and then to rip up his own belly while the executioner stood by to cut off his head. That was exactly the treatment to which the governing bodies of Rugby and Harrow would be subject by that Bill. He was far from saying that those bodies might not be improved; but he wanted to know the mischief they had done, or the neglect of which they had been guilty. That anomaly appeared to have been introduced by the Select Committee, and not to have been contained in the original Bill, and he had placed on the Paper an Amendment providing that before the governing body of Harrow or Rugby should be compelled to immolate themselves or undergo execution by Special Commission, they should at least have eighteen months to consider what they ought to propose. That, he thought, was only reasonable, as the last six months of the present year would be a period of crisis arising out of the General Election, which would be very found it; but the result was most unsatisfactory. There was a greater fault in the Bill, and he hoped he might be allowed to state the objection he felt to its principle, lest it should afterwards be referred to. His objection to the principle was this—when dealing and legislating for anything they ought to look at its substance, and not at the form. Now, the form of these public schools was undoubtedly an endowment. That was the nucleus. But the substance of the public schools was not the endowment, but the great private adventure school which had grown out of the endowment, the good-will being given to the man who held the office of Head master. There were two kinds of property involved in the Bill—one was the endowment, the other the good-will which had grown out of it, and which was the property of the Head master for the time being, which was the substance. Thus, with regard to Eton—the Eton they were all so much concerned about—which was educating the young gentlemen of the higher classes of the country was the College or the Oppidan Eton. It was almost ridiculous to ask the question, it was so perfectly manifest that the real strength of Eton consisted in the private adventure school kept by the Head master, and the good-will of which belonged to him. That was the main thing, and the College or endowment might fairly be left to be dealt with like any other endowment. On what principle should they deal with private adventure schools? There was but one course for their improvement, and that lay with the parents of the children who went there. It was to the parents of the pupils, and not to any governing body they might appoint, that they must look for modernizing and making the schools better adapted to the present day. What, then, was their duty in this matter? It was to leave the greatest possible scope to those who managed the school—to the Head master, in fact, to manage it as he pleased, and all they should do was to give parents the best means of knowing the manner in which their children were educated, leaving them to find out whether it was satisfactory or not. He should say form a governing body if they pleased—that was, a body to appoint a master and remove him in case of misconduct or for the interest of the school; but when they had appointed him give him full power and control over it. Let him be the dictator not merely as to discipline, but education and direction. Trust him fully. He would go further. He would say provide some machinery by which the school should be examined by some perfectly independent authority every year; let the result go to the family, be tabulated, and laid on the table of the House, so that they might know exactly the instruction that was given. That was his notion. They had to deal with these schools *secundum subjectam naturam*, not as an endowment, but as what they really were, private adventure schools in the hands of the Head master. This Bill had been misconceived. Instead of giving the Head master full power, giving the adventure principle fair play, it gave the regulation of the school, and the objects of study, almost everything except the appointment of Under master to a body they were going to appoint for the purpose who had no interest in its prosperity. The endowed element was only a trifle if they gave it to such a body, and withdrew it from the Head master, placing it in the hands of a body not now in existence, but which they were going to create for the express purpose of marring the free trade adventure principle in schools. That was his objection to this Bill, and, as it never seemed to have occurred to any of the Commission or Committee, or any other Gentleman, and therefore he was bound to suppose, being his own, must be wrong, he had felt bound to state it to the House. It was a mere chimera to educate by endowment; they must rely on the free trade principle. So far from an endowment being an assistance to education, it often put the schoolmaster asleep. By keeping him from relying on his own exertions, an endowment was often the means of doing positive mischief. He therefore protested against the notion that they could carry on the education of this country energetically or successfully by means of endowment. All they could do was to take advantage of existing endowments, to cluster round them a system of demand and supply pure and unrestrained.

SIR STAFFORD NORTHCOTE said, that the right hon. Gentleman (Mr. Lowe), seemed to have forgotten that this subject had been made matter of consideration by a Royal Commission some years ago, which sat for two years or more, and very fully considered the whole of these questions—among others, the relation in which the Head master should stand to the school; and if the right hon. Gentleman would take the trouble to examine the Report of the Commission he would see ample reason for not giving the whole matter into the hands of the Head master, and throwing on him a weight he would be unable to bear. With regard to the Bill, the right hon. Gentleman had not stated correctly the history of the clause with regard to the governing bodies. It was not the case that these schools had not governing bodies now. They had; and if the right hon. Gentleman would look into the Report he would find a very good account of the actual state and powers of the governing bodies that existed. The right hon. Gentleman referred to Eton, but it was well known the College was, in fact, the cream of the School, and it was owing to the very great energy with which the College worked that Eton held so high a position. It was very unfair to speak of that School as if it were not doing that which had placed it so high among our public schools. The case for the whole inquiry and Bill rested on this—that Parliament was not satisfied that those schools did as much as with their means and endowments they ought to do. The intention originally had been to lay down in the Bill what the functions of the new governing bodies should be, upon whom would devolve those duties which could not be discharged by the Head master without interfering with his special province. It was obvious that there was an immense amount of work to be done with respect to those schools which could not be thrown on the Head master if he was to be charged with the teaching of the school. But when the matter came to be argued in the House of Lords it was thought better, instead of attempting to deal with those matters of detail by an Act of Parliament, to do so by the appointment of a Commission, with statutory powers to make such alterations as might be deemed necessary. Then arose the question whether or not that statutory Commission should reform the schools at their own instance; but it was stated that the existing bodies ought to have that power given to them; that their hands were now tied, and they were prevented from introducing improvements; and that therefore the fair thing would be to give them the chance of doing that which they believed to be the best, and if they failed to act in a satisfactory manner that then the statutory Commission should take the matter up. That was the shape into which the Bill was put, and as Parliament had for two or three years kept the Bill in that form, he was anxious, without saying that form was the best, that they should go into Committee, and try whether they could work upon it. He believed the general feeling of persons acquainted with the subject was that they should try to improve without altogether revolutionizing our higher class schools; for they held that those schools had a mission of their own, though they were not doing all that they were capable of. He believed, if they honestly set to work and endeavoured to work out the details of the Bill they would make the schools much more efficient and satisfactory. Their policy ought to be to improve and not to revolutionize. He hoped the House would consider that this matter had been very carefully sifted in the other House of Parliament and also before the Select Committee upstairs, and that it was ripe for discussion in a practical sense. He trusted therefore they might be allowed to make use of the remainder of the present Sitting for the purpose of dealing with the Bill in Committee.

MR. W. E. FORSTER, though agreeing with much that had fallen from the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) and the right hon. Gentleman beside him (Mr. Lowe), still thought that the House ought to go into Committee on the Bill. At present the education of a boy cost a large sum. He did not exaggerate when he said that a father who sent his boy to one of those public schools without getting any assistance from an endowment, and afterwards sent him to a University, could not do so for less than £2,000. The hon. and learned Member for the Tower Hamlets had said that there was no sufficient reason why those seven schools, or the nine schools that were originally contemplated, should be made the subjects of a special Act of Parliament. But they must take facts as they found them; and he supposed the reason why they were called upon to legislate specially with regard to those schools was because there had been a Report on their condition which showed a state of things that required alteration, notwithstanding the opinion of the hon. and learned Member for Oxford that no reform was needed. It was true that if the House was prepared to deal with the general subject of endowments, as he hoped would be done in the new Parliament, there was not any reason upon the merits of the question for excluding the schools with which the Bill proposed to deal. Nevertheless, as the question with regard to those schools had been debated for three or four years, he was of opinion that the House ought to consider it, because while there was a doubt whether there would be any legislation or not, or what the nature of that legislation might be, the managers of the schools who wished to initiate reforms would find their hands tied. And besides he was afraid—such was the feeling of Members of that House who had personal associations with those schools—that any general scheme of dealing with endowed schools would have a better chance if the question of those public schools was excluded from it. The right hon. Gentleman the Member for Calne (Mr. Lowe) seemed to think that the general use of endowments was a question that they need not pay much attention to, and he talked of endowments as trifles ; but he (Mr. Forster) could by no means look upon endowments of £70,000 for the purposes of education in such a light. On the contrary, the management of sums like that was a very grave matter ; and it behoved them to see that those endowments were applied to the best possible use. For his own part, he thought the endowments were of little use compared with what they might be in promoting the cause of education generally throughout the country. The Bill was so framed that he was sanguine in hoping that the endowments would be much better used if it became law. He believed that the Commission would see that reforms actually took place. Winchester and Eton, with endowments amounting to £32,000, would, no doubt, under an improved system, still remain the two principal high class schools for boys whose parents wished to bring them up for professions and for the Universities ; but they might be made of greater use to those persons who, at great personal sacrifice, desired to educate their sons in that way, and who, if grants were made for elementary education and for lower middle class education, were also entitled to public assistance in carrying out an object from which the country derived benefit afterwards. He looked to an advantage in another way from the reform of the public schools; for he expected the endowments to be so arranged that clever boys of a low sphere of life might be able to obtain a high class education by rising from the National Schools, with the assistance of exhibitions, to the secondary and primary schools. It would be the fault of the Commission which was to be appointed by the Bill if those two results were not attained fully from the Bill.

Mr. ACLAND said, he could not go the length of speaking of endowments as useless, though it was perfectly true that some of our best public schools did not depend on them. Harrow, for all practical purposes, was an unendowed school, though Eton had very large endowments. But what he wished to know was whether they had power in Committee to provide that the best use should be made of the endowments of Eton and Winchester; for the hon. and learned Member for Oxford seemed to think that in Committee their hands would be tied with respect to the revenues of those schools.

Mr. WALPOLE said, the hon. Member (Mr. Acland) had put a very important question, and the whole discussion which had arisen upon the proposal of his hon. and learned Friend (Mr. Neate) really turned upon the answer to be given to that question. Having consulted legal authorities, he believed that the Bill as now drawn gave the fullest powers to the governing bodies of the schools and Colleges, whether old or new, in conjunction with the Commissioners, or to the Commissioners alone, of so arranging the funds and property of the schools and Colleges that they might be turned to the best possible use. Such was his belief, and otherwise there would, he admitted, be great force in the argument of his hon. Friend. If the terms of the Bill left any doubt on this head, it might be remedied in Committee, and he hoped that on this understanding the House would proceed to consider the clauses.

Mr. KINNAIRD remarked that the governing body of Eton were very anxious that the Bill should pass, and that it would be very injurious to these bodies to subject them to any further delay.

Mr. DARBY GRIFFITH contended that the parents of the boys should have some voice in the management of those institutions, and that their supervision would be more effective than that of any Commissioners. He feared that the old and new governing bodies and the Commissioners would come into conflict, and he doubted whether the Bill would operate beneficially on Eton, where reforms were already being introduced by the Provost and Head master.

Mr. MARSH agreed with his right hon. Friend (Mr. Lowe) and the hon. and learned Member behind him (Mr. Ayrton) with regard to endowments. He thought, indeed, that no man should have the power of tying up his property for more than thirty years. As to public school education, he could not concur in the depreciatory view which had been taken of it by the hon. and learned Member for the Tower Hamlets, for he himself had enjoyed such an education, and there was not a day passed in which he did not feel the advantages he had derived from it. A great man once said that the chase was the image of war, and a public school might perhaps be described as an image of the battle of life. It was not merely literary knowledge which was acquired there, and he could point to many men in eminent positions whose success might be largely attributed to their public school education. He was sure that in Committee all would be desirous to make these institutions as useful as possible.

MR. NEATE said, that in consideration of the declaration of the right hon. Gentleman (Mr. Walpole) that the Bill would be dealt with as he described, he should not press his Motion.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short Title of Act).

MR. ACLAND objected to the Bill being entitled the Public Schools Act 1868, on the ground that other schools not included within its operations were equally entitled to the appellation of public schools. He moved that the clause be postponed for the purpose of an arrangement being made to get some other expression to indicate the title of the Bill.

MR. WALPOLE said, he could see no reason for postponing the clause, since any alteration which the hon. Gentleman might offer could be now considered. The title of the Bill, however, did not imply that these were the only public schools; it simply indicated what public schools were dealt with in 1868.

MR. ACLAND said, that gentlemen connected with other public schools objected to the assumption that those affected by this Bill were the only public institutions of that character. The title might be altered to the "Colleges and Schools Act, 1868."

Motion, by leave, *withdrawn.*

MR. ACLAND then moved that the word "public" be omitted.

Amendment *negatived.*

Clause *agreed to.*

Clause 2 (Definition of "existing" and "School").

MR. LOWE objected to the use of the word "existing."

MR. WALPOLE said, the object of the word was to maintain the distinction between the old and new governing bodies, which ran all through the Bill. For the purposes of this Act, the existing governing bodies of Eton and Winchester were not the governing bodies which existed now.

MR. J. STUART MILL said, he understood that the Fellows of Eton College had very little to do with the school, except to usurp to themselves the greater portion of the endowments. He thought that the Head master rather than the Provost should be the head of the governing body.

MR. WALPOLE said, at Eton the governing body was the Provost and Fellows, but they were not the governing body of the School. The person who had the real governing authority was the Provost, who, no doubt, acted in conjunction with the Head master. It was in the Provost that the property of the College was vested.

MR. NEATE said, he had an Amendment to the latter part of the clause, which went to the whole principle of the Bill. In order to ensure that full power should be given to deal with the revenues of the Colleges, he proposed to insert the words—

> "Including in the case of Eton College the Provost and Fellows, and in the case of Winchester College the Warden and Fellows."

MR. WALPOLE said, there was no doubt that the Bill as it stood dealt with the revenues of the Colleges of Eton and Winchester. It might be proper to add these words to a later clause.

Amendment, by leave, *withdrawn.*

Clause, as amended, *ordered* to stand part of the Bill.

Clause 3 (Definition of existing "Governing Body").

MR. AYRTON said, that as this clause raised the question how far the Bill should extend, it was the proper time to ask why two of the schools included in the Royal Commission were omitted from this Bill—

whether from their extreme virtues or their extreme vices? St. Paul's School had flourished for a very long time in the City of London. It was founded by Dean Colet, who declared by his statutes that a boy who was shown to be inapt to learn was to be removed from the school. The management of the school was intrusted to the Mercers' Company, a body of trustees who, after a time, perverted that splendid charity entirely to their own purposes, and declined to admit any boy freely. The nomination of the scholars had become a simple affair of patronage in the hands of the members of the Court of the Company, and it was not required that a boy should be qualified to be educated in the School. There was no greater mystery in the world than the Mercers' Company—a body which had repeatedly set Royal Commissions of Inquiry at defiance, and refused to give any information as to its proceedings and the purposes of its existence. He was not aware that this association did any good to anybody whatever; all that was known of them was that they met periodically in the City of London, and ended their proceedings with inordinate festivities. The company had an estate yielding them £9,500 a year, situated in the borough which he represented, and yet when a poor school in the district from which they derived that large revenue was greatly in want of assistance, none could be obtained for it from that wealthy Company. On applying at their Hall in the matter, he received this answer—"We never tell anybody who are the governing body of the Mercers' Company." The general impression was that the whole thing was in the hands of certain families, who kept it entirely to themselves. The result was that a splendid endowment of £9,500 for educational purposes assisted in the education of only 153 boys. It was said that the Company, finding their administration of the school in danger of being reformed, asserted that all the property belonged to them, and then set up a Chancery suit in order to raise that very interesting question. The omission of St. Paul's School from the Bill was a great defect in the measure, as there were many abuses in that institution; and therefore he should move that the words "St. Paul's School" and "the governing body of the Mercers' Company" be added at the end of the clause.

Mr. J. LOWTHER said, he had an Amendment to move prior to the Amendment of the hon. and learned Member for the Tower Hamlets—namely, in line 9 to leave out "and Chapter," and insert "of Westminster, the Dean of Christ Church, Oxford, and the Master of Trinity College, Cambridge." The Royal Commissioners, in their Report, had recommended extensive alterations in the buildings of the school; but these were entirely set aside. He was very anxious not in any way to delay the passing of that Bill, but an imperative sense of duty compelled him to interpose at that stage; for that was a question of vital importance to Westminster School. It was proposed by the Bill as it stood to constitute, under the title of the governing body, a body which never had been the governing body of Westminster School, and one which was singularly unsuited, from their conflicting interest, to discharge such duties—namely, the Dean and Chapter. But not only would the Bill create such a governing body, but it would summarily abolish a governing body which had existed for many years, and, as he maintained, with good results to the school. The Dean of Westminster, the Dean of Christ Church, Oxford, and the Master of Trinity College, Cambridge, appointed the Head and Under masters, summarily dismissed them if they thought it necessary, and they had practically the regulation of the education, annually examining the scholars. The Dean and Chapter of Westminster never had been, and he hoped never would be, the governing body of Westminster School, and with that object he should move the omission of the words "and Chapter," and the insertion of the words after "Westminster" of "Dean of Christ Church, Oxford, and Master of Trinity College, Cambridge."

Mr. LOWE said, he had an Amendment on the Paper which should have preceded the Amendments of both the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) and the hon. Member for York (Mr. J. Lowther). The question he wished to raise was whether those governing bodies should be created at all, seeing that the sole duty which they would have to discharge would be to appoint other governing bodies; for they would be intrusted with no legislative functions, and would only have, if created, an existence altogether of six months and a fortnight. Believing that it would be ridiculous to create such bodies merely to do a thing for which they had no peculiar aptitude and some inaptitude, he should move to leave out the words from "Existing Governing Bodies," in line 5, to "Trustees" in line 13, inclusive.

Amendment proposed, to leave out from the beginning of the Clause to the word "Trustees," in line 13.—(*Mr. Lowe.*)

MR. J. LOWTHER said, he hoped that he would not be prevented by the right hon. Gentleman's Motion from putting his Amendment.

MR. LOWE said, the effect of what he proposed to do would be to carry the hon. Member's Amendment.

MR. GOLDNEY objected to the Amendment of the right hon. Member for Calne (Mr. Lowe), on the ground that it struck at the root of the Bill, which he thought it was not desirable should be shelved altogether.

MR. NEATE said, he was of opinion that there was no real necessity for the proposed change, and that it would only be paying a compliment, to which they were entitled, to those so-called governing bodies to give them the right of making suggestions as to those by whom they should be succeeded.

MR. NEWDEGATE said, the right hon. Member for Calne proposed to improve on that Japanese system to which he had alluded in the early part of the day, and to become at once a Nero. He, for one, objected to have the governing bodies disposed of in so summary a manner.

MR. LOWE said, that the hon. Member was under a misapprehension in supposing that the tendency of his Amendment would be to withdraw all control over the Head master. All that he proposed to strike out was the proposition to give to the existing governing bodies the only function the Bill assigned to them—that of appointing their successors.

SIR STAFFORD NORTHCOTE said, that the new governing bodies would have important functions to discharge, some relating to education and others to revenues and emoluments; and as the existing governing bodies were trustees, it became a question how far it was right to take out of their hands the nomination of the new governing bodies.

MR. ACLAND thought that, as a matter of common sense, full power should be given to the Commission to act in the matter.

MR. W. E. FORSTER denied that the Amendment of the right hon. Member for Calne (Mr. Lowe) would strike at the root of the Bill. The Commissioners, under the Bill as now framed, would have full discretion left them.

MR. KARSLAKE said, he thought the Amendment of the right hon. Gentleman the Member for Calne would practically destroy the Bill. It would be better to accept the Bill as they found it.

MR. WALPOLE appealed to the right hon. Gentleman (Mr. Lowe) not to press his Amendment. He thought in all reforms they should attend to this rule, to go as far as they could in perfect harmony with those to whom they had to look for carrying their reforms into effect. He would therefore consult the existing governors of schools as to who should be the proper governing body. Why should they not pay them the compliment of allowing them to consider the matter?

MR. DARBY GRIFFITH said, he would prefer the present system to that which would result from the Amendment of the right hon. Gentleman.

Question put, "That the words 'Existing Governing Body of a School shall for the purposes of this Act mean' stand part of the Clause."

The Committee *divided*:—Ayes 152; Noes 69: Majority 83.

MR. LABOUCHERE rose to move to insert in line 5, after the word "Fellows," the word "Head master," with the view of giving him a *locus standi* among those who were to decide who the governing body were to be. Eton, though the most fashionable, was one of the worst schools in the world. ["No, no!"] He had been there three years himself, and had learnt absolutely nothing. He had to learn seventy lines of Homer every day, but he forgot them the next day; and they did him no sort of good whatever. The present Head master had not been brought up at Eton. [*Dissent.*] Well, at all events, he had been brought there as Head master from another school, and was in favour of introducing such improvements as were in accordance with the spirit of the 19th century. He thought it right the Head master should have a *locus standi* on the Committee, so that, if out-voted, he might be able to present a Report of his own.

MR. LIDDELL thought it was only common justice to point out that the Provost and Fellows of his own School, against whom some harsh expressions had been used by an hon. Gentleman opposite (Mr. Stuart Mill), had by their choice of the present Head master given the best possible proof of their earnest desire to improve, extend, and, as it was called, liberalize the education of that great School. With regard to the Amendment, he thought there was no necessity for placing the Head master on the governing body.

Mr. J. STUART MILL hoped the right hon. Gentleman who had charge of the Bill would take into serious consideration the Amendment of his hon. Friend the Member for Middlesex (Mr. Labouchere). The object which they all had in view was to improve the schools. The Provost and Head master had the most to do in the management of the schools, and as the good government of those institutions was what should be steadily aimed at, that object could not be better promoted than by including the Provost and Head master in the governing body.

Sir STAFFORD NORTHCOTE remarked that the discussion was turning upon the composition of the governing body. The Amendment of the hon. Member for Middlesex (Mr. Labouchere) would be worthy of the consideration of the Special Commission ; but it would be extremely difficult to deal with it at present. It was obvious that the relations of the Head master with the governing body would be materially altered by placing him upon it, and he was inclined to doubt whether his power of doing his proper work would be thereby increased. He hoped the Committee would adopt the proposal of the Select Committee, and allow existing governing bodies, of which the Head master had never been a member, to prepare a scheme of future government and submit it to the Commissioners.

Mr. GOLDNEY said, the Fellows were acquainted with the working of the School. As to the merits of that School, a gentleman who had recently taken high honours at Cambridge informed him yesterday that he attributed his success to his progress at Eton, where he had acquired the best education that could be found in the country.

Mr. FAWCETT thought the Head master was one of the most appropriate names that could be placed upon the list of the governing body, and that the most advantageous results would follow such an appointment.

Mr. W. E. FORSTER said, the question before the House was simply, whether between August and the 1st of January the Head master should be associated with the Fellows and Provost in making suggestions as to the constitution of the new governing body. That was not a matter of very great consequence. The real point of importance was what were the powers of the Head master to be in future and after this Bill was passed. That, however, must be afterwards determined.

Mr. ACLAND advised the hon. Member for Middlesex (Mr. Labouchere) to withdraw the Amendment, and rely on the Commissioners giving an opportunity to the Head master of expressing his opinion.

Mr. LABOUCHERE said, that having regard to the tone of the discussion which had taken place, he should withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Mr. J. LOWTHER moved an Amendment, providing that the governing body of Westminster School should consist of the Dean of Westminster, the Dean of Christ Church, Oxford, and the Master of Trinity College, Cambridge, in lieu of the Dean and Chapter of Westminster.

Mr. MARSH remarked that in his own time the boys had nothing to do with the Chapter, but with the Dean alone, who used to ask them to dinner.

Mr. HURST pointed out that the pecuniary interests of the Dean and Chapter were hostile to the school, since every farthing spent on it came out of their revenues.

Sir STAFFORD NORTHCOTE said, he had no objection to include the Dean of Christchurch, Oxford, and the Master of Trinity College, Cambridge, in the governing body of Westminster School, provided the hon. Member for York (Mr. J. Lowther) would consent to retain the Dean and Chapter in the governing body.

Mr. J. LOWTHER accepted this suggestion, and the Amendment thus modified was *agreed to.*

Mr. ARYTON moved the Amendment to which he had formerly referred relating to St. Paul's School—namely, the addition of the words "of St. Paul's, the governing body of the Mercers' Company."

Mr. GOSCHEN said, his hon. and learned Friend a little while ago professed his inability to find who the governing body of the Mercers' Company were, yet he now proposed to put them in the Bill. He was so anxious not to impede the progress of the Bill that he would not detain the Committee by defending the Mercers' Company, and would only remind them that the circumstances of St. Paul's School were entirely different from those of other public schools. In the other schools the boarders were the chief element; but in St. Paul's they did not exist at all, for the boys were all day scholars. Whether the Mercers' Company had private rights or not it would not be wise to put St. Paul's in the present Bill, although it might be advisable to deal with it in a future Bill, together with Christ's Hospital and one or two others similarly situated. St. Paul's was maintained not only out of those funds of which the Mercers' Company were trustees, but they also contributed out of their own private property. St. Paul's School was taken out of the Bill in the Lords, and his hon. and learned Friend was beaten in an attempt in the Select Committee to include this School. It was therefore not advisable to include the school now.

Mr. KARSLAKE said, that a petition had been presented to the House by the Mercers' Company, in which they stated that at that moment an information was pending in Equity as to whether they had a right to claim the surplus revenues of the School. It was clear that while the matter was thus *sub judice* nothing could be done as to the insertion of the School in this Bill. He spoke with some knowledge of the School and of the Head master when he said that St. Paul's School not only furnished a good middle-class education, but that the boys obtained a high state of proficiency in Latin and Greek—far in excess of their numbers.

Amendment *negatived.*

Clause, as amended, *ordered* to stand part of the Bill.

Clause 4 *agreed to.*

Clause 5 (Power of Governing Bodies to alter their Constitutions).

Mr. WALPOLE: This clause is an important one. It was with reference to it that the hon. and learned Member for Oxford (Mr. Neate) made his remarks at the commencement of the debate. Wishing to have time for consideration with regard to it, I now move, Sir, that you report Progress. We propose to proceed with this Bill at a Morning Sitting on this day week.

Sir STAFFORD NORTHCOTE: I believe we can fix it for this day week; but, formally, we may now fix it for Thursday.

House *resumed.*

Committee report Progress; to sit again upon *Thursday.*

NOVA SCOTIA—BRITISH NORTH AMERICAN CONFEDERATION.

MOTION FOR AN ADDRESS.

Mr. BRIGHT: Sir, about a month ago—on the 15th of May last—I presented a petition to the House from the representatives of the colony of Nova Scotia, and I now rise for the purpose of calling attention to that petition, and to statements made in it, and of proposing what appears to me to be a judicious course in regard to it. The Resolution which I have given Notice of consists of two parts—first, the statement of a fact which is easily proved; and, secondly, a statement of the mode in which the Government would do wisely to meet the difficult questions which have arisen. I am sorry to see that the right hon. Gentleman who has charge in this House of colonial affairs is not here; but in the course of my argument he may come upon that Bench. The petition which I presented to the House makes what to all Englishmen must or ought to be considered a very serious complaint. It complains that the Parliament of this country, by an Act passed in the last Session, overthrew the constitution of the colony of Nova Scotia, and destroyed a description—nay, in fact, a reality—of independence which had existed in that colony for nearly 100 years; that it handed over the Government and the destiny of the colony mainly to another colony—namely, that of Canada; and, taking from the people of Nova Scotia the management of their own affairs, the appointment of their own officials, the collection and expenditure of their own revenues, transferred the whole of these to a Parliament created by the Bill, which was to sit at Ottawa, distant not less than 800 miles from Nova Scotia. Now the petition declares—and I think it is capable of proof—that the House of Commons and the Parliament of the United Kingdom did all they could, not only without the consent of the colonists of Nova Scotia, but directly in the face of their pronounced disapproval; and I think it would be easy to show that what has been done was in reality done as a great surprise to the people of Nova Scotia, and that it was in some degree—though I am afraid to use a word that may seem harsh — a fraud upon the Imperial Parliament. At least, if it were not a fraud—and perhaps I had better withdraw that word—the Act was passed upon representations which were extravagantly coloured, if they were not absolutely untrue. The Bill that passed last year did not include the colonies of Prince Edward's Island and Newfoundland; and for a very good reason, but for only one reason—namely, that the people of those two colonies did not take part in the discussion on this matter, and refused to be united to the other British North American Provinces. A clause was inserted in the Bill which would enable them at any future time to enter on its consideration—a clause which was perfectly wise, and would have been still better if it had included Nova Scotia. It is quite clear that, for the very same reasons, if they have a real existence, Nova Scotia ought to have been excluded; and I shall ask the attention of the House while I show them that Nova Scotia had as much right to be excluded as the other two colonies, and as much right to complain of being included as they would have had if they had been included in the Bill. The petition which I presented to the House describes itself as a petition from the representatives of the people of Nova Scotia, and was signed as I shall state. Out of nineteen Members who were elected last September to represent the Province of Nova Scotia in the Parliament at Ottawa, seventeen Members had given their assent to the petition, and had declared themselves opposed to the Confederation But of the thirty-eight Members elected last September to the Nova Scotian Parliament or House of Assembly, not fewer than thirty-six have signed the petition. I think that if 640 or 650 out of the Members of this House signed a declaration on some great public question, it would be difficult to say, especially if it were a question of subverting our Constitution, and handing us over to somebody else, that that was not a very fair, satisfactory, and complete expression of the will of the people of the United Kingdom in regard to that matter. The case appears to me to have been on the part of Parliament simply one of great error—an error of haste and precipitation; but to the colony, if their opinions are as I believe them to be, it is one of very serious wrong. I know exactly beforehand what the right hon. Gentleman will say upon this matter. He will say, "We have had the assent of the colony, and it is impossible for anybody to argue now that after what was done by the Legislature of Nova Scotia that the Province was wrongfully included in the Act of last year." I should be very glad to have the matter placed on that footing; because, if it were once concluded by the House that the Bill, so far as Nova Scotia was concerned, was wrong, and ought to be repealed, and that the people of Nova Scotia were not consenting parties to it, then I think I should be able to prevail on the House to exclude Nova Scotia from the operation of the Bill. I say that not only did they not consent, but the Government of this country knew perfectly well that they did not consent. In the debate that took place last year in the other House, where the Bill was first introduced, there was a very able and comprehensive speech delivered by the Earl of Carnarvon, then Secretary of State for the Colonies, in which he referred to the question, and admitted its difficulty. Referring to the case of Nova Scotia, he said there was no petition against the Bill on the table of the House of Lords. He said he believed there were petitions, and he insinuated something rather against them, for he added that though they were drawn with considerable ability, yet they had about them the mark of some single hand. He said it was admitted that there were petitions, apparently from public meetings, signed chiefly by the chairman, no numbers of those who attended the meetings being given. He referred to what was done in 1861, when a Resolution, generally favourable to some kind of Confederation was passed in the House of Assembly of Nova Scotia; but, as he said, it was in very general terms, and therefore no one could say fairly that it had anything to do with this particular Bill or this particular form of Confederation. He referred also to what took place in 1863, when the Parliament of Nova Scotia was dissolved—that the Parliament existing at the moment had agreed to vote in favour of Confederation, and that the British Government and Parliament could not go back beyond that vote, assuming that the Colonial Parliament was perfectly competent to do what it did, and that what it did must be admitted, even if the people did not agree with it. He instanced the example of the Assembly of Jamaica two or three years ago, when that frightful catastrophe took place, and the Assembly was admitted by the Parliament of this country to be competent to destroy itself as a constitutional instrument of government. We know well that the Jamaica Assembly was a doomed body the moment those transactions took place, and that, in point of fact, it only "committed suicide to save itself from slaughter," since if it had not done that, the very first act of the Imperial Parliament would have been to make some substantial change in the government of Jamaica. This is the sentence in which the Earl of Carnarvon expresses his feelings on the matter—

> "The plea for delay is in reality a plea for indefinite postponement, and to this I do not believe that Parliament will lend its ear. This measure has been purchased at the cost of great personal and local interests, and if we now remit it—I care not on what pretence—to the further consideration of the Province, we deliberately invite opposition, and we may be sure that many years will pass over before another such proposal for Confederation is submitted to Parliament."—[3 *Hansard*, clxxxv. 572.]

It is quite clear from that expression that he knew perfectly well what was going on in the colony; how entirely dissatisfied the people were with the proceedings of this Parliament; and he feared that if there were any delay—for the Bill would not pass if Nova Scotia was not included—and the question was remitted to the decision of the people of Nova Scotia, the idea of the Federation of all the colonies would not be carried out for many years to come. I think that supports the proposition I am submitting to the House. If the House determines—whether the people of Nova Scotia wish it or not — that that Province should be included in the Confederation, then I have no more to say on the matter. I should argue it no longer, and should leave Parliament and the Government to take the consequences of a policy which in my opinion would be so foolish and so monstrous. What is the course which the House of Assembly and the people of the colony took on this matter? I ask hon. Gentlemen who may fancy there is really nothing in the question to consider it carefully, because in all probability this will not be the last occasion of its being brought before us. In 1861 there had been very naturally a good deal of talk in the British North American Provinces as to the propriety of a Confedetion of the colonies, and in that year the House of Assembly of Nova Scotia passed a Resolution of a general character, which referred to a general or partial Confederation or union of the maritime Provinces, and which appointed delegates to consider the question, and to correspond with others who might be concerned in it. In 1862 certain delegates were appointed to meet the Executive Council of Canada, and another deputation from New Brunswick at Quebec. The whole matter was discussed and the determination come to by the conference was that the consideration of the question was premature, and that, until the intercolonial railway was made, and until the colonies were brought into that kind of amalgamation which would arise from the general establishment of free trade among them, nothing could be done, and therefore no further steps were taken by that conference. The next year a General Election occurred, but it is not asserted by anyone that the question of Confederation was referred to the decision of the constituencies. Two important questions were referred to them—one was that of retrenchment, some thinking that the Government had been very expensive; the other was a proposed limitation of the franchise. The result of the election was a change of Government — a result that sometimes follows a General Election in this country — and a Minister of great authority being deposed, a Minister who has since had great authority—namely, Dr. Tupper—ascended the Nova Scotian ministerial throne. In 1864, soon after Dr. Tupper came to the Premiership, the new Parliament met, and went into the question of Confederation, appointing delegates to consider the propriety of a union between Nova Scotia, New Brunswick, and Prince Edward's Island; but I believe that on no occasion has Nova Scotia shown any disposition to unite in any Confederation from which New Brunswick and Prince Edward's Island were excluded. In the same year there was what is called a "dead-lock" in the administration of affairs in Canada. The House will bear in mind that for many years past it is not Nova Scotia that has troubled the English Parliament and Government, but any difficulty in connection with the British North American provinces has arisen from embarrassments in Canada. The dead-lock in Canada was such that men looked across the table at each other in the House of Assembly, and asked how things were to go on. It was ultimately agreed that there should be a coalition; that men who had fought violently in Parliament for years before should form a coalition Government, and that its policy should be to combine all the Provinces in a Federal union; or, if that was impracticable, to apply Federa principles to Canada alone, by forming a central Parliament, in which representation should be based upon population, which would give dominance to Upper Canada, and so in all probability get rid of a dead-lock. This was the means by which they proposed to extricate themselves from the embarrassment in which they were placed, and to set their governmental carriage running on its four wheels again. The delegates who had been appointed to consider the desirableness of a union of the maritime Provinces—Nova Scotia, New Brunswick, and Prince Edward's Island—met, in August 1864, at Charlottetown, the capital of Prince Edward's Island, and they discussed the question for some time; but whilst so doing they were interrupted by the advent of a powerful delegation from Canada, the Canadian politicians being afraid that the maritime Provinces would get up a more limited Federation of their own. The result was, that these gentlemen having no increased authority from the House of Assembly of Nova Scotia, whatever they had from New Brunswick or Prince Edward's Island, some delay took place, and the delegates met again in Quebec, in October 1864, the result of their deliberations being the formation of what was known as the Quebec scheme, and which really formed the basis of the Bill which the Parliament passed here last year. The delegates from Nova Scotia and from the other Provinces did not agree to the Confederation. There is no proof that Nova Scotia has ever in any way countenanced a Confederation in which all the maritime Provinces should not be included. Bear in mind that up to this moment the policy of complete Confederation was entirely Canadian. It was not Nova Scotian—it was not even Imperial. Judging from the despatches of the right hon. Member for Oxford (Mr. Cardwell), the Colonial Office looked at it with great shyness, and probably did not think it was in a position to give immediate and distinct sanction to it. When this scheme became known in Nova Scotia, there arose a spontaneous excitement on the part of the whole people; meetings were held almost everywhere; petitions in great numbers numerously signed were presented to the House, objecting to the scheme; and objecting—as they have done all along—that anything should be done which was not referred to the constituencies at the elections. The Nova Scotian House met in February 1865, and in his opening speech the Governor referred to the Quebec scheme, promising to bring the question before the House; but he did not do so because it was felt that the opinion in Nova Scotia was so entirely against it that it would be in vain to ask the support of the House of Assembly for the scheme that had been contrived and developed at Quebec. The House did, however, in fact revive, not this scheme, but the smaller scheme of a Confederation of the maritime Provinces, to which the Nova Scotians had all along been greatly attached, though they do not appear to have in the least favoured a scheme to submerge them, as it were, in the Canadian power. They revived the Resolution of 1864, which referred only to the Confederation of the maritime Provinces; and to show how determined the House was to do nothing more than that, it actually rejected the Preamble to the Resolutions, which seemed to give some kind of semblance to the idea that under some circumstances they would consent to union with Canada. They thus showed in a very remarkable manner how watchful they were that they should not be committed to a general Confederation in which Canada was included with them. In the Session of 1865 there were 183 petitions, signed by more than 15,000 persons, presented to the House of Assembly of Nova Scotia, complaining of any attempt whatsoever to deal with the question of Confederation until it had been referred for the opinion of the people to be constitutionally expressed at a General Election. There were 183 petitions against any such proceeding, and only one solitary petition—the number of names I have not found stated in the petition—in favour of Confederation. Well, now we come to the Session of 1866. The House met in February. There was not a single word in the Governor's speech on the question of Confederation. If it had been referred to the constituencies—if the people of Nova Scotia were wishing for it—if it was for its consideration Parliament had been assembled, I think we should have had something about it in the Governor's speech. The question had been considered as one virtually settled—the minds of the people of Nova Scotia had been so far drawn from it that the whole matter was supposed to be at an end. What happened two months after? This extraordinary thing—the First Minister of Nova Scotia, Dr. Tupper, brought in a Resolution that a scheme of Confederation should be proceeded with, and delegates were appointed to arrange the scheme. No time was given for public meetings, petitions, or demonstrations of public opinion, and, in fact, the whole proceeding was carried on with an indecent haste, such as I should think there is no example of in a Legislative Assembly that was about, contrary to the will of its constituents, to subvert and overthrow its own power. The Session before there was no majority for doing anything; but in the Session of 1866 there was a majority for this proceeding. How it was obtained I know not; but there are modes of dealing with Oppositions, as we have had any number of times in this House, by which a minority sometimes becomes a majority. Dr. Tupper is a man of whom I will say nothing that is disrespectful. He is a man, I should say, of rather a subtle intellect, and he has what is an admirable thing in a Prime Minister—a persuasive tongue; and, what is more, he appears to me to have an ambition which is not willing to be confined within the comparatively narrow limits of the Province of Nova Scotia; and, somehow or other, Dr. Tupper managed to convert the minority of the year before into the majority of the year 1866, and succeeded in having this Resolution passed and these delegates appointed. Then these delegates came to England, where they were joined by those of Canada and New Brunswick, Prince Edward's Island and Newfoundland taking no part in the matter, and sending no delegates; so that, happily or unhappily as the case may turn out—for I am not arguing for or against Confederation as a principle—their legislation did not subvert their Constitution, and they are free as they were before. But there came to England whilst this question was under discussion a counter delegation sent by the people—not the Assembly—of Nova Scotia. The delegates from the people brought a petition signed, not in favour of Confederation, by 31,000 male inhabitants of Nova Scotia, protesting against the Imperial Parliament giving its assistance to the subversion of the Constitution of Nova Scotia and to uniting that colony to Canada, and till the people should have had an opportunity of declaring their opinion upon that proposal at the General Elections in the Colony. In the month of March last year I protested against the right hon. Gentleman the Under Secretary for the Colonies proceeding with the Bill, telling him that in three months, according to the ordinary custom of the colony, there would be a General Election, and this question would then be referred to the whole of the constituencies affected by it. But the right hon. Gentleman was very sharp on me, and thought I was stepping in and interfering with a great transaction of his. I pointed out that in reference to English corporations this House does not put men within the circuit of a municipality until you have ascertained what is the opinion of those who are to be included within it; but here is a whole colony of 400,000 persons—a colony that I venture to say is, for its numbers, the noblest colony probably that England has; a colony that has given us less trouble; a colony having a people of most remarkable qualities; and yet they are handed over to this new Confederation not only without their consent, but absolutely in the teeth of their protestations against it. To show the House that I am not now taking up the question merely for the purpose of stimulating any difficulty that may have arisen, or of making this question embarrassing to the Government, I will state some few of the things I said when I spoke on the subject last year. I said that I had never before known any measure affecting any considerable part of the population hurried through Parliament with the unseemly haste which we witnessed last year; and I referred to the fact that two colonies were left out, and I said I presumed they were left out because it was quite clear that they did not want to come in. The right hon. Gentleman (Mr. Adderley) interrupted me, and said: "I am glad I can inform the hon. Gentleman that they are—one of them at least—on the point of coming in." I have not heard of their coming in, but they were left out because they did not wish to come in, and that is all I propose with regard to the colony of Nova Scotia. Further, I described what had been done with that petition of 31,000 signatures; and I asked the House not to bind Nova Scotia until the opinion of the constituency of that colony had been ascertained, which would have been within a few months of the time at which I was speaking. I said further—

> "If, at a time like this, when you are proposing a union which we all hope is to last for ever, you create a little sore it will in all probability become a great sore in a short time, and it may be that the intentions of Parliament will be almost entirely frustrated by the haste with which this measure is being pushed forward."—[3 *Hansard*, clxxxv. 1182]

The right hon. Gentleman had spoken of the case as one of great exigency, and I pointed out that if we had the feeling of the people of Nova Scotia with us we might go forward in the hope that the transaction would be advantageous to the colony and honourable to the mother-country. The petition to which I have referred was disregarded; the opinions of 31,000 persons were considered not nearly so important as the representations of Dr. Tupper and his friends; my warning with regard to the little sore was considered of no use and not in the slightest degree judicious; and the Bill, being pushed forward, was passed. Now there came on in September, later than usual, a General Election for the Province of Nova Scotia, and it was no longer possible to keep the subject from discussion and decision by the constituencies. The result was, that of the thirty-eight Members returned to the local Nova Scotian Parliament meeting at Halifax, only two were returned in favour of Confederation, and of the nineteen sent to represent the Province in the Parliament meeting at Ottawa, only two were returned in favour of Confederation, and one of these has, I believe, given his assent to the petition I have presented to the House. Thus it will be seen that of fifty-seven Members, only three are in favour of the Bill which was passed with so much haste and so much unstatesmanlike obstinacy last year. The House is landed in this difficulty, that you have been professing to confer a great benefit on your colony—you did it without their consent, and that colony turns upon you, and asks you to take back the gift. The House should bear in mind, when this election took place there were not wanting those means by which Government and officials interfere with the freedom of elections. It was said more than once by persons in authority, that if the people of Nova Scotia voted against the Confederation it would be displeasing to the Queen. The Colonial Office also exercised its authority. The Governor of the colony at the time exercised all the influence he could bring to bear on the matter and the case. The military gentlemen who lived outside barracks, and who never before voted at elections, came forward and voted, and brought all the force of their opinion, example, and suffrage in support of what they supposed was the intention of the Government at home and of the colony. And the Canadian officials, they were also to exercise whatever influence they possessed. Well, all this was done, and we know how it is done here, and we can guess how it is done in Nova Scotia. But, notwithstanding all this battery and machining against the popular cause, it failed, and failed completely, as I have shown. The House elected last September met in February of this year, and immediately turned their attention to the question of the destruction of their Constitution and their forced union with Canada; and they sent delegates to England to ask for the restoration of the Constitution as it existed previously to the passing of the British North American Confederation Act, and they instructed their delegates they were not to accept any alteration or amendment of that Act. I do not say this for the purpose of saying I agree with or approve of it, or that I think it absolutely necessary for them to stand by those words. I state it for the sake of showing what at the present moment is the unanimous judgment of the whole local Legislature of Nova Scotia. In the eighteen counties of the colony great public meetings were held, and one was held in Halifax, the capital city, and under the eye of the Government. They say the Act of Union has no claim upon the loyalty of the people of Nova Scotia, and that any obedience to it is a matter of coercion, and not given by a free people. There are 48,000 electors in Nova Scotia, and I think only 13,000 voted for the Confederation candidates, with all the influence that could be brought to bear upon them. But in some counties there was no control; in others, the majorities were so great and the minorities so small that the poll was over at a very early hour of the day, and a great number of the electors did not vote. I state this in order to show that the number of electors who voted on the occasion ought not to be regarded in a consideration of this question. I must refer once more to the speech of the Earl of Carnarvon. I say it expresses a fear of public opinion in Nova Scotia, and a consciousness that he was taking a course, in moving the second reading of the Bill, which had not the sanction of the people of the colony. If that be so I put it to the House whether it is not a question of more than ordinary seriousness, and whether the proposition I make for an inquiry—that a Commission should be sent out—is not a rational and statesmanlike proposition? If the House or the Government be disposed to disregard the question, then I assure them it is understood to be a serious question in Canada; and that, although Dr. Tupper is anxious the Confederation should work well, and that all the colonies should adopt it, the present aspect of affairs in Nova Scotia is perilous. In Canada, I am told, the Canadian oath has been altered, because it will not be taken by the people of Nova Scotia. They were required to take an oath that they would defend their dominions. The people of Nova Scotia were not prepared to take the oath, and it was therefore altered. More than that, I believe the Nova Scotia Militia will not be called out for drill this year, because it is felt that the people of Nova Scotia are unwilling to do anything that will put them into action with, or independence upon, or in submission to the Government of Canada. The right hon. Gentleman (Mr. Adderley) will tell the House—I wish I could say what he will doubtless say—that the whole thing will blow over. Well, some things do blow over; some do not: and if they do, it is only with a very rough blast. It is not a very statesmanlike conclusion, after last year committing a great error or wrong, to sit down and refuse to inquire into it, or remedy it, and say it is a momentary passion, and will blow over, and that the opposition will soon be at an end. You have bound them together, and you say there is no remedy in this Parliament which did them the injustice. You tell them, if a wrong has been done, they must go to Canada and get it remedied. If they go to the Parliament of Ottawa they would tell them by a majority of 6 to 1 they could nothing for them. They would say, "You are part of the Confederation, and if any wrong has been done you must go to the Parliament in London." I beg to tell the House that if that is the principle on which we are to act—to allow them to go to Canada for a remedy, and if we undertake to interfere in no way in the matter, and withdraw the troops from Nova Scotia, and leave Nova Scotia and Canada to settle the matter, it will be settled very easily, or perhaps I should say without much difficulty. Canada cannot coerce Nova Scotia. Nova Scotia would know that she cannot be coerced; and therefore either she would secede and revert to her ancient Constitution, which she has by no means forgotten, or Canada would immediately appoint a Commission to inquire into the whole matter, and to offer to Nova Scotia such amendments of the Act, and such changes or concessions in the mode of Confederation, as Nova Scotia might — I do not say it is likely she would—but such as she might ultimately be willing to accept. There is another point which the House should bear in mind—that Nova Scotia is next to New Brunswick, and although New Brunswick has, by her General Election, confirmed the proposition of Confederation, yet there is a growing feeling in New Brunswick, since the Canadian Parliament met, that the Confederation is not a good thing for them. Every day, I believe, a stronger sympathy with Nova Scotia is being created. The other day, in the city of St. John, the principal mercantile city of New Brunswick, a candidate strong against Confederation was returned, and so strong was the party supporting him that no candidate in favour of Confederation could be brought forward to oppose him. I venture to say, if the Government refuse any inquiry into this matter, they will only add to the folly of their haste of last year the greater folly of a more perilous obstinacy this year. It is not a safe course that the Government is going to pursue, if I have rightly heard what is in their mind. It is said that the right hon. Gentleman and the Duke of Buckingham, his Chief at the Colonial Office, propose that by-and-by a new Governor General shall be sent to Canada; that the matter shall then be inquired into; that he shall try to ascertain the grounds of discord, stopping a day or so at Halifax; and that, when he arrives at Ottawa, he shall propose something to reconcile Nova Scotia to the Government of Canada. I believe that any such inquiry will be utterly futile. The Governor General going out there will not be the most impartial man to consider the question; and when he gets to Ottawa, and is there surrounded by his Ministers in the Canadian Parliament, who will all be on the other side, it is quite clear he will be in a position of the greatest difficulty. And I think a man must be sanguine beyond what is wise to suppose that any good could arise from a proceeding like that. I think that we have committed a certain wrong. We have done it through error, or in haste; and it is very unstatesmanlike to shut the door of Parliament against the prayer of the petitioners, which may be said to represent nearly, if not quite, half the population of Nova Scotia. I think the sending out of a Commission, or Commissioners, would be more considerate to the colony. Such Commission might take into view all the circumstances of the case; and it would be more soothing to the 300,000 or 400,000 inhabitants who are dissatisfied with the course taken last year. Our colonial experience has not been very satisfactory to us in some things. We fancy that people 3,000 or 4,000 miles off are as tractable or as easily governed as people in a neighbouring colony. It is quite a mistake. They have ideas which Englishmen have not. The tie which binds them to this House, though strong, is very much less strong than the ties which bind our English counties to the sovereignty of this House. It is only about 100 years ago that the wise men in this House proposed in a single Session to pass three coercive Acts against the North American colonies. I have no doubt that there were many men in those days who stood up to object to those Acts, and were deemed fools or something worse for their pains. And yet their folly turned out the greatest wisdom, and the almost unanimous wisdom of Parliament turned out to be the greatest folly; and this is now pointed at by every historian as one of the most remarkable transactions of unwisdom that ever occurred in the English Parliament. It is not now a question of mere stamps, or of 3*d*. or 6*d*. a pound on tea. It is a question of the absolute subversion and abolition of an ancient, honoured, and valued Constitution. I consider it quite likely that the people of Nova Scotia, who have been free, happy, independent, and prosperous for so long a time, may have just as strong a love for the Constitution of their comparatively small population, as any of us may have for the Constitution under which we live. The noble Lord who moved the second reading of the Bill in the other House said we were now laying the foundation of a great State. Last year we all hoped so. I hoped so myself although I confess I had not much faith in it. But to build up a great State by making a victim of this colony, and to make a victim of this colony in order to meet certain difficulties in Canada or in the Colonial Office, does not appear to me to be wise; and to endeavour to build up a great State from those discordant materials, partly from fear, and partly from jealousy of the United States, is a far more objectionable feature in the matter. I know very well there is an idea that this union with Canada is one mode of preventing the North American colonies from annexation to the United States. The motive is hardly wise, and in the mode of accomplishing it there is no wisdom whatever; for you are attempting now to build a great State on a foundation which shakes under you the very moment you are beginning to build; and when you passed your Bill of Federation last year for the foundation of a great State, you were putting together materials which were not in accord, and out of which the moment they were brought together would arise something like we have now seen. We know what the official view of things is. It, we generally find, is to do nothing; and it goes on doing nothing until the case gets so bad that nothing can be done. And that is precisely what the Colonial Office to-night will ask the House of Commons to do in this matter. It would not do anything last year but contradict me when I said the Nova Scotians were against that Bill, and the right hon. Gentleman was positive and rather insolent, and thought I was meddling where I did not understand it. And now, when I ask him to inquire, he will tell the House that inquiry would only make the difficulties greater, and would bear the appearance of a concession which the House does not intend to make. Now, I hope the House and the Colonial Office will beware of saying anything like that. You do not know yet that you will not have to make concession. And therefore I say to the right hon. Gentleman and to his Colleagues not to agree to any statement like that, because next year we may look upon a state of things far less palatable than those of to-day. What is the difficulty of inquiry? There have been Commissions of Inquiry before of an important character, and there may be one now. The result would be this—that all the Canadian people would say—"Well, the English Parliament have behaved to us, after all, in a certain degree of moderation and reasonableness. What they did was through misapprehension, and when we represented it to them they were ready to inquire. They have sent out a Commission, and we will go fairly into the question with them, and we will see if the difficult question can be adjusted." Now, there are several things which could be done. There could be a Confederation of all the Provinces, as at present proposed, but with certain modifications, and this might possibly meet the views of the Nova Scotians; there might be a Confederation of the maritime Provinces only, which would be probable most likely to meet the views of the Nova Scotians; or you might take the alternative scheme proposed by the Canadian Executive Government—apply the Federal principle to the two Canadas with a central Parliament. So that, after all, there are two ways out of this difficulty, and the proper way would be discovered by a Commission sent to Nova Scotia to inquire into it. But whatever you do, I say to have no inquiry, but to stand on the Bill passed last Session—to shut the door of the House in the face of that new colony—would be one of those acts, not of statesmanship, but of madness, which statesmen and Ministers ought on all occasions to avoid. If you shut the door of hope, what will be the effect upon the minds of this population who are so agitated? They will feel that they are made the victims of Canadian ambition and of Imperial policy in which they do not in the least sympathize. I am afraid, Sir, to treat this question in one part of it, because it will lead me to say, though it will be false in detail, what will be likely to increase the difficulty I point out. If you propose a union at all hazards, the danger to my mind is apparent. From the moment that resolution reaches Nova Scotia there will be created a deeper hostility to Canada. I do not know why it is that the smaller Provinces have no love of Canada. They do not believe in her political system. They have no faith in the wisdom and morality of her statesmen. They go there with nineteen Members to a House of 180 Members, and they think they will be lost when they get there, and that their own complete government will be gone. They are not placed under the Imperial Parliament, but under what is only a Colonial Government, in which they have no faith and for which they have no love. I say therefore if you turn them from this House, not only without remedy, but without inquiry, you will create a deeper hostility to Canada. You will create also a growing estrangement from England, and what is perhaps dreaded by some more than anything else, you will create and increase the sympathy with the neighbouring New England States of North America. When men are irritated, as the Nova Scotians are now irritated, and when nothing is done to soothe the irritation—when you will not inquire—when you will not remedy—when you will not listen—it takes a very little thing indeed where a colony is 3,000 or 4,000 miles away from the mother country, to turn its eyes in the direction of the government of a great country—of its own race and with institutions as free—and probably willing, when the colonies are willing, to receive them within its ample borders. This is what I am afraid may happen. Your scheme must break down if the Nova Scotians resolve they will not have it. It is impossible for you to coerce them. I do not think there is the temper in the English House of Commons, nor amongst Englishmen in the United Kingdom, that would allow the Government by force to coerce the population of Nova Scotia into the subversion of her very government, and into annexation with Canada. But if you are not prepared to coerce, then I say the proper course for the Government to take—and I never gave any Government an opinion with more conscientious belief in its reasonableness and its propriety—the course which the Government should take is to select one or two men of high position and character in this country, who would go and give two or three months to this question this autumn, to examine into the whole matter in Nova Scotia. They would also see something of the state of public opinion in Canada; because they would necessarily see the Governors and the authorities there, and possibly—probably—I will not say certainly—they may propose some plan which would relieve the colonies from this difficulty, and would show the House of Commons and the Government here a path out of a difficulty which I think every day we tread in it becomes more difficult, and which may land us in disasters which are fearful to contemplate. The other day the right hon. Gentleman at the head of the Government met the deputation upon Ireland. It was not upon this question—it was upon a question which has been much discussed in the House during the present Session—and he made an observation to them which would have been very wise under certain circumstances, but, as it was not true, it was not very wise under the circumstances in which it was spoken. He made this observation. He said—"We have secured this for the people of this country, that the Constitution shall not be subverted without an appeal to them." But you have subverted the Constitution of Nova Scotia without any appeal to the people of Nova Scotia. You did it from what I think an exaggerated statement of persons connected with the then Government of Nova Scotia, and the House did on the representation of the right hon. Gentleman opposite, who certainly was very much more sanguine than he had any right to be. You have done to the people of Nova Scotia what I maintain is one of the greatest wrongs that despotism in any form can do to any people. You have power to maintain it so long as Nova Scotia has no assistance from outside its own borders. But there is no statesman in England who will venture to bring about the shedding of one drop of blood upon that Continent. No man in this House more entirely hopes that such a thing is absolutely impossible than I do. Yet these questions may be driven to a point where difficulties will arise which the English Parliament will be utterly unable to settle. And whilst we have been endeavouring to bring about important arrangements for the Federation of our fellow-subjects in the British North American Colonies, we may possibly have been taking the step that will thrust them into the United States. Only the other day I met an Englishman who has lived in the United States, and who is familiar with everything there, and he asked me whether I thought the Government intended to refuse my claim. I said, "I think they do. They generally refuse everything, and I understand they are going to refuse this." "Well," he said, "I am very glad to hear that;" which rather struck me with surprise, and, indeed, with pain; and I said, "Why are you glad?" He said, "I believe nothing can prevent the absorption of these colonies within the Republic of the United States;" and he added "There is no step the Government could take so certain to hasten it as to object to your Motion and refuse the Commission of Inquiry which you propose." Now, Sir, I cannot say what he says, because I am not glad of it—I regret it, and regret it sincerely, because I think nothing could be more unfortunate for these colonies and this country than that we should do anything to hasten the accession of these colonies to the United States. Our duty is, so far as we can in legislating for them and in governing for them, to do it all freely, honourably, and generously to them, with their consent in every step; and to the last moment that these colonies shall be dependent on the British Crown, that every person within them shall feel that that Crown has not been a Crown of tyranny, but the Crown of just government to them. Now, Sir, I have submitted this case. I do not know that it is necessary to say anything more about it. I submit it as I see it, and as it commends itself to my view. It is a case not for opposition nor for obstinacy. It is a case which calls for statesmanship and for justice. Last year the House legislated in error and in the dark. To-night I hope, after the simple narrative I have given of these transactions, it can never be said that the House can act otherwise than in the broad light of day with respect to this question. I advised the right hon. Gentleman last year, as he knows, not to be precipitate with that Bill. If he had taken my advice this difficulty would not have occurred. The right hon. Gentleman made a mistake. He placed too much reliance on evidence which was not trustworthy. Now, in this matter I have no party or personal interest to serve. We ought all to be alike anxious that what is just and what is generous should be done to the colony of Nova Scotia, and that fair inquiry should be made into the grievances of which complaint is made. And if the right hon. Gentleman refuses this course, and if difficulties should come of it, the responsibility must rest with the right hon. Gentleman and with his Colleagues; not with me. The hon. Gentleman concluded by moving his Resolution.

Mr. BAXTER, in seconding the Motion, expressed a hope that it would be acceded to by the Government. He believed that if a petition so influentially signed and so effectually worded as that presented by his hon. Friend were entirely disregarded by the Imperial Parliament, consequences must ensue most humiliating and disastrous to this great Empire. If his hon. Friend had proposed that the House should adopt any Resolution or affirm any measure to carry out the views of the delegates of Nova Scotia, then he could understand why the House and Her Majesty's Government should feel great hesitation in doing anything of the sort. He believed that any Gentleman who had carefully looked at the Papers that had been circulated with regard to this question must admit that the delegates from Nova Scotia had made out a very strong case. But his hon. Friend did not ask the House to repeal the Union Act nor to pronounce any opinion on any branch of the subject; all that he asked for was, that having regard to the universal dissatisfaction which prevailed in Nova Scotia, there should be an inquiry into the cause of that dissatisfaction, with a view to its removal. He could scarcely conceive that this House would refuse so reasonable a request, whatever view they might take of the Confederation of Canada. His hon. Friend had, perhaps, seen the delegates from Nova Scotia; but he (Mr. Baxter) stood in a totally different position. He had not had any communication with those delegates, either direct or indirect. But he had taken the trouble of making inquiry into this matter. He received the other day from a friend long resident in the colony, a gentleman in business at Halifax, and having no connection with the party politics of the colony, a letter which fully confirmed the statements made by the delegates sent over by Nova Scotia. In that letter it was stated that the whole population of the Province was opposed to the union; that the Imperial Government had been entirely deceived as to the feeling of the Nova Scotians themselves; and that the people would resist the change. It should not be said that, in consequence of our legislation, we had driven a loyal and influential State to take a step of that sort. The letter went on to say that Nova Scotia had already experienced the disastrous effects of the union in the increase of the duties imposed upon most commodities. The Nova Scotians ridiculed, too, the idea of our giving an Imperial guarantee in connection with the construction of an intercolonial railway, on the ground that they were perfectly able and willing to raise the money themselves. The colony was one which had been loyal and true, and the people complained that the Act had been passed without seeking their opinion upon it. The people of the colony deserved the utmost consideration at the hands of the Imperial Parliament, and he quite agreed with the hon. Member for Birmingham, that if the House took the strong step of refusing any inquiry into the case, the people of Nova Scotia might come to the conclusion that the present generation of Englishmen had forgotten the lesson of the American War of Independence. He had much pleasure in seconding the Motion.

Motion made, and Question proposed,

"That this House is informed, by a Petition presented on the 15th day of May last, signed by 36 out of 38 Members of the House of Assembly of Nova Scotia, and by 16 out of 19 Members elected by that Colony to the House of Commons at Ottawa, that great dissatisfaction prevails in Nova Scotia with the Act passed in the last Session of Parliament, intituled 'An Act for the Union of Canada, Nova Scotia, and New Brunswick:' And that an humble Address be presented to Her Majesty, praying that She will be graciously pleased to appoint a Commission or Commissioners to proceed to Nova Scotia for the purpose of examining into the causes of the alleged discontent, with a view to their consideration and removal."—(*Mr. Bright.*)

Mr. ADDERLEY said, that the Motion of the hon. Member for Birmingham (Mr. Bright) could not be regarded as raising in any way a party question, because both sides of the House were equally interested in this great Confederation of the North American Provinces obtaining a successful start, and were equally interested in the Act of last Session, which was passed almost unanimously. But, although the question raised was not a party question, it was one of the gravest importance, and one that ought not to be judged by outside appearances, but by the gravest and most thorough consideration of the intrinsic merits of the case. The question raised by the Motion before the House was whether the Province of Nova Scotia was so wrongly, and in the dark, drawn into this union by the Imperial Act of last Session that it became this House to ask the Queen to issue a Royal Commission of Inquiry on the spot, undertaking on the part of this country a most questionable interference with the local affairs of North America. The proposition was startling and obviously dangerous, and nothing but the strongest reasons should induce the House to assent to it. Great dissatisfaction undoubtedly had been recently shown in the Province of Nova Scotia with the union of the North American Provinces. That dissatisfaction cannot be disputed, and he had no doubt that the House would deeply regret with him that it should exist. He could only say that Her Majesty's Government regretted the existence of that dissatisfaction as strongly as any one. But this proposition for a Commission from this country to inquire into it was, notwithstanding, so unpromising a remedy that it became the House to consider the allegations on which it was based, and the nature of the recommendation which they were asked to agree to. He would endeavour, in the first place, briefly to show that those allegations were wholly erroneous, and without foundation; secondly, that if even the allegations which had been made were true, the recommendation of the hon. Member was about the most insane thing the House could agree to; and thirdly, that the alarm and discontent in Nova Scotia could be much better met, and were rapidly being met, by a totally different process. The allegations were that Nova Scotia had been entrapped into this union by surprise, and that this House was induced to sanction the Act by a fraud practised upon it. The truth of these allegations he entirely denied. Parliament, in passing the Act of Union, simply put Ministerially into the form of an Imperial statute, Resolutions which had been passed by the Provinces themselves. The subject of union had been agitated for no less than fourteen years in the Provinces, and in no instance had this country done more than accept the propositions made by the Provinces to it, and offered to do its part in carrying out their wishes. When propositions were first made the Duke of Newcastle was Colonial Secretary, and he received them very cautiously, saying—"If you really want this union, make it clear to us, and we will entertain your proposition." When a similar proposition was made to the right hon. Gentleman opposite (Mr. Cardwell) he received it with similar caution, saying—"Confer with your colonial Legislatures and let us know the conclusion at which they arrive upon the subject." In both instances the Colonial Secretaries of State, so far from initiating propositions of union received those made to them most cautiously. He did not mean to say that the Government might not have been perfectly justified if they had treated the subject less scrupulously. Far be it from him to say this country was not concerned and deeply interested in this Confederation. The British taxpayer who maintained 12,000 British troops for the defence of North America was certainly interested in consolidating the strength and developing the resources of his fellow-subjects. It was unnecessary to raise the question whether this country could not have instituted this Confederation even without the consent of the Provinces. But this country always felt that it was better that we should not initiate, still less urge, such a union, but that we should rather wait upon the inclination of the Provinces. His object was to show the House, by mere statement of facts, that this proposition came from the Provinces themselves, and that history, without any argument, would dissipate to the winds the allegation either that Nova Scotia was taken by surprise, or that this House had been in any way imposed upon. Lord Durham, in 1838, reported that deputies from Halifax urged the necessity of a general union of the Provinces as the most likely measure to preserve their connection with the British Crown. The proposal for union was first made by the Leaders of the two opposite parties in Nova Scotia in 1854, Mr. Howe being one of them; and a proposal to that effect was made to this country by the then Colonial Government. In 1857 the proposition was renewed at the instance of the other party, and delegates were sent to this country upon the subject. The hon. Gentleman (Mr. Bright) had mystified himself by the distinctions drawn by those who had placed in his hands the case for Nova Scotia between the various propositions made at different times for different kinds of union—Legislative union, Federal union, and union by actual representation in that House. The proposition for a union of some kind of all the North American Provinces had been a leading topic in Nova Scotia for fourteen years, and was a topic of common consent between the opposite parties in that Province. In 1861 a unanimous Resolution of the Nova Scotian Parliament in its favour stated that the subject had been mooted from time to time and should be sealed—this subject which in 1868 was said to take that Province by surprise. The election of 1863, instead of supporting the case of the hon. Gentleman, went really decisively the other way. The hon. Gentleman said the topic of Confederation was not made a party cry at that election, and seemed to think that that was a point in his favour; but the fact of the subject not having been made a party cry was a convincing proof that no feeling against the proposition existed. Had such a feeling existed the question undoubtedly would have been made a party cry, and would have been a chief topic at the hustings. The fact was that all parties were then agreed upon the subject; and therefore nobody touched the question at that election. In 1864 the proposition was again brought forward, and a Resolution was passed by the new Parliament approving it. The hon. Member said that when the delegates met at Charlottetown Canada came in unexpectedly. All he could say in reply to that statement was, that Canada asked to be invited, and was invited to send delegates to the meeting, and therefore it could scarcely be said that the other Provinces were taken by surprise by her taking part in those proceedings. When the Conference was adjourned to Quebec, in 1864, Resolutions were passed which were the *ipsissima verba* of the Imperial Act which was passed last year. Before these Resolutions were presented to the Legislature of New Brunswick, an election had taken place in that Province which returned an Assembly adverse to the union. But in the course of the very next spring they changed their view, and were as strongly in favour of the union as they had at first been against it. That change of opinion appeared to be incomprehensible to the hon. Gentleman. That change of opinion, however, was the rapid first-fruits of mature consideration on the part of the Legislature of that Province. A similar change may result from Nova Scotia's reflection. It was not until after Resolutions in favour of the union had been unanimously agreed to by all the Legislatures of the interested Provinces that the Act of last Session was passed by the Imperial

Parliament. He would not waste the time of the House further in endeavouring to show that the Nova Scotians were not taken by surprise by the Act of last Session; but the hon. Gentleman, departing from that ground which, he thought, he must have found a somewhat weak one on which to take his stand, appealed from the Legislatures of the Provinces to the people. It was true he admitted that the Legislatures were in favour of the union; but then he contended that the Nova Scotian Legislature did not faithfully represent the inhabitants at large. Now, what he had already said about the election of 1863 fully disposed, in his opinion, of the hon. Gentleman's argument on that point; for all parties at that election were so unanimous on the long-mooted question of Confederation that it was not even raised on the hustings; and the Assembly then returned passed immediate Resolutions in its favour. But he would deal with the hon. Gentleman's proposition of an appeal from representatives to the people on such a question on grounds of abstract principle. The hon. Gentleman had quoted the right hon. Gentleman at the head of the Government as having laid down the principle that an existing Legislature was not to deal with a great constitutional change without an appeal to the people. But had not the hon. Gentleman himself, he would ask, repudiated that principle in the debate on the Irish Church this very Session? [Mr. BRIGHT dissented.] He was glad the hon. Member thought the Irish Church could not be abolished by this Parliament. He would appeal to the right hon. Gentleman the Member for South Lancashire, who he was certain had repudiated that principle in reference to the Irish Church; for he had quoted a speech of Mr. Pitt on the Union with Ireland, in which that statesman said that a principle so democratic as that representatives could not deal with constitutional changes without special reference to their constituents struck at the root of representative government. The Irish Union was a precedent against the hon. Member for Birmingham. The Scotch Union was another precedent against him. Commissioners in that case were appointed on both sides to draw up terms which were enacted without an appeal to the people. Again, in the case of the Canadian Union in 1842 an appeal to the people was proposed and rejected; but, perhaps, the best precedent was that which was furnished by Mr. Howe himself, who in 1863 passed a Nova Scotian Reform Bill, reducing the constituencies of Nova Scotia by one-third, without ever deeming it necessary that an appeal to the people should be made. On the contrary, the change occurred immediately after his election, and he repudiated the notion of appealing to the people even on the subject of their extensive disfranchisement. And he must remind the hon. Member for Birmingham that in making the appeal which he now so strongly advocates he was asking for an appeal from a larger to a smaller constituency—to a constituency which since 1863 had been diminished by one-third. And when the hon. Gentleman talked of the old Constitution of Nova Scotia, and said that if care were not taken the people of that Province would violently resume that Constitution, he would beg him to remember that the old Constitution of Nova Scotia was simply, after all, the gift of the Crown. The Lieutenant Governor was sent out from this country with a commission which authorized him to summon an Assembly. There was no charter for Nova Scotia and no foundation for a Constitution enjoying the advantages of that great Confederation in which they had now their share, which had a Government as free as our own, and a Parliament as powerful as the House of Commons to manage its own affairs. But then the hon. Gentleman laid stress upon the fact that in the recent elections in Nova Scotia since the union it had been triumphantly condemned. Now, he disputed the statement that the union was condemned in those elections, and he had taken the best means to inform himself as to what had been the real expression of feeling at those elections. Looking through a file of the *Halifax Morning Chronicle*, which was the organ of Mr. Howe, he found that the cry at the elections was not against the union generally, but that it had almost wholly reference to two things—the possible injury that might accrue to the interests of Nova Scotia from Confederation with the larger State of Canada, but still more was it directed against what was called the Tupper-Archibald party and their past misdeeds. It was certainly quite true that there was great alarm in Nova Scotia; but history furnished no instance in which a smaller State did not entertain some fear and jealousy in confederating with a larger State. No man, for example, possessing a genius inferior to that of Washington could, he believed, have overcome the mutual jealousies he had to contend with before he effected the first Confederation of the United States, and it was not surprising that similar jealousy should prevail in the smaller States of our North

American Confederation. The hon. Gentleman would, however, find that the existence of a feeling at the recent elections in Nova Scotia against the union with Canada was by no means so conclusively established as he seemed to suppose; but that, upon the contrary, the people of that Province had for the most part made up their minds to give it a fair trial, the chief objects of abuse at the election being the Fishery Licence Act and that compulsory education tax for which Dr. Tupper enjoyed the credit and the blame. Mr. Howe, he saw by the *Halifax Morning Chronicle*, was in favour of giving a fair trial to the new Constitution, though he described the result of his electioneering as having been against it. Mr. Annand, who declared for its repeal, was ousted from his seat; and Mr. Stewart Campbell, the leader of the opposition to the union in the Assembly, stated that he would accept the Act now that it was passed, and help to carry it out in the interests of the colony. These quotations from Mr. Howe's paper tended very much in his opinion to upset the general view which the hon. Gentleman had taken of the elections. He might also observe that out of 48,000 electors only 23,000 had given their votes for what the hon. Gentleman would call the popular or anti-union party, so that though the elections went against the Government, not half the electors so voted. He thought he had now shown that the allegations which had been made by the hon. Gentleman were not well-founded, and he should in the next place proceed to contend that even if they were, his proposal for an Imperial Commission of Inquiry was about the worst which the House could adopt. We had no business to inquire into the local arrangements of the North American Provinces. By doing so we should be going back for some thirty years in colonial policy. In 1839, when Lord Durham was sent out, the object was to redeem the North American colonies from evils which our interference had caused, and to allow them to manage their own affairs. We had recognized self-government of the most ample kind in North America. If the hon. Member would place himself in the position of a member of the Confederation Parliament he would feel himself insulted by the proposal of a Commission to be sent out from this country to inquire into the policy of a representative Legislature of which he was a freely elected Member. Besides, let the House consider what the effect of such a course would be upon this country. If we were to send out a Commission of Inquiry into the constitutional arrangements of these Provinces, we should take upon ourselves the responsibility of their future government; we should be assuming the burden of their maintenance and perpetuating the responsibility of garrisoning the colonies with our troops. And then let the hon. Gentleman and let the House consider what the effect would be upon the influence and authority of the new Government if we were now to send out a Commission to inquire into its validity and possible change or disruption. Just at this critical moment, when a new Government is called upon to conduct its affairs amidst the jealousies of the smaller partners, and those difficulties are still further aggravated by the drilling of Fenian conspirators openly along their frontier, and by projects and agitations for the annexation of these colonies to the United States, who deprecate Confederation because annexation is thereby rendered more difficult —at such a moment as this the hon. Gentleman says it would be a statesmanlike proceeding to send out a Commission which would paralyze the Executive and weaken the union, and encourage every disturbance and complaint. Just at the moment when, in the midst of difficulty, they had launched the new State on the enterprize of self-government the hon. Gentleman came forward with a proposition that would have no effect more surely than to expose it to every trial from within, and from without. And that the hon. Gentleman called a statesmanlike proceeding. Then look at the effect upon the financial proceedings of the Confederation. The credit of the Confederation was already pledged to many public works. The National Debt of Nova Scotia was merged in the debt of the Confederation, in consequence of which the interest had been greatly reduced, and yet the hon. Gentleman proposed a Commission which would strike a blow at the very root of public credit, and reduce everything to a state of uncertainty, and attach suspicion to all future securities. Both, therefore, for the interests of the colonies themselves, and for the integrity of the Empire, and for the power of the new Government and its financial position—so far from this being a statesmanlike proposition, he thought it was little short of insanity to hang up the recent work of North American Confederation upon the issues of a Commission of Inquiry from this country. But, though that appeared to him to be the very last thing they ought to think of, he would tell the House that there were other modes of meeting the alarm which prevailed in Nova Scotia, which he believed was already rapidly subsiding. If, instead of sending out a Commission, they were to follow out the line which was indicated in a late despatch of the Secretary of State that this country would not place itself in the position of judge and dictator, but would use all friendly moral influences to assist the Provinces to settle mutual claims amongst each other, then they might hope to reap all the benefit and avoid all the mischief of interference. This had already been done to a very great extent. So far from Nova Scotia having no influence, it appeared to have dominant influence, and at this moment to rule the policy of the Dominion Parliament. Every Act that had yet been passed was in favour of Nova Scotia. The first Act perhaps must be excepted—which he admitted, however, was a necessary one—to sweep away all the internal tariffs which were mutually destructive, and to pass an average tariff externally to other nations, which had the effect of raising the Customs' dues of Nova Scotia from 10 to 15 per cent. The fears of Federation felt by Nova Scotia were undue taxation, and a force put upon their local government; that their interests would be oppressed by the larger interests of Canada; and that the protective policy of Canada would over-ride the free trade policy of Nova Scotia. But see what had been done. One of the first acts of the Dominion Parliament was to take off the duties on flour, grain, and meal of all kinds. It had also taken off the tonnage duties on lighthouses and placed the whole burden, which chiefly rested on the maritime Provinces, on the central revenue—proceedings all in favour of Nova Scotia. All the materials used in ships—cordage, canvas, iron, &c. —had had their duties abolished, and the duties on sugar had also been diminished in order to draw the West Indian trade to the ports of Nova Scotia. Therefore, he repeated that so far from Nova Scotia having but slight influence, the Parliament of the Dominion seemed to have studied its interests in a primary degree; and so far from the free trade policy of Nova Scotia being over-ridden, Customs' duties had been reduced, and revenue raised instead from direct taxation. In fact, the union of Nova Scotia with Canada seemed to have had the singular good effect of relaxing the protective policy of the latter country, and not of over-riding the free trade policy of the former. The Militia was alluded to by the hon. Gentleman, who said that it was not to be called out this year because Nova Scotia was disaffected. It was not going to be called out because there had not been yet time enough to put the new enactments relating to that force into operation. By the new enactments Nova Scotia would be taxed much less on this as well as the other heads. The Militia force was to be smaller in amount, but much better drilled than heretofore; and the taxation of Nova Scotia for a more efficient force would be just one-tenth of the amount she formerly paid. It was astonishing in how short a time a beginning had been made in the settlement of all these beneficial reforms; and the House must look beyond the mere first jealousies and apprehensions of smaller States, and consider the ultimate destiny of the whole Confederation. Was it possible the hon. Gentleman could tell the House that he gravely considered it practicable for a small colony like Nova Scotia to remain permanently disunited from its neighbours? It was clear that one of three things must happen to Nova Scotia: either it must rest for ever—with what chance of success he would not now discuss—upon this country for its support and defence—and here he must remind the House that there were at the present moment 12,000 regular troops in the North American colonies supported out of the funds of the British taxpayer—or else they must, as the hon. Gentleman seemed to desire, annex themselves one by one to the United States; or the third and only remaining plan was what they were now doing, to consolidate their power by union among themselves. Would the hon. Gentleman like to see these colonies annexed to the United States? The hon. Gentleman said that anxiety to prevent annexation was not a wise motive. He knew the hon. Gentleman would argue, and with great justice, that it was unwise to try to prevent any people from doing that which their own feelings and interests dictated. We certainly had no interests separate from those of Nova Scotia; nor, if we had, would we sacrifice hers. But more than that, the hon. Gentleman had a feeling of preference for the United States, and he believed the hon. Gentleman had grand ideas of their destiny of extension under one Government from the Equator to the Pole. But whatever the hon. Gentleman might think desirable, the Provinces did not wish to lose our connection, and we did not wish to lose them; and he did not know why separation was to be forced upon this country and the Provinces against the wishes of both. He knew the hon. Gentleman had a great liking for the institutions of the United States; for when the Bill of Confederation was under discussion last year the hon. Gentleman ran through its provisions; and whatever clause was in accordance with the laws of the United States that in his view was good; whatever differed from them was bad. But there was no such feeling as this in the colonies. So far from that, when the delegates met in Quebec one of the first Resolutions they drew up was that, whatever else their Constitution might be, it should be framed upon the model of the Constitution of Great Britain.

"'Twas distance lent enchantment to the view"

of the hon. Gentleman of the United States. These, then, were the alternatives. Was it not obvious that the destiny of these Provinces was union? Was it not obvious that Nova Scotia and its harbour of Halifax was the outlet to the sea for Canada? And was it not equally clear that a small Province could only find its security and the elements of nationality in joining its large and powerful kindred round it, to give the whole weight and importance? And when Canada increased, as it would increase, then the union of the whole would appear as necessary for the interests of the colony as its defence would be clearly an impossible undertaking for this country. He implored the House, therefore, not to take a step which would throw back our colonial policy for half a century, which would have the appearance of an insult to the Government that had been offered a great career of self-government, and which would tend to destroy its credit and its stability; but to follow the course that was indicated in the despatch of the Secretary of State, to exercise their influence in assuaging alarms, in soothing jealousies, and in friendly aid to those engaged in the endeavour to build up a strong, a vigorous, and a self-reliant State.

Mr. AYTOUN said, he hoped the hon. Member for Birmingham (Mr. Bright) would divide the House on his very moderate proposal. He believed the subject to be one of the greatest importance. The union of Nova Scotia with Canada had occasioned very wide-spread dissatisfaction; and he believed there were good grounds for this discontent. The evil consequences that had arisen were certainly greater than any prospective good that could be anticipated from it. The duties on the commerce of Nova Scotia had been increased and the control over their own revenue had been taken from them. These evils might be counterbalanced by some prospect of future good; but what could Nova Scotia expect from its union with Canada? All it could hope to derive was an increase of security from aggression on the land side. It was notorious that in the event of Canada being attacked by the United States, no efficient defence could be made, so that even this benefit was rather imaginary than real. The main question was this—whether the union had been effected in a way to give the people of Nova Scotia reasonable ground for dissatisfaction? He thought it had. The hon. Member for Birmingham had shown how entirely the Earl of Carnarvon had failed to establish the position that Nova Scotia had been properly consulted on the question; they had not expressed their concurrence in it; and when, on the third reading, Lord Campbell proposed that the Bill should be delayed for a month, to enable the people of Nova Scotia to express their opinion in regard to it at the elections about to be held, the proposal was rejected, and the suggestion that a petition signed by 30,000 upon the subject was ignored because it happened to be presented in "another place." Even the right hon. Gentleman the Member for South Lancashire had admitted, speaking on the question of the guarantee for the intercolonial railways, that the Bill had been passed in a manner which, had it related to a matter of legislation affecting ourselves would have been termed precipitancy. The House was, he believed, to a great extent ignorant of the facts of the case; and he thought it would be wise, by granting a Commission, to enable them to judge whether it would not be expedient to reverse the decision taken last year. The Under Secretary for the Colonies had talked of the expense to which these small colonies had put us; but the expense seemed to be as much since Confederation as before. Whether these Provinces remained united with us or joined the United States, it was of the utmost importance to retain their good-will, and we could only do this by consulting their feelings and by doing them justice. With that view he hoped the Motion of the hon. Member for Birmingham would be assented to by the Government, and if pressed to a division he should support it.

Mr. CARDWELL: I have had so much to do with the Confederation of the North American Provinces that I am sure the House will indulge me with the opportunity of making a few remarks upon this question. My hon. Friend (Mr. Bright) has drawn a picture, which I hope is overcharged, of the discontent and dissatisfaction which prevail in Nova Scotia on this subject. He has spoken of the colonists in terms which their well-proved loyalty to this country merit at our hands. I am sure it is with the deepest regret that we hear complaints made in Nova Scotia of the measure which we passed unanimously last year, and of the mode in which that union was accomplished. But I cannot admit either that the consent of Nova Scotia was not given to the Confederation or that the measure was any surprise to them. The history of North American Confederation is at variance with such a statement. The original idea of such a Confederation was contained in the Report of Lord Durham; but that seed remained unfruitful in the ground; and when at last it began to germinate, it was not Canada which tried to obtain Confederation from Nova Scotia, but Nova Scotia which tried in vain to obtain Confederation from Canada. Passing from the early history of this question, with which at this late hour I will not weary the House, let us come to the precise period when this difficulty arose. In 1861, Mr. Howe, the author or principal exponent of the present dissatisfaction, was at the head of affairs in Nova Scotia, and Dr. Tupper was at the head of the Opposition. Resolutions, in favour of the union of some or all the colonies were moved in the Assembly of Nova Scotia by the First Minister, Mr. Howe; they were seconded by Dr. Tupper; they passed with general consent, and I believe with unanimity. In 1862, Mr. Howe, having advised Lord Mulgrave to apply to the Duke of Newcastle for permission, wrote on the part of the Government of Nova Scotia a Circular Letter to the other colonies, inviting them to enter into union. It was Canada which then rejected the application of Nova Scotia. In the following year there was a dissolution of the Nova Scotian Parliament, and the subject was before the people. My hon. Friend says it was not the subject of a hustings cry. Was it likely that it should have been? It was not because there is no party spirit in Nova Scotia. Like most small communities enjoying free institutions, Nova Scotia had plenty of party spirit and acrimony; and if this question did not form a hustings cry, what is the natural inference? Just what you might infer—namely, that there was at that time no difference of opinion on the subject. My hon. Friend said that in 1864, when I was Colonial Secretary, I was shy in taking any steps when I received communications respecting the union of the Provinces. Feeling strongly the benefits which will result from Confederation, I shall be very sorry if anybody can blame me for lukewarmness in this matter. But I accept the charge as showing that the mother-country, through me, made no undue attempt to force on Confederation, but that we rather acted Ministerially in forwarding and promoting what we believed to be the objects and wishes of the colonists. The project of union first became popular in the maritime provinces; and the moment it was discovered that Canada was willing to enter into the union, it was received with the greatest cordiality throughout the maritime Provinces. My hon. Friend has been a little misinformed when he says that, immediately after the dissolution, they were afraid to bring forward this measure in the Assembly of Nova Scotia. There was a good reason for not bringing forward the measure, without diving into motives not upon the surface. No sane man would have proposed to unite Nova Scotia with Canada when the intervening country, the colony of New Brunswick, was supposed to be entirely hostile to Confederation. At that time there was as much disinclination to Confederation in New Brunswick as there is said to be in Nova Scotia now. That being so, what course did we adopt? We waited quietly. Within a year there was an appeal to the people of New Brunswick. The result was a large majority in favour of Confederation, and the measure was carried. I draw from what has happened in New Brunswick the inference that, though in a small community a particular grievance may have a great effect for a time in leading it to oppose a measure of general interest and advantage, that measure upon more mature consideration will by-and-by be cordially approved. Such a grievance is now felt by Nova Scotia. Let us hope that when it is redressed, the same result will follow as in New Brunswick, and that in a short time we may find Nova Scotia as sensible of the advantages of Confederation as New Brunswick now is. My hon. Friend talks about the measure being a "surprise" to the people of Nova Scotia, and that there was no time for public discussion before the Resolution was arrived at. Now, it so happens that after it was known there that the measure was before the Imperial Parliament the Assembly a second time expressed an opinion favourable to Confederation. Here is an extract, and it is the only one with which I shall trouble the House, from the Address of the Assembly to the Governor, dated March 16, 1867—

> "We have learnt with deep satisfaction that the efforts to effect a satisfactory union of the British North American colonies have been so successful, and we entertain no doubt that the best interests of all these Provinces will be greatly enhanced, and their connection with the Crown and the parent State permanently secured thereby."

"Surprise?" "No time for discussion?" "No opportunity of appealing to the public?" Why, this Address was passed six months or more after the delegates had been sent to this country, and when the news had returned to Nova Scotia that we were actually engaged at that moment in giving effect to their wishes. What are we to do under such circumstances? Determine that the Legislature of a colony is not the true exponent of the feeling of a colony? What consequences will flow from such a doctrine? When we have conceded free institutions to a colony, are we to turn round upon the representatives elected by the people, and say, "You are not the true judges of public opinion in the colony. We shall constitute ourselves the judges?" That is a principle pregnant with evil consequences, and cuts at the root of the self-government which it is our boast that we have conferred upon our colonies. We are no doubt bound to do all we can to remove discontent, and I was glad to hear from the right hon. Gentleman opposite that measures are already in progress that I trust will have the effect of turning the tide of opinion in Nova Scotia. There can be no doubt in what that discontent originated. When the colonies were separate their tariffs were different; there were different currencies and different circumstances of trade. The first effect of this Confederation was to alter this state of things, and it could not but be expected that the alteration would be attended with some dissatisfaction, some dislocation of existing interests, some violence to habits long cherished. In the present instance it is at once accounted for because the Canadian tariff, which was 15 per cent, seems to have been substituted for the Nova Scotian tariff, which was one of 10 per cent. That is a case, no doubt, that calls for consideration and redress, and I am glad to understand that measures are being taken which I hope are likely to conduce to that result. I should be glad to learn that the influence of the Colonial Office is to be applied so far as it legitimately can be with the view of attaining that result. My noble Friend the present Governor General of Canada has administered the duties of his high office in a way which has earned for him the highest eulogiums from all quarters, and therefore I shall not be deemed disrespectful to him when I say that during the period of his office he has, no doubt, been influenced to a great extent by the opinions of the Members of the Government in Canada, and there is no doubt, too, that he has greatly contributed towards a measure which we have carried with so much satisfaction. But his time of office is coming to a close. It will be the duty of the Government to select a new Governor — one who has no Canadian associations, and one who has had nothing to do with the question of Confederation. They will then have an opportunity of selecting one who can bring a free and unembarrassed mind to this question, and who will be in a position to judge dispassionately of the complaints made by Nova Scotia. For my own part I should hesitate to consent to any direct interference in the affairs of this great dominion. If we sanctioned that interference we might find at some future day that we had incurred a serious and a weighty responsibility — a responsibility incurred in consequence of our taking a step which in the first instance arose from the most honourable and kindly intentions. I believe that this feeling of discontent in Nova Scotia will pass away as it has done in the case of New Brunswick. There is not, in my opinion, in any colony a stronger feeling of loyalty than there is in Nova Scotia, nor do any of our colonies possess a population with more business-like and active intelligence, and when this grievance has been removed and this discontent has passed away they will, I believe, look upon this Confederation with satisfaction. I do not know how far anything I may say may have any weight with the hon. Member for Birmingham in dealing with the feelings and interests of those who have intrusted their case to his hands; but if he were to leave the responsibility of dealing with this question to the Ministers of the Crown, remembering that our interference might possibly be attended with injustice, he would, I think, be pursuing a course worthy his high position in this House, and calculated at the same time to promote the best interests of those whom he desires to serve.

MR. GORST, in rising to support the Motion of the hon. Member for Birmingham, said, that there could be no doubt that the House legislated last year in the belief that all the States concerned were consenting parties to the Bill. He could not, however, agree in the opinion expressed by the hon. Member for Birmingham—that the measure was proposed by the Earl of Carnarvon with the full knowledge that Nova Scotia had withheld her consent, nor could the House be aware that such was the fact. In matters of this nature the House must to a great extent rely upon the statements of the Government; for it would be impossible for the House, with its small experience of colonial affairs, to examine such allegations as those contained in the petition presented last year by the hon. Member for Birmingham. If the House, therefore, made a mistake last year it was an innocent and inoffensive one. But it was now evident from the flood of information which had since poured in, not only that the Nova Scotians were now unwilling, but that they had always been unwilling to consent to form a portion of this Confederation. The delegates from Nova Scotia had, indeed, misrepresented the feelings of the people on whose behalf they spoke, and the people of Nova Scotia did not hesitate to use strong language; for they did not hesitate to declare that Her Majesty was led to believe that they were favourable to the scheme by means of a "fraud" and an "imposition." How could we turn a deaf ear to the statement that the constituted authorities of Nova Scotia were opposed to the union with Canada, and that a fraud and imposition had been practised upon the House? Acting on the principle adopted last year, the least the House could do was to pay attention to the representations now made, and to institute inquiry; for it was not asserted that there was any mistake in the strong representations which the delegates from Nova Scotia had come over to make. On any ordinary question Nova Scotia might be referred to the authorities of the Dominion; but not when she complained of being included within that Dominion. We had only a choice of evils; but was it not a greater evil to coerce an unwilling people into subjection to a detested Power than to shake somewhat the security and stability of the new dominion? If kind words could stop the mouths of the Nova Scotians, the right hon. Member for Oxford (Mr. Cardwell) might conciliate them; but it was useless to attempt such conciliation when denying a right. It was so clear that the Nova Scotians had a right to inquiry, that in the event of a division he would support the hon. Member for Birmingham.

Admiral ERSKINE, having presented on a former occasion a petition from 31,000 inhabitants of Nova Scotia, wished to say, he believed their disinclination for Confederation was founded, not upon any apprehension of increased burdens or damage to material interests; but rather on a fear lest their connection with this country should be imperilled, for they were distinguished by a rational loyalty based upon identity of feeling and sympathy with ourselves. After the conflicting statements that had been made, it would be unreasonable to refuse the request for inquiry.

Mr. KARSLAKE said, he thought the last letter of the Duke of Buckingham to the colony, dated the present month, showed that the Government intended to consult the interests of Nova Scotia in the future.

Mr. BRIGHT: I shall make only one or two observations on the speech of the right hon. Gentleman the Under Secretary for the Colonies. His principal objection to my proposition was that the issue of the proposed Commission would, in point of fact, be a direct insult to the whole of the Canadian Dominion. My right hon. Friend the Member for Oxford (Mr. Cardwell) at the same time said that the Colonial Office, through its new Governor General, and that the Crown through him, would exercise certain influences as far as they might upon the Government at Ottawa for the purpose of adjusting the differences of Nova Scotia. It appears to me that if my proposition would be held to be an insult, the continual and repeated interferences of the Colonial Office, and of the Crown, through the Governor General, would be liable to the same description. Now, the difference between the Treasury Bench and the right hon. Member for Oxford and myself is this—that they do not regard the present state of things in Nova Scotia as at all as serious as I regard it. Of course, if the thing will blow over, and you can, through the Governor General coming into the harbour at Halifax, and seeing leading men there, rub away everything that is unpleasant, then my Motion is in no degree necessary; but I believe that the state of things is far more serious than either the Under Secretary for the Colonies or my right hon. Friend the Member for Oxford seems to suppose. My own impression is that the right hon. Gentleman the Under Secretary has made a speech about the most injudicious that could possibly have been made on the question for any Member of this House holding his office; and I believe that when his speech reaches America he will find that it will have a very injurious effect in Nova Scotia, and will not tend in the slightest degree to allay the gathering discontent which is felt in New Brunswick. The right hon. Gentleman, as he does upon other occasions, did me an injustice with regard to what I said last year. He said that when the North American Confederation Bill was under discussion, I approved everything in it which would make the Confederation like America, and condemned everything in it which would make the Confederation resemble England. Now, what I condemned in the Bill was the putting a Province into it whose population had not consented; and next I called in question the wisdom of nominating a Legislative Council, or Upper House, for the whole dominion of Canada. The first part of my objection to the Bill, I think, is justified by what has taken place. Although there is no complaint now with regard to the other part of my objection, I have every reason to believe that before we are many years older we shall find that that Council will not be satisfactory to the people of the dominion. Now, with regard to dividing on this question, I have this to say—If I were to divide with a very small minority, the impression on the other side of the Atlantic would be this—that the House of Commons has emphatically shut the door in the face of the petitioners whose petition I have presented, and whose case I have endeavoured to represent to the House. At the same time, the speech of the right hon. Gentleman the Under Secretary for the Colonies holds out no hope whatsoever that the Government will even fairly consider the question. His speech is a speech of indignation positively at the Canadian people coming here to lay their case before this House. As this House passed the Bill last Session, and the Nova Scotian people came here to lay their complaints before the House, surely they have a right to be treated with great consideration. The course which the right hon. Gentleman has taken forces me to ask the House to divide upon the Motion. I do not at all conceal from myself that the House may not agree to my Motion; but possibly, if they do not, they may, in the course of another year, make an inquiry into this question, and they will then probably discover that it is as serious as I have endeavoured to describe it. The speech which my right hon. Friend the Member for Oxford made was temperate and conciliatory; and but for the speech of the right hon. Gentleman the Under Secretary I should not have asked the House to divide.

Question put.

The House *divided*:—Ayes 87; Noes 183: Majority 96.

ECCLESIASTICAL TITLES BILL.

(*Mr. Mac Evoy, Sir Joseph M'Kenna, Mr. Leader.*)

[BILL 37.] SECOND READING.

Order for Second Reading read.

MR. MAC EVOY said, that as the Report of the Lords' Committee on the Ecclesiastical Titles Bill had been presented to the other House only to-day, he would not ask the House to go on with the second reading of this Bill at present if the Government promised him a day for it. Otherwise he should feel bound to divide the House. The hon. Member moved the second reading.

MR. G. MORRIS begged to second the Motion.

Motion made and Question proposed, "That the Bill be now read a second time."—(*Mr. Mac Evoy.*)

MR. SCHREIBER, who had a Notice on the Paper that the Bill be read a second time that day three months, suggested that the better course would be for the Government to give a day for the discussion.

MR. VANCE said, he hoped the Government would not do such an injustice to other private Members as to give the hon. Member for Meath a day for the Bill.

MR. GATHORNE HARDY said, he believed that the hon. Member for Meath had several times postponed the Motion for the second reading, in order that hon. Members might have an opportunity of perusing the Report of the Committee of the House of Lords before discussing the measure. He presumed that a Motion would be made for obtaining a communication of that Report to the House of Commons, and when it was in the hands of hon. Members the hon. Gentleman might find an opportunity for moving the second reading of his Bill. The Government had no object in preventing or delaying the discussion of the Bill; but, having regard to the state of Public Business, he could not promise a day for it.

THE O'DONOGHUE recommended his hon. Friend the Member for Meath to divide the House.

SIR JAMES M'KENNA thought the Bill had been postponed so frequently that a division should take place without any further delay. He did not see why the legislation of the House should be stopped in reference to the opinion of a Committee of the House of Lords.

COLONEL W. STUART moved the adjournment of the debate.

Motion made, and Question put, "That the Debate be now adjourned."—(*Colonel William Stuart.*)

The House *divided:*—Ayes 142; Noes 85: Majority 57.

Debate *adjourned* till *To-morrow.*

ESTABLISHED CHURCH (IRELAND) BILL—[BILL 117.]

(*Mr. Gladstone, Sir George Grey, Mr. Lawson.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Gladstone.*)

SIR FREDERICK HEYGATE said, he did not rise for the purpose of offering further opposition to the Bill, but wished to clear himself from a statement which he was reported to have made upon the Motion with regard to a Royal residence, by the hon. Baronet the Member for Clare. ["Order, order!"]

COLONEL STUART KNOX protested, in the name of all the independent Members of every class and creed in Ireland, against the third reading of this Bill; but, as it was going to its last resting-place, he should not give the House the trouble of dividing upon it.

Bill read the third time and *passed.*

MUNICIPAL ELECTIONS (SCOTLAND) BILL.

On Motion of The LORD ADVOCATE, Bill to amend the Laws for the Election of the Magistrates and Councils of Royal and Parliamentary Burghs in Scotland, *ordered* to be brought in by The LORD ADVOCATE and Mr. Secretary GATHORNE HARDY.

House adjourned at a quarter after One o'clock.

HOUSE OF COMMONS,

Wednesday, June 17, 1868.

MINUTES.]—PUBLIC BILLS—*Ordered*—Railway Companies (Ireland) Advances*; Lands Clauses Consolidation Act (1845) Amendment*; Bank of Bombay.*

First Reading—Lands Clauses Consolidation Act (1845) Amendment* [176]; Railway Companies (Ireland) Advances* [177]; Bank of Bombay* [178].

Second Reading—Municipal Corporations (Metropolis), [105] debate *adjourned;* Probate of Wills, &c. (Ireland)* [129].

Committee—Municipal Rate (Edinburgh)* [99].

Report—Municipal Rate (Edinburgh)* [99].

Third Reading—Inclosure (No. 2)* [162]; Alkali Act (1863) Perpetuation* [153]; Judgments Extension* [163], and *passed.*

Withdrawn—Turnpike Trusts [9]; Railways (Guards and Passengers Communication)* [66].

CANADA—ALLEGED FLOGGING IN A PRISON.—QUESTION.

MR. REARDEN said, he wished to ask the Under Secretary of State for the Colonies, Whether it be true, as reported in some American and English Papers that the Rev. Mr. M'Mahon, now confined in a Canadian Prison, has been flogged for the offence of receiving a few copies of a newspaper that had been forwarded to him?

MR. ADDERLEY said, in reply, that since he had seen the question on the Notice Paper, upon which it had appeared that day for the first time, he had caused all the American Papers in the Colonial Office to be searched, and the only allusion to anything approaching the report referred to by the hon. Member was in the *Toronto Weekly Leader*, in which he found it stated that one of the prisoners in the provincial Penitentiary had been discovered with a copy of the *Irish American*, a Fenian newspaper, and had been punished for refusing to divulge the source from which it had come. That was the only foundation for the report. The Rev. Mr. M'Mahon was a Fenian priest who had been let off being hanged, and was confined in one of the Canadian prisons, and he (Mr. Adderley) could find no foundation whatever for such a report as that to which the hon. Gentleman had alluded. As the hon. Gentleman, however, had given some currency to the report by putting his Question on the Notice Paper, it was only right that he should take some means of verifying the statement, if that could be done, because it was not proper that the Notice Paper of that House should be made the vehicle of circulation for reports of that description.

MR. REARDEN said, that his only object in putting the question was to obtain a contradiction, because such a report if uncontradicted would have a most pernicious effect. He was very glad, therefore, that the right hon. Gentleman had so emphatically denied the truth of the report.

TURNPIKE TRUSTS BILL—[BILL 9.]

(*Mr. Knatchbull-Hugessen, Mr. George Clive, Mr. Goldney, Mr. Ayrton.*)

SECOND READING.

Order for Second Reading read.

MR. KNATCHBULL - HUGESSEN said: * Sir, in introducing a Bill upon this subject last year, I stated, as fully and clearly as I could, the history of the turnpike question. I have now to carry it a little further. My Bill was referred to a Select Committee, which sat through the months of May and June, and, having amended the Bill and made a special Report, sent the Bill so amended back to this House at a period too late to allow of its being passed unless it had been adopted by the Government. Now the House, by passing the second reading of the Bill without opposition, having sanctioned its main principle—namely, that tolls should be abolished, the Select Committee had to decide upon the best means of accomplishing that object, or, rather, whether it could be well and fairly accomplished by the proposals of the Bill—the Committee — composed of nineteen Members, of whom ten sat on the Government side of the House—adopted, either unanimously or by large majorities, the proposals of the Bill with reference to the following points. First, the termination of all trusts out of debt; secondly, the inquiry into the debts of trusts still in debt; and thirdly, the manner in which the repairs of the roads should be borne after the termination of the trusts. The point upon which the proposal in the Bill was not assented to by the Committee was the manner in which existing debts should be dealt with after their value had been ascertained. The Bill proposed that the Home Secretary, at that stage of the affair, should, by an Order under his hand, apportion the debt and the annual payments in liquidation thereof between the different parishes and highway districts; that, if necessary, tolls should, by his Order, be collected, in each case for a fixed and limited period, under the direction of the local authorities, their proceeds being applied to these annual debt payments in the first instance, and afterwards in aid of the road repairs. No such Order was to extend the period of toll collection beyond the term of ten years from the 1st November 1868, during which period the vast majority of Trust Acts will have expired. After much consideration this appeared to me to afford the best practicable solution of the debt question. But the Committee, by a majority of 1, adopted an Amendment of the present Financial Secretary to the Treasury, the Member for North Hants—

> "That the Secretary of State should direct the amount of such debt to be defrayed out of the county rate of the county within which such turnpike road is situate."

And another Amendment moved by the same hon. Member was also carried—

> "That boroughs and places under a local Act which do not now contribute to the county rate, but through which turnpike roads pass, should be made to contribute to this debt by Order of the Secretary of State."

I was unwilling to continue responsible for the Bill containing such a proposition, that districts of country in which turnpike trust debts had, by care and economical management, been discharged, and the trusts had terminated, should find their county rates increased, in order to pay the debts of other trusts which had been managed differently and were still in debt, appeared to me to be obviously unjust; and the bringing into the county rate, for this particular purpose, places which were otherwise exempt, seemed an objectionable as well as certainly an unpopular proposal. I have therefore, with some trifling alterations, renewed the former proposal upon this point in the present Bill, and at the proper time I shall be prepared to defend it. Now, Sir, it will be well that I should state to the House the difficulties which stand in the way of this measure. In the first place, I may have thrown in my teeth the special Report of last year's Select Committee, which says—

> "That in any future legislation on the subject of Turnpike Trusts it will be expedient to alter and amend the Highway Act, so as to provide an uniform system of road management throughout the country, and that the maintenance of all roads should be provided for by a rate levied on districts, and not as at present on parishes separately."

Sir, I agree with every word of that Report. But I maintain that, in all these cases, it is wise to proceed gradually; and that whilst my Bill will in no way prevent the future alteration of the Highway Act, it actually paves the way for that uniform system of road management which is thus strongly recommended. I do for the first time—and this the Select Committee agreed to—place the repairs of these roads upon the common or district fund of highway districts where such exist, instead of upon the individual parishes in which the road happens to be situate. And where counties have not adopted the Highway Act, I leave the law precisely as it stands, so that the liability of no individual parish will be increased by the measure, if the parish have within it a length of turnpike road; but, on the contrary, that liability will be lightened if the parish be now part of a highway district, or if the county in which it is situate shall hereafter adopt the Highway Act, when the charge will fall upon the district instead of the parish. Of course a new liability—though, as I shall be able to show, more apparent than real—will attach to those parishes which do not happen to have within them any portion of the turnpike road; but the more true it is that these roads are main thoroughfares, the more evident is it that this is a liability which ought not to rest alone upon the few parishes in which the road actually lies, and which neighbouring parishes, which equally use the road unfairly escape when a trust terminates under the present Law. But, Sir, with the leave of the House I wish now to examine into the grounds upon which this measure is opposed—A large number of petitions have been presented against it. Chambers of Agriculture have generally viewed it with disfavour, and I, whose interests are entirely bound up with those of the land, am represented as wishing to increase the burdens upon land, and to add to local taxation. Now, Sir, the position I take is this — The present turnpike system is unfair, unequal, and expensive. It has been condemned by three Parliamentary Committees, and must sooner or later be the subject of legislation. But that legislation will be more and more difficult, and the matter will become more and more complicated if we go on annually allowing some trusts to terminate, and others to obtain from Parliament a renewed lease of life for different periods of time. Therefore, partly for this reason and partly because there are such different theories upon this subject, I urge upon the House that, whether the particular plan of this Bill be adopted or not, it is high time that Parliament should lay down some clear and definite principles upon which it is prepared to legislate. The opposition to this Bill is mainly based upon three grounds—1. The fear that rates will be increased. 2. The argument that the debt ought to be paid off, partly or wholly, from the general taxation of the country. 3. The statement that the system is working itself out well, and requires no legislative interference. I must say a word upon each of these heads. Upon the first I can only repeat that, wherever the expenses are thrown over the wider area of the highway district, the rates will be lightened to many parishes and the burden will be more fairly distributed among all. Still more will rates be lightened as the enormous outlay upon collection and management gradually disappears. I need hardly remind the House that this outlay is variously estimated at from 30 to 50 per cent. upon the turnpike revenue, and even if the lowest figure be adopted there must be something radically wrong in such a system. If it is disputed that a very large amount of turnpike revenue is expended upon collection and management, I may appeal to the evidence taken before the Select Committee of 1864, especially that given by Mr. Newmarch, Mr. Talbot, Mr. Clive, Mr. Higgins, and Mr. Lees. This will bear out my statement that the estimate of this expenditure is from 30 to 50 per cent upon the revenue. But I will not be satisfied with this appeal, I will support my statement by further evidence. The seventeenth Annual Report, presented this year to Parliament under the Act of the 3 & 4 *Will.* IV, c. 80, states at page 4 that the amount expended upon salaries and law charges during the year 1866 amounted to something over 10½ per cent upon the turnpike revenue. But to this must be added the salaries of toll collectors, the lighting and repairing toll houses, the hire of rooms for meetings of trustees, and several incidental expenses peculiar to the present system. The annual expense of a toll-gate alone has generally been reckoned at from £25 to £30 per gate, and if I take all these expenses at 20 per cent. on the revenue—saying nothing of the profit of the toll lessee wherever the tolls are let—I have here more than my 30 per cent, and I think I have shown the House that it will be quite safe to base calculations upon this amount as the saving which will actually be made under the head of collection and management—of course the benefit to the ratepayers somewhat depends upon the question of how far ratepayers and tollpayers are identical. I can only say that the evidence taken before the three Select Committees—to which I have already alluded—and the opinions of those Committees, go to prove this—that, since the introduction of railways, the through traffic—that is, the traffic created by others than the ratepayers of the district has enormously diminished—that in the great majority of instances the ratepayers are the tollpayers, and therefore that the burden which is now borne in the shape of tolls will, if this Bill pass, be borne hereafter in the shape of rates to a great extent by the same persons who bear it now. But it will be borne reduced, modified, and regulated by the provisions of this Bill, and instead of having a debt hanging over their heads, which as to its amount and duration is painfully uncertain, the ratepayers will have before them a reduced but a certain and specified debt, with the sure prospect of its early liquidation. Moreover, the expenditure will be under the control of the ratepayers themselves, instead of in the hands of an irresponsible body of trustees, so that representation and taxation will go together. And be it remembered that the majority of trusts are at this moment only kept alive by the Annual Continuance Act. By refusing to insert them therein the Home Secretary may at any time force them either to expire or to come to Parliament at great expense to obtain a new Act, the granting of which must be uncertain; so that the state of things under which parishes fear an increase of their rates does actually exist now, and may very largely prevail at any moment. To show that this is no fanciful statement of my own, I will refer the House to the case of two trusts in the county of Gloucestershire, which expired last year—the Bristol and the "Bibury and Dancy's Fancy" Trusts. These trusts might, if they had pleased, have come to Parliament for a new Act. They did not do so, and when they terminated upwards of 170 miles of turnpike road fell upon the rates of individual parishes. Can anything be harder? The clergyman of one of those parishes writes to me thus—

> "My only excuse for intruding upon you is that I am a clergyman who find myself unexpectedly taxed to the amount of near £60 a year, for the repair of the old turnpike roads which did not formerly cost me £5; but if I wish to go into the very next parish I am still met by a turnpike gate (the Sodbury Trust), which I am obliged to pay. Let all turnpikes be abolished; but let the roads be repaired by a fund paid alike by all in the district benefited by them."

And this, Sir, is no isolated case. In a letter which I published some months ago I stated that 280 trusts had been allowed to expire within the last eight years—that is, an average of thirty-five per year. As the accuracy of these figures has been challenged, I will at once give my authority. I wrote to the Home Office to ascertain the number of new Turnpike Trust Acts, or extensions of old Acts, obtained during the last ten years, and also the number of trusts whose Acts have terminated, and have not been renewed during the same period. I obtained an answer from Mr. Harrison, the clerk who manages this branch in the Home Office, an accurate man, and, I believe, no enemy to the present system. He says that during the last eleven years (1857—67 inclusive) 123 new Acts or extensions have been obtained, and with regard to the trusts which have terminated he says—

> "I cannot give this for the same period without considerable labour and search; but during the years 1860—67 inclusive—eight years—the number is 280."

I think this shows the increasing complication of the system, and as the majority of existing Trust Acts will expire within the next twelve years, it is surely better to legislate now upon some general principle, rather than allow the matter to drift on in its present uncertain and unsatisfactory state. Sir, I come now to the argument that the debt should be wholly or partly defrayed from the general taxation of the country. It is quite time that this matter should be looked fairly in the face; for many persons who are otherwise well disposed towards the provisions of this or some similar Bill still maintain that, with respect to the debt, it should be, in some degree at least, a national charge. Now, Sir, I do appeal to my right hon. Friend the Home Secretary to state his opinion upon this point clearly, unequivocally, and unreservedly. Now, let us examine a little into the nature and amount of this debt. The amount of nominal debt to be dealt with in 1866 was £3,536,000; during that year it was reduced by £175,000; leaving, on 31st of December, 1866, £3,361,000. It is probably now about £3,200,000, and I calculate that, under the provisions of this Bill, less than £2,000,000 would discharge the full amount of actual debt. I beg special attention to this fact—that the balances in the hands of the treasurers on the 31st of December, 1866, amounted to nearly £300,000, and there is, moreover, a large amount to be realized by the sale of materials and sites of toll houses and other trust property. In 1866 there were — trusts out of debt, 191; trusts in debt, 791: total, 982. Of the 791 trusts in debt, 441—representing of the remaining debt £1,900,592 — paid off a portion of their debt in 1866. Of these 258 paid off at par, though some very small sums; 183 paid at various rates below par; 93 of these trusts pay no interest on their debt, or an interest not exceeding 2 per cent. 350 trusts—representing of the debt £1,461,253—paid off no debt at all. Of the whole amount of debt one-third or above £1,000,000, pays an interest not exceeding 2½ per cent, of which amount £612,000 bears interest from 1*d.* per cent up to 2 per cent, and £280,000 bears no interest, or only a nominal interest. Many of the trusts which pay a high interest are just those which pay off none of the principal of their debt, and which, if the present law continues, will come to be sharply dealt with by the Home Secretary—much of their debt extinguished, and the interest lowered—if, indeed, they are allowed to exist at all. Of 150 trusts which expended money in improvements in 1866, 110 were in debt, of which 43 paid off no debt that year. These are some of the facts which induce me to believe that £2,000,000 will more than suffice to discharge the actual debt. If further proof be wanted as to the state of the debt, let me refer to the annual Report from the Home Office last year, which states at page 8—

> "There are, however, many trusts whose condition is very unsatisfactory, and to remedy which the powers vested in the Secretary of State appear to be inadequate. Thus, in the accounts for 1865, it may be observed that on 445 trusts no portion of the mortgage debt was paid off; but an examination of past years shows that on 291 trusts no debt has been paid for three years; on 225 trusts none has been paid for six years; on 191 trusts none has been paid for ten years; and on 141 trusts none has been paid for fifteen years."

Now, Sir, the payment and the management of this debt is most unequal and irregular. Sometimes money in hand, available to pay off debt, is so applied without due notice being given to the bondholders, in order that they may tender the lowest amount which they are willing to take, and so the most may be made of the money so to be applied. Constantly money is expended in improvements, or—as I have already shown the House—carried over as balances in the treasurers' hands, which ought to have been employed in discharge of debt. In many cases the whole income of a trust is absorbed in the expenses of collection and management and payments in respect of debt; while the whole burden of the maintenance of the road even now falls upon the parishes, so that the ratepayers have first to pay rates to repair the roads, and have afterwards the pleasure of paying tolls before they can enjoy the privilege of using the roads so repaired. To show that I do not exaggerate, let me again quote from last year's Home Office Report, page 2—

> "The amount of parish aid received in 1865 was £31,728; but this does not represent all the aid that is obtained from the parishes, many turnpike roads being repaired by the parishes in lieu of contributing funds out of the highway rates under the 4 & 5 *Vict.* c. 59. The number of trusts where the roads appear to be entirely repaired by the parishes is 120; while on 174 others aid in money or labour is received, making a total of 294 trusts where the roads are wholly or partially kept in repair at the expense of the parishes, the funds on most of these trusts being principally applied to the payment of the debt and interest."

This will show with tolerable accuracy, the anomalous state of the question so far as the debt is concerned, and the hardship inflicted upon the different parishes under the present law. But, Sir, there is still to be encountered the favourite theory that part at least of this debt should be defrayed out of the Consolidated Fund. Let us consider the question fairly. Comparatively few of these roads can be said to have been made for purposes so essentially national in their character as to justify the discharge from national taxation of the debt incurred in their construction. In most cases localities have received the principal benefit, and localities must bear the burden. If not, it will be somewhat unfair upon those many localities in which, by care and economy, the debts have been paid off from local resources, that a premium should thus be paid upon less careful management; and it will be hard upon bondholders who have been paid off at a low percentage, that others should be better treated on account of the national purse being called in to aid. And I venture to say that the case of the bondholders is not one which will become stronger by close investigation. Many of these are persons who have been greatly benefited by these roads, and whose money was advanced in the first instance principally on account of that anticipated benefit. In all cases this money has been lent upon a terminable security, with a full knowledge on the part of the lender that such security was terminable. The only strong point in the bondholders' case is this, that Parliament has several times renewed this security in many cases. True, but in each case a term has again been named; and for upwards of thirty years there has been on record the deliberate and unanimous opinion of a Select Committee of the House against the continuance of the toll system, and a fair warning has been given of the probable spirit in which Parliament would deal with the question. There is a curious fact bearing upon the understanding with which these sums of money were originally lent, which was lately brought to my notice in a letter from a Devonshire gentleman, an extract from which I will read with the leave of the House—

> "That all parties knew that the loan was in the nature of a speculation, and that it was just possible they might never get repaid, and that the security on which the money had been advanced, was the tolls to be collected for a certain and specified term of years and no longer is clear and obvious from the fact that when, in the year 1755, the Legislature passed a Statute reducing the tolls to be taken under the local Turnpike Acts for carriages having wheels of a certain description, it made a compensation to deed-poll holders who had lent their money on the faith of the tolls granted by such local Turnpike Acts in these remarkable words, 'And to avoid the least suspicion that lessening the tolls and duties as aforesaid may be in any way prejudicial to creditors who have lent, or shall lend, their money upon the security of the tolls, be it enacted that all and every Act or Acts of Parliament made in this Session of Parliament, or heretofore made for repairing or amending turnpike roads shall be continued and be in full force for five years, to be computed from the several ends and expirations of all and every such Act and Acts respectively.' What proof can be desired more clear and conclusive than this, that the creditors who advanced their money for making or repairing the roads had done so on the credit alone of the tolls to be received during the term of years granted by the Act creating the trust, whether twenty-one or thirty-one years? If that be so, what right or equity can the creditors have a century afterwards to allege that they have a permanent claim on the tolls? What pretence have they for doing so? Clearly none—they lent their money on a contract, and by the terms of that contract they must stand or fall."

Sir, I have read this extract from no hostility to bondholders, of whom I am one. Their interest has always been well represented in Parliament, and they have been tenderly treated; but that tenderness has been at the expense of the ratepayers and now that we are to have a Parliament principally elected by ratepayers, I think the bondholders will do well to regard with favour a proposal which recognizes their claims in a modified form, and provides for their liquidation. Sir, with reference to the statement that the system is working well and may be left alone, I entirely deny it. It is a system surrounded with uncertainty; it necessitates a double set of expenses in the same district, and it fosters a great staff of officers, whose direct interest it is to keep the trusts in debt, because as they become free from debt, the trusts and the offices expire together. It is working badly, because, as year by year trusts die out, the tendency of traffic to leave toll-supported roads and to come upon adjacent roads thus freed from toll, constantly throws an undue amount of wear and tear upon the latter, and thus at the same time reduces the income of the trusts which still exist, increases the burden of the neighbouring ratepayers, and complicates the system further and further. It is working badly, as is evidenced by the confusion when a trust terminates, and the want of any definite rule to guide the action of trustees. I quote again the case of the Bristol Trust, and will read to the House a letter which I have received on the subject from a reliable witness. He says—

> "Upon winding up the trusts a most disgraceful scramble ensued. The Borough Commissioners outvoted the County Members of the Board, who ceased to attend, and gratuities were voted to the clerk, a member of the largest professional firm in Bristol; to his under clerks, the surveyor and his son, who had not been long in the employ of the Commissioners, and who both got similar appointments before the trusts were wound up; the toll collectors, and even to the labourers who had been employed on the roads at weekly wages. The consequence was there were no funds in hand for some of the trusts, and the Highway Board had to pay for the materials placed on the road in readiness for the coming winter."

But, Sir, it is said that under the provisions of this Bill the "great users of roads," the "capitalist" and "bondholder" will escape. But let me ask how do such people contribute now? Only when they happen to be living in the country and pay casual tolls; and in this case they are, directly or indirectly, ratepayers. Then it is said, "Tolls are approximately apportioned to the use of roads." This is so far true, that no one pays the toll who does not use the roads; but it is equally true that vast numbers use the road who never pay tolls. I myself afford a good instance. My house happens to be close to a turnpike road. I have a turnpike gate seven miles from me on one side and four miles on the other. But my property being mostly situate between the two, I constantly use this eleven miles of intervening road without contributing one farthing to its maintenance. Who pay the bulk of the tolls? The farmers of the neighbourhood, great and small, who go—and send their stock—to the towns at either end of the road. We should, in proportion to our use of the road, contribute much more fairly by means of a district rate. And at the same time, whilst in driving along this road, either to Ashford or Hythe, I am met by a turnpike gate, I can drive ten miles to Romney or fifteen miles to Canterbury over a good road, supported by highway rates and under a highway surveyor. The turnpike road surveyor and the highway surveyor have to travel over each other's roads to survey their own roads; and this case affords a good example of the double expense incurred under the present system. But it is said—"the people in the towns will escape." Well, Sir, I do not want, and I do not believe that the people in the towns wish, that they should escape any burden which it is right they should bear. It must be borne in mind, however, that the people in the towns pave, watch, and light their own streets at a great expense without asking the country to contribute. And if you tax your butcher, your grocer, and your baker by means of tolls, depend upon it that the tax ultimately falls upon the consumer of the commodities which they carry out into the country. In my humble opinion, anything which tends to create an impediment to the free circulation of traffic between town and country is an unmixed evil; and this, no doubt, is one reason why this turnpike system has been condemned by our Select Committees. There is one alteration in the Bill to which I desire to direct notice. By the 11th clause power is given to the Home Secretary to inquire into the special circumstances of any trust if he shall think fit, with a view to propose a special scheme for the maintenance of its roads, subject to the approbation of Parliament. The object of the clause is this—some of these roads, though I think comparatively few, are either really main arteries, or are subject to an exceptional amount of through traffic, or of heavy traffic from non-ratepayers. It may be that a general measure, applicable to the majority of trusts, would fall heavily upon these cases, and that their condition may justify either the maintenance of toll gates, or the adoption of an area of taxation greater than that contemplated in the Bill. But instead of bringing these cases forward, as is frequently done, by way of argument against a general measure of toll abolition, I would apply general principles to the great bulk of the trusts to which they are applicable, and would give power to deal specially with the class of cases to which I have alluded. I have no doubt, Sir, that my hon. Friend the Member for Worcestershire will presently urge with great eloquence his objections to this Bill. I hope, however, that he will not lay too much stress upon the alleged failure of the Highway Act in Worcestershire, and the complaints against it which emanate from that county. Should he do so, he must bear in mind that, as it can be shown that, in some other counties, this Act works well and has given satisfaction, it is possible that the House may think that in the case of Worcestershire the fault lies not in the Act, but with those whose duty it is to see it carried out properly. And I beg to point out the great disadvantage under which that Act has been worked in consequence of its having been introduced—mistakenly as I think—as a permissive Act. When there has been a great opposition to an Act of this kind, when its opponents have been defeated, and when they know that it is still possible to rescind the action taken, and to get rid of the Act without coming to Parliament, they are very often not particularly desirous that a scheme should work well which they have prophecied would be a failure; and in the county of Worcester, where the Act was much opposed, and where opposition to it has assumed such a form that the question has been made a prominent one in a contested county election, I think it will be readily seen that the Act is hardly likely to have been worked with any great hope of entire success. But, whether from dislike of the Highway Act, or from love of turnpikes, the Member for Worcestershire is about to oppose this Bill. I have told the House that many petitions have been presented, and speeches made against it. But both have been evidently founded upon a great misconception as to the scope, intentions, and effects of the measure. And I should attach more weight to the petitions, if they had not been mainly the offspring of an organization which could with equal facility have produced petitions upon the other side of the question. I observed that at a recent meeting of the Warwickshire Chamber of Agriculture the Members congratulated themselves upon the fact that they had obtained 199 petitions from parishes against this Bill in answer to their circular. Well, I know pretty well what that circular was. Probably something akin to the statement issued by the Worcestershire Chamber, which embodied with singular infelicity all the old fallacies of the advocates of the toll system. This paper was extensively circulated, and created a considerable prejudice against the Bill. I found some prejudice existing in my own county, but an opportunity occurred of explaining the Bill to the East Kent Chamber of Agriculture. This is as independent and intelligent a body of agriculturists as can be found in England, and, after hearing my explanations, they adopted a petition in favour of the general principles of the Bill, adding, however, I am bound to say, that, in their opinion, the Consolidated Fund should aid in the liquidation of the debt. Sir, as the chief agitation against turnpike reform has appeared in Worcestershire and Warwickshire, and as Gloucestershire has also been discussed in the public journals, I have carefully analyzed the condition of these three counties with regard to their trusts. I am very unwilling to trouble the House with many figures, but this is a subject so interesting to the agricultural community, and bearing so strongly upon that subject of local taxation which will have to be dealt with by the new Parliament, that I must ask some further indulgence upon the subject. I take these three counties, presuming that, as in two of them at least the turnpike system seems to be so much approved, they must be favourable examples of its working, and therefore the House will see that I have not picked out the worst examples, as I might have done, to strengthen my case, but taken these three, which may be supposed to be model counties. And first let me quote a letter which appeared not long ago in *The Times* from Mr. Whitaker, Chairman of the Worcestershire Chamber of Agriculture. It was written in answer to some letters of Sir George Jenkinson, and after making several statements to which I think I have replied by anticipation, it goes on to show the effect which the writer believes this Bill would have, in the following words:—

> "Having the blue books before me, with your permission, I will show the effect Mr. Knatchbull-Hugessen's Bill will have in Gloucestershire if it passes. There was expended in 1865 upon all the roads in the county (exclusive of debt and interest) the sum of £69,518; this was raised, £35,274 by tolls, and £34,244 by rates; it, therefore, follows that if tolls be abolished the highway rates must be increased nearly 100 per cent, after allowing for those expenses which are peculiar to the toll system; and even that will not make provision for the mortgage debt of £170,000, the commuted value of which (at best a heavy burden) will have to be apportioned among the several parishes, and liquidated by further rates; or the Secretary of State may continue the tolls for ten years for that purpose—in either case a pleasant prospect for the ratepayers."

Nothing is so easy to make as a statement such as this, and nothing more calculated to mislead the ratepayers. But now let me show the way in which the Bill would really apply to Gloucestershire. The sum actually expended in that county under the turnpike system was £45,878—that is, £10,604 for debt, principal and interest, and £35,274 for all other expenses. Accepting the statement, which I think I have shown to be correct, that 30 per cent will be actually saved upon collection and management, the saving in Gloucestershire in 1865 would have been £13,761—that is, not £45,578, but £32,117 would have been required but for these extraordinary expenses. And let me add, that as the two trusts since abolished expended nearly £15,000 of the whole amount, the sum to be dealt with by this Bill is now considerably less. Then comes this practical question. Does or does not this 30 per cent so saved represent a larger percentage than that which the ratepayers now receive from that portion of the toll-paying public who are not ratepayers? An overwhelming weight of evidence answers this question in the affirmative. And still bearing in mind that the ratepayers pay the bulk of the tolls, would the additional sum from rates required for a limited time to meet the commuted debt, under this Bill, be greater than the sum now annually paid by ratepayers in tolls for debt and interest added to the 30 per cent wasted on collection and management? These questions appear to answer themselves; but if I am wrong, and if the percentage collected from non-ratepayers is greater than the sum to be saved, then, under this Bill, the ratepayers will still be able to receive this extraneous assistance under the order of the Secretary of State, so long as their debt lasts, and, in either case, they will have that which does not now exist, namely, a positive certainty that the debt will gradually and speedily disappear. Moreover, the sum stated by Mr. Whitaker to have been raised by tolls was not all so raised. I find that above £2,000 in 1865, and above £1,700 in 1866 was raised in Gloucestershire under the several heads of "Parish composition in lieu of statute duty," "Estimated value of statute labour," and "Incidental receipts." The latter head includes money received from the sale of trust property when trusts have terminated, and the former relates to money now received from parish rates where tolls are insufficient for the maintenance of the roads. It is, therefore, a great fallacy to talk, as does Mr. Whitaker, of the increase of highway rates nearly 100 per cent; and from any apparent increase must be deducted the large amount now paid by ratepayers in tolls. The value of the debt is not easily to be learned from the annual abstract presented to this House. Some trusts, as I have shown, pay off a portion of their debt at par, and then pay off no debt for two or three years. Some pay a high interest, but never pay off any of their principal, and of course something of the value depends upon the length of time which the security has to run. The few figures, however, with which I am about to trouble the House will show the condition of the trust system in the three counties to which I am alluding, and they may be taken as a sample of the rest. Mr. Frewen's Return in 1848 shows the turnpike roads in Gloucestershire to comprise about 950 miles. In 1865 there were 42 trusts in that county. Of these, 2 were amalgamated with other trusts in 1866 and 2 expired in 1867. Of the remaining 38, 20 are continued by the annual Continuance Act, and would therefore immediately come under the operation of this Bill; 13 will expire within the next ten years; 4 within six years afterwards; 1 in 1890: total 38. In 1865, No. of trusts in debt, 35; paid off at par, 4; paid off below par, 16; paid off no debt, 15: average per centage of those who paid off below par, 55 per cent. In 1866, No. of trusts in debt, 33; paid off at par, 8; paid off below par, 17; paid off no debt, 8: average percentage of those who paid off below par, 64 per cent. The trusts which paid off at par represented a remaining debt, in 1865, of £11,500, in 1866, £30,715; the trusts which paid off below par represented a remaining debt, in 1865, of £95,000, in 1866, £90,170; the trusts which paid off no debt represented a remaining debt, in 1865, of £68,700, in 1866, £45,165: total debt, in 1865, £175,200; in 1866, £166,050. And, in 1866, the trusts bearing interest above 3 per cent represented £50,124; trusts bearing interest at 3 per cent, £28,541; trusts bearing interest below 3 per cent, 87,385: total £166,050, and of the latter amount upwards of £34,000 bears no interest at all. Balance in treasurers' hands, December 31st, 1865, £10,045; December 31st, 1866, £12,463. In 1866 there were in Warwickshire 480 miles of turnpike road and 32 trusts: of these 26 are continued by the annual Act, 5 will expire within 6 years from the present time, and 1 in 1880. Of these trusts, 27 were in debt in 1866; only 9, representing a debt of £11,948 paid off any debt in 1866. It was all paid at par; but only 3 of these had paid at par, and 2 below par in 1865; and of these 2 had paid no debt in 1864, and 1 no debt in 1864 or in 1863. The 18 trusts which paid no debt represented a debt of £28,032, showing the total debt, £39,980. I may say that Warwickshire does not seem to improve, so far as paying debts is concerned, for I find that 13 trusts paid off some debt in 1863, 9 in 1864, 7 in 1865, and, again, 9 in 1866. The balance in the treasurers' hands was £4,445 in 1865, and £5,391 in 1866. In 1866 there were in Worcestershire 522 miles of turnpike road, 30 trusts. 22 of these are continued by the annual Act, 7 will expire within 8 years from the present time, and the remaining one in 1880. Of these trusts 21 were in debt in 1866—6 trusts paid off some debt at par, leaving a debt remaining of £9,388; 4 trusts paid off some debt at an average of 75 per cent, leaving £8,572; 11 trusts paid off no debt, leaving a debt of £10,863: total debt £28,823. Of the Worcestershire trusts 14 paid off some debt in 1863, 10 in 1864, 11 in 1865, and 10 in 1866; several of the latter being trusts which had paid no debt in the three previous years, or only in one year out of the three. The balance in the treasurers' hands was £8,932 in 1865, and £8,104 in 1866. A glance at these figures will show how unequally the present system works, and how well the provisions of this Bill would apply. And, as to the debt, the balances in the hands of the treasurers, and the trust property, would, in the cases of Warwickshire and Worcestershire, represent more than half the amount required to discharge the commuted debt. The value of the site and materials of toll houses has been reckoned at £70 per house; but I think this is a low estimate, and if taken at from £70 to £100 per house it will be seen that there is considerable property which might be at once made applicable to the reduction of the commuted debt. Now, Sir, I am sorry to trouble the House so long, but before I conclude I wish to refer to two cases within the three counties to which I have referred, as exemplifying some of the inequalities of the present system. I take the last trust in the Gloucestershire list—the Winchcombe Trust. This trust would have expired in 1865. Its average income for the three previous years was £1,522 per annum, during which time no debt was paid off. This trust obtained a new Act in 1865, extending its term for seven years. The law charges in that year were £337, or 22 per cent upon the average income. By the new Act the tolls were to be applied—1st. To the payment of the expenses of the Act. 2nd. To salaries, which, exclusive of salaries of toll collectors, were not to exceed £100. 3rd. To the interest of the debt at 2 per cent. 4th. To the repairs of the road, but this sum not to exceed £300. 5th. To paying off the debt. The length of the road is about twenty-two miles. Exclusive of salaries and debt the average expenditure for three years previous to the Act was £950. The sum apportioned to repairs under the Act being £300, the House will be able to judge for itself as to the position of the bondholders, and also as to what amount of extra rates is likely to be demanded of the parishes during the continuance of the Act. And now for the second instance. In 1864 there was a notable marriage in Worcestershire. The Dudley and Wolverhampton Trust, whose Act expired in 1860, and the Dudley, Halesowen, and Bromsgrove Trust, whose Act will expire in 1875, were married to the Dudley and New Inn Trust, whose Act expired in 1863. The first two trusts were out of debt, with a joint income of nearly £4,000 per annum, and should have been allowed to expire; whilst the last, with an income of £427, had a debt of £2,425. And let the House mark the sequel. You would have expected, of course, that the debt would have been gradually discharged. But in 1865 no debt was paid off, but a sum of £1,959 9*s*. was spent in improvements! In 1866 again no debt was paid off, and a further sum of £668 11*s*. 2*d*. spent in improvements!

And now, Sir, I hope that I have succeeded in pointing out to the House some of the evils of the present turnpike system, and the desirability of early legislation. I do not wish to be understood as believing that the plan which I have the honour to propose to-day is perfect in all its details, or the best plan in every respect which could be devised. What I do contend is that we cannot do worse than maintain the existing state of things. There have been several plans, proposed and supported by more or less authority, which might be followed without departure from the two great principles of this Bill—namely, the abolition of tolls and the extension of the area of taxation. There is the plan of making the county rate the fund from which these road repairs should be provided for; there is the plan, which I believe is adopted in Scotland, of dividing the rate between owner and occupier; there is the South Wales system; and there is the proposal—well worth discussion—that a Commission should be issued to value the debt with a view to its extinction, and that the roads should be classified and divided, some requiring a larger area of taxation than others. So long as the principles of my Bill are preserved, I am not opposed to or prejudiced against any of these plans, if on full consideration they should appear more satisfactory than that which I propose to-day. But I think the time is come when we should proceed upon definite principles, and when some scheme should be brought forward upon the responsibility of the Government. My right hon. Friend the Home Secretary proposes to postpone legislation. He has now arrived at the point which the late Government had reached two years ago. He proposes, as I understand, to place in the Schedule of the Continuance Act a large number of trusts, with a view to compel them either to die quietly, or to come next year to Parliament—not under the old expensive process—to obtain a new Act, but to have their case heard before a Select Committee of this House. Of course the practical effect of this will be to postpone any legislation upon general principles until 1870. I regret this delay, and if I do not oppose the Continuance Bill now, I hold myself at perfect liberty with respect to future action. In any case, I hope that the position to which the question has now been brought will lead to early legislation; and I shall be very glad if the statement which I have made to-day, and the labour which I have bestowed on the subject, may in any degree assist those who will hereafter have to legislate upon the matter, or in any measure tend to promote the ultimate settlement of the question upon a just and equitable basis. Sir, I move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Knatchbull-Hugessen.*)

MR. KNIGHT said, that having been a Member of the Committee to which the measure had been referred, he had found that the great majority of its members were known to be what was termed "Turnpike Reformers," and that they had gone on the Committee with the knowledge that they were to be asked to agree to a proposal for the abolition of turnpikes. The moment, however, the question arose as to who were the persons who should in that event find the necessary money, they were completely at variance. When the hon. Gentleman's Bill was brought under the consideration of the Select Committee it contained two great proposals. The one was that the Secretary of State should allocate the amount of the debts to each of the parishes within the particular districts, and the other was that the roads should be maintained as public highway. The first proposal was rejected by the Committee, who determined that the debt should be thrown on the counties, and ultimately it was carried by a majority of 10 to 2 that the boroughs should be included, and the hon. Member for Sandwich (Mr. Knatchbull-Hugessen) consequently found that the first part of his Bill was set aside or destroyed. He (Mr. Knight) did not think, therefore, that the hon. Member could refer to that Committee as concurring in his views. He (Mr. Knight) never saw so little unanimity as had existed amongst the Members of that Committee. He admitted, however, that upon the question of the abolition of turnpike trusts, the Committee, with the exception of two of the Members, were unanimous in favour of such abolition. The principle of throwing the maintenance of the roads from the users of the road upon the occupiers of land had been largely discussed, especially by the Chambers of Agriculture, and it had not met with a great deal of favour. He had himself presented scores of petitions against it, and a measure founded upon this principle would certainly be contrary to the wishes of the agricultural districts. He inclined to the opinion that there ought to be, as in Ireland, two sets of roads and two systems of keeping them up—one set consisting of the great highways connecting the great centres of population, and the other consisting of the parish roads. A Parliamentary Paper published this Session showed the additional rating that would be required if the trust funds had to be provided by the parishes through which the roads went. These rates would be increased from 1*s*. 9*d*. to 3*s*. in the pound, and in one case the rate would confiscate one fourth of the whole property of the parish. The hon. Member for Sandwich contemplated throwing the management upon the Highway Board, where it existed; but in Worcestershire the Highway Act was not much liked, and in one or two districts it had worked so badly that the parishes had returned to the old system. The Highway Act had, in Worcestershire at least, led to increased expenditure varying from 25 to 90 per cent. In many parishes the expense had been doubled. With regard to throwing any portion of the expense upon the county rates, he believed there would be a revulsion of feeling if there was any further increase in the county rates, while the great mass of the property of the country, as had been shown the other night, paid no rate at all. Until this injustice was removed he should strenuously oppose every attempt to increase the county rates. The hon. Member concluded by moving that the Bill be read a second time that day three months.

MR. CORRANCE, in seconding the Amendment, said, that the arguments used in support of this Bill appeared to him to be shallow and insufficient. He admitted that the payment of the turnpike debt should be local. The main objection to turnpike tolls was the expense of collection, which, it was assumed, amounted on an average to 40 per cent. There seemed to be no necessity it should be so high; for in his county (Suffolk) several roads were managed at an expense of collection of 16 per cent. He considered any expense much above that to be wholly needless, and to be the result of bad management. The argument of the hon. Member, if pressed to its logical conclusion, would show that there should be no local rates whatever. If the hon. Member proposed to do away with turnpike tolls it was his duty to find some acceptable alternative; and the hon. Gentleman had proposed three or four—the parish, the union, the highway district and a supplementary payment out of the county rate. Not one of these, however, quite met the case. If the expense of the turnpike roads were thrown on the parish, it would cause an addition to the rates which it had been given in evidence would amount in some cases to 2*s.* 6*d.* in the pound; while in other cases it would quadruple the present rates. He did not believe the proposal to maintain the roads out of the county rates would be acceptable. The hon. Member hoped that his Bill would pave the way to his favourite scheme of highway districts, but he failed to see any extraordinary advantages or any decreased expenditure from this cause. He had taken some trouble to examine the Returns from thirty-four English counties and one Welsh county. He had got Returns for nineteen of these counties in which the Highway Act had been in operation for three years; and he found that in sixteen there had been an increase even in the third year as compared with the first. He believed that the system under the Highway Act was as easily corrupted and as likely to lead to expense as the present system of turnpike management. The incidence of these rates was upon the poorer classes rather than the rich; and every attempt to increase those rates would be, he trusted, opposed in that House. Allusion had been made to the payment of these rates out of the Consolidated Fund. He should object to throw local expenditure upon the Imperial taxes; but he must admit that the maintenance of the public roads was rather an exceptional question. In almost every country in Europe the making of the roads was regarded as an Imperial question, and in no case rested entirely on local management. The Bill was not likely to pass during the present Session; and if it did it would only add one more to the long string of abortive measures on this subject. Parish roads would fall into decay, populous towns would be complaining of the roads, the old war between town and country would be revived, and a new Bill would be demanded.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Knight.*)

Question proposed, "That the word 'now' stand part of the Question."

Lord HENLEY said, that although he did not agree with some parts of the Bill, he would vote for the second reading, because he thought it of great importance that the abolition of turnpikes should be affirmed by the House. The difficulty in dealing with the subject, and which was experienced both in the Committee of last year and in that of 1864, was, however, greatly aggravated by the unfortunately permissive character of the Highway Act. Nothing had done so much harm; and it had given him a strong opinion, not only in regard to the Highway Act itself, but against all permissive legislation. It was necessary to throw the expense of the repair of the roads upon a somewhat larger area that the parish. There was a small parish near Northampton through which several miles of turnpike road ran; and to throw the whole of the expense of keeping up that road upon the parish would be ruinous. At the same time, his hon. Friend the Member for Sandwich (Mr. Knatchbull-Hugessen) had deserved the thanks of the House for the trouble he had taken in attempting to settle the question by legislation.

Mr. BEACH said, he fully agreed that the House was much indebted to his hon. Friend (Mr. Knatchbull-Hugessen) for the attention he had devoted to this subject, and he only regretted that the hon. Gentleman had not yet been able to lay before the House a measure that was satisfactory to the country. The difficulty in the way of legislation was, in fact, so great that it was hardly possible to introduce a measure that did not inflict hardship on some portion of the community. One element of difficulty was the difference in the circumstances and situation of the turnpike trusts. In some cases they were in debt, and in others they were free from debt. In some cases the Highway Act had been adopted in the district, and in other cases it had not. The Bill proposed that in districts where the Highway Act had not been adopted the expense of maintaining the turnpike roads should be thrown upon the parishes; but was it possible to conceive an Act that would inflict greater injustice? In one parish that he knew the turnpike road ran through it for three miles, but the limits of the parish only extended to the fence on the other side of the road. In that case the parish on the other side of the fence would pay nothing towards the maintenance of the road, while both would equally benefit. Take a road which had been alluded to in the North of England, between two great manufacturing towns, but passing through an agricultural parish. The towns, having Local Improvement Acts, would be exempt from the maintenance of the road, and the whole burden would fall upon the agricultural parish, which profited very little from the use of the road. It was a necessary preliminary to any fair legislation on the subject that the Highway Act should be rendered compulsory; but such a strong objection was entertained in some localities to its adoption that there would be a difficulty in forcing it upon them. Even if the Highway Act had been everywhere adopted it would not be easy to frame a system which should be perfectly fair and equal throughout the country. The debt had been reduced from £7,000,000 in 1837 to little over £3,000,000 at the present time. In some cases there was a satisfactory prospect of a further reduction; in others, there was no such probability. The trusts out of debt were to be summarily abolished. If, then, a particular trust was out of debt and all the trusts around were in debt the effect of the Bill would be to make the inhabitants of the well-managed trust, where the tolls were abolished, pay tolls when they travelled over the roads in the adjacent trusts. If the present Bill passed many inequalities must still exist. He did not think it would be fair, in dealing with the debts of turnpike trusts, to treat the mortgage holders in a harsh mannner. It was said that Imperial funds could not be made use of for the purpose of liquidating the debts; but he could hardly admit that, because many of these roads were originally made for the conveyance of the mails in a safe and convenient manner, and the mails passed over the roads without paying anything towards their maintenance. The proper mode of remedying the present sytem, which no doubt entailed considerable grievance in many cases, was by consolidating the various trusts and extending the area of management. If various trusts were formed into one there would be a great saving in the expense of management, and they might in the end see their way to abolishing turnpike trusts altogether.

Mr. CLIVE said, he hoped the House would read the Bill a second time. The present system was the most expensive, cumbrous, and least effective possible. In his opinion the only way in which the matter could be satisfactorily settled was by making the Highway Act compulsory, and he hoped a measure would be introduced for that purpose.

Mr. SCOURFIELD said, that if turnpikes were abolished and the expense of maintaining the roads were thrown on the ratepayers, it was necessary that the persons who were to be called on to pay should know beforehand what the burden would be. If, after the ratepayers had been made aware of the rates they would likely be called upon to pay, they pronounced in favour of the abolition of turnpikes, there would be no cause of complaint hereafter. He thought that the bondholders had been great benefactors to the country, as being the means of effecting improvements in the turnpike roads; but now that that benefit had been secured people were about to forget the sacrifices made by those who furnished the necessary money. If the tolls were done away with, and the expense thrown on the parishes, the burden in many instances would be intolerable.

Mr. PAGET said, he would gladly vote for the second reading, believing that the measure would supply them with the basis for future legislation in regard to turnpike roads. He trusted that those roads would eventually be amalgamated and placed under one system of local taxation and local control.

Sir JAMES FERGUSSON said, that there was a general dissatisfaction with the management of the public highways, and a general desire for the establishment of some system by which the petty hardships which the present system inflicted upon the community might be mitigated and gradually got rid of; but, when so many local interests were concerned, and public opinion was so little formed, it was evident that there must be many discussions in that House, and many abortive attempts at legislation, before a satisfactory settlement of the question could be arrived at. The proposed scheme was inadequate, in his opinion, to deal with existing evils, and unsatisfactory with a view to permanent settlement. Circumstances had greatly altered since the present system of turnpike roads commenced. The old toll system, which made those who used the roads pay for them, was very well for a certain period; but the railways had so interfered with the traffic of the roads, that the receipts were not equal to the necessary expenditure. But every year they were making great steps in the way of the abolition of trusts, and the debt they had to deal with became every year less. Therefore the difficulties of the case were not increasing. His first great objection to the Bill was that the manner in which it was proposed to deal with the debts of turnpike trusts was calculated to excite apprehensions of increased rates. It was proposed to impose the obligation to pay the debts on the parishes through which the roads passed. He thought that proposition most objectionable; for in many instances the parishes had not been consulted about making the roads, and the debt, too, had been incurred in making roads to serve considerable districts. Let it be remembered that the property through which these roads passed had increased in value in proportion to the easy access to towns and cities; and it was unfair to make an extra charge upon tenants who had only a casual interest in these roads, whilst the landowners, whose estates had been permanently advantaged, would be scot free. With respect to the bondholders, the House ought not in any case to underrate the claims of those who had advanced money to farm and improve turnpike roads at a time when there existed no idea that they would be rendered comparatively useless by the establishment of railroads; but at this time of day it could not be maintained that the maintenance of any road was a national concern, and he had a rooted objection to applying to the Consolidated Fund to pay for any road. Indeed he did not think the House would seriously entertain such a proposal. He thought that a much larger area should be taken for raising contributions towards the payment of the trust debts than either a parish or a highway district, and that the county should be taken as the area. In Scotland a similar subject to that now under consideration had engaged attention, and the general idea entertained by the Commission on this subject for Scotland was that the county should be adopted as the area of management, and that, from considerations of local peculiarities, it should be divided into districts allotted to competent overseers and engineers. When this was done there was to be no distinction between turnpike roads and parish roads; but all were to be managed by one Board, and a uniform rate for their maintenance was to be imposed on all descriptions of property. Parliamentary boroughs, if they did not choose to come into the general system, were to be omitted. An estimate had been made of the expense of such a system, and it was found that it would reduce the expense of management, and in no case would the rate which was levied exceed 1*s.* in the pound. Summarizing the objections to his hon. Friend's Bill, he would say they ought to deal with this subject in a much more complete form. There must be an equitable and satisfactory mode for the extinction of debt, not one which was most partial and unjust. The Bill of his Friend would leave the existing anomaly of having highways side by side with turnpike roads. All the inequalities of the existing system would be continued by the Bill for years to come; and in many cases they would be aggravated in their harshness and inequality. The House had much better wait until a more matured and general measure was produced. There were difficulties in way of such a measure; but they had shown, in the northern part of the kingdom, that they could be overcome. He hoped the day was not far distant when every turnpike gate would be abolished without laying on the people any burden comparable with that which such an abolition would remove.

MR. C. WYKEHAM MARTIN said, he thought that great injustice would be done to the inhabitants of parishes if the area of taxation were not extended considerably beyond the limits of the present highway districts. It was only necessary to instance the cases of parishes situated immediately without the limits of large trading and manufacturing towns in order to establish this. He considered that the county Boards ought to have power vested in them to issue traffic licences, which should be compulsory on the owners of all heavy vehicles, as it was the heavy traffic which cut up the roads. In that way, without increasing the burdens of the ratepayers, they might be able to settle the question in a satisfactory manner. He was the owner of a farm in Worcestershire, which he was obliged to have valued afresh twelve or fifteen years ago, and ever since he had been obliged to submit to a reduction of 10 per cent on the valuation then made in consequence of the pressure of tolls and the wretched state of the roads, which made it impossible to convey the agricultural produce to the nearest market except at a large cost to the tenant. He mentioned this as an illustration of the evils arising from the present defective system of administration.

MR. GOLDNEY said, it could not be fairly objected to the working of the Highway Acts that the expenses were large, as the present roads were the result of management that had continued during three or four generations. He thought that the House would agree that any tax which cost 30 per cent in collection was a vicious tax; and that was the state of things with reference to tolls. In 1866 £1,250,000 was collected, and yet only £500,000 went in the repair of the roads; £250,000 was absorbed by the debt; and the remaining £500,000 went in management expenses of one sort and another. In addition, there was £1,500,000 for highway rates, making with tolls £2,750,000; but in his opinion the whole of the work could be well done for £2,000,000. His opinion was that the abolition of the present system would impose no serious burden upon any one. The repair of the roads ought to fall on property, and not on the occupiers. Taking the existing debt at £3,000,000, a sum of £100,000 a year levied on property would suffice to provide for its extinction, and that would not amount to a rate of more than a farthing in the pound annually. The increase in the rates would be nothing, and the estates which had roads passing through them, or even placed at a distance from large towns, would be immensely benefited.

MR. M'LAREN said, the Under Secretary for the Home Department (Sir James Fergusson) had adverted to the Report of the Royal Commission of 1860, which recommended the abolition of tolls in Scotland, and of which he (Mr. M'Laren) had had the honour of being a Member. That Report took the same view in general as had just been done by the hon. Member for Chippenham (Mr. Goldney); it recommended that the repairs of the roads should be defrayed by a rate on property payable by the tenants with a right to deduct half from the landlord; but that during the tenure of existing leases tenants should pay the whole rate, and that debt, as valued at the market worth of the bond, should form a burden on the owner of the land exclusively. He believed that a great deal less would be paid for management under such an improved system, and he deprecated every approach to payment of the debts out of the Consolidated Fund. It would be a premium to improvident management.

MR. READ said, he had fears as to how turnpike roads would be maintained if the burden of keeping them up was cast upon parishes. He objected to the increase of rates while so large a portion of the property of the country escaped being rated; but he agreed that at present the matter was in a very unsatisfactory state. He hoped that before the 200 trusts, which had been referred to should cease, some general measure embracing all the roads of the country would be adopted.

MR. HENLEY said, he hoped that a division would not be taken on the second reading of the Bill, because it raised questions on which it would not be expedient at present to pronounce an opinion, either negatively or affirmatively. This measure deals with various matters; in the first place the abolition of tolls, and then the debts of the trusts. They were told that it was proposed to deal with the debt "somehow;" it would be very satisfactory to creditors for several millions that their debt was to be treated somehow. He had the greatest respect for Secretaries of State, past, present, and to come; but this was not a question which ought to be left to any Secretary of State, be he man or angel. This debt had been created by sanction of Parliament, and should only be dealt with by Parliament. He did not agree that the debts were decidedly local; and certainly in his own county many roads in the coaching days had been made for Imperial and not for county purposes—for cutting down hills and filling up valleys to enable stage-coaches to travel nine or ten miles an hour with safety—and debt had been incurred in the course of the work. Even at the present day there was a great deal of through traffic for which local expense was incurred. The Secretary of State was not only to assess the value of the debt, but he was also to allocate it; and there would be immense difficulty in framing any rule to meet the vast variety of circumstances of different places. No one had stronger objections to tolls than he had—he had often run the risk of breaking his neck in jumping over hedges in order to avoid them — and in many instances the cost of collecting them was enormous. It would be almost impossible to frame a general Bill that would not work great injustice in individual instances. He thought that it would be far better to withdraw the Bill than to ask the House to pledge itself to any principle. The House would then be free next Session to carry a better measure if a better measure could be devised.

Sir JOHN SIMEON said, he entirely concurred in the sentiments expressed by the hon. Member for Oxfordshire (Mr. Henley). In the Isle of Wight they continued to be under the Act 53 *Geo.* III., tolls being leviable at every eighth mile. He thought there was a great tendency to bear unduly on the rates, and to throw on them everything which could possibly be laid on them. The amount paid by the farmers for the maintenance of roads bore a very undue proportion to that paid by the inhabitants of towns. He must express his earnest hope that in the course of the discussion which must take place on this important question in the ensuing Parliament great care would be taken not to lay too great pressure on the ratepayers.

Mr. GATHORNE HARDY said, he was glad that it was not the intention of the hon. Member for Sandwich (Mr. Knatchbull-Hugessen) to divide the House on this occasion on the Bill, and he would recommend the hon. Member behind him to withdraw his Amendment also. The discussion showed that no two Members could agree upon the vote which they would give upon the Bill, except so far as this, that they desired to abolish the present system of the management of turnpike roads. They were agreed upon nothing else, and there would be no use in their passing what would in effect be an abstract Resolution upon the question, by which no one would be bound. It would no doubt be to the general interest of the country that the existing bad and expensive system should be got rid of. No doubt there were difficulties in dealing with the question, but still they had precedents in Wales and in Scotland for solving those difficulties, and he did not despair of seeing the difficulties solved in England also. The most injurious part of the present system was that there were frequently two trusts close together, each of which had gates within a short distance of gates on other trusts; and as people were obliged to pay at both these gates there was a great impediment to traffic. In Wales they had an arrangement that no two gates should be within eight miles of one another, and such an advantage might be secured here by a consolidation of trusts. If, however, they handed over to some other body the management of roads, they must take into consideration the system of highways. He agreed with one of the objects of this Bill, that there ought to be one central Board, which should have the power to decide what roads were to be kept up as parish roads, and what roads should be treated as portions of the general communication of the country. On the other hand, he objected to the duties that were sought to be imposed upon the Secretary of State of deciding upon these points; and he objected to the provision that the Justices should have the power of deciding where they would supplement the repair of a road out of the funds of the county, and where they should be left to the care of the parish. This was to make a permissive Bill in its worst form. As there seemed to be much misapprehension entertained of the principle on which the Home Office decided in reference to these questions, he thought it would be desirable that a Select Committee should be appointed to inquire into the whole matter, and to determine whether the principles on which the Home Office now acted were sound and reasonable, or whether new principles should be laid down. As the Bill was about to be withdrawn, he would not discuss its clauses further than to say that he thought an improvement in the management of our high roads was desirable, if indeed it was not absolutely necessary, as the railway system had rendered many roads which were formerly only parish roads now to be high roads, and *vice versâ.* But he did not think the Consolidated Fund ought to be applied so as to bear any share in the expense.

Mr. KNATCHBULL-HUGESSEN: As I am anxious to save the time of the

House, I will not exercise my right of reply by criticizing, as I should under other circumstances be desirous of criticizing, several of the observations which have been made during the debate. There are, however, two or three words which I feel bound to say before I consent to withdraw this Bill. I think I may congratulate myself upon the result of this discussion. I understand from the hon. Baronet the Member for Ayrshire the Under Secretary of State, that the Government admit the two main principles of the Bill—namely, that tolls should be abolished and the area of taxation extended. The more logical sequence appears to me that the Government, holding these views, should support the second reading of my Bill; but as they think otherwise, and as the Bill could not under any circumstances go beyond its present stage during this Session, I do not think I should gain anything by pressing for a division, especially as the question has made material progress during the debate. But there is one remark which I desire to make. Having stated the main principles of the Bill in my opening speech, I beg to remind the House that I most distinctly laid it down that I was prepared to accept any plan which, on consideration, might seem preferable to my own, so long as it was consistent with the adoption of those two principles. I myself mentioned the county rate as a possible area, and I also alluded to the division of rates between owner and occupier. But another reason prompts me to consent to the withdrawal of the Bill for the present. It is evident that the Government are in advance of some of their supporters upon this question, and I am not without hopes that some further delay will still further improve the position of affairs, and that time and reflection will produce upon this subject that harmonious action between the Government and their supporters, which is so much to be desired. I will therefore withdraw the Bill upon the understanding of course that the Amendment is also withdrawn.

MR. GATHORNE HARDY did not wish it to be supposed that he assented to the principle of the total abolition of tolls.

Amendment and Motion, by leave, *withdrawn.*

Bill *withdrawn.*

MUNICIPAL CORPORATIONS (METROPOLIS) BILL.—[BILL 105.]

(*Mr. J. Stuart Mill, Mr. Thomas Hughes, Mr. Tomline, Mr. Buxton, Mr. Layard.*)

SECOND READING.

Order for Second Reading read.

MR. J. STUART MILL: The House is aware that this Bill is only one of two which have some claim to be considered as one, inasmuch as they are parts of a combined plan for the local government of the metropolis. The most important of them, as the House is also aware, I have been unexpectedly prevented from proceeding with. It has been decided to be a violation of the Standing Orders. It appears to me a subject well worthy the consideration of the House under what circumstances this difficulty has arisen, and that I should have been unable to propose to the House a plan for the general municipal government of the metropolis because due notice has not been given to the Corporation of the City of London. The Bill is not of private, but of public interest; the Corporation is solely interested in it by reason of the property it holds for public purposes; the City of London is perfectly aware of all that is proposed, and has made no complaint of not having received notice. The promoters of the measure do not expect to make money by it, but may have a great deal to spend in carrying out its objects; and it appears to me worthy of consideration whether the forms required by the Standing Orders were ever intended for such a case as this, and whether the promoters of the Bill ought to be required to spend several hundreds of pounds out of their own pockets to give formal notice to the Corporation. Since the House did me the honour of permitting me to introduce the former measure, a great change has taken place in the situation of this country as respects its institutions. The great measure of last Session has been passed, and our Constitution has been materially altered in a democratic direction. This new state of things imposes new duties; it requires the House, on the one hand, to do more than it was previously obliged to do; and, on the other, to consider the inconveniences, whether great or small, that may be created by the new direction in which we are proceeding, and to guard against them as far as possible. It is well understood what is the special danger of democratic institutions: it is the absence of skilled administration; and I strongly recommend to the consideration of the hon. Member for Whitehaven (Mr. Bentinck), who I believe intends to move the rejection of the Bill, that the great political problem of the future, not only for this country, but for all others, is to obtain the combination of democratic institutions with skilled administration. It is extremely desirable that this House without either idle regret for the past or vain confidence in the future should apply itself to find out how these two things may best be united. I am anxious to impress on the House the importance of reviewing our institutions in this particular point of view, and to induce the friends of democracy to appreciate the advantages of skilled administration, and the admirers of skilled administration to appreciate the merits of democratic institutions. As regards the general principle on which municipal institutions should be founded, the established practice with us is that all the ratepayers should have a voice in the expenditure. In the democratic direction, nothing further than this can be desired. But in the matter of skilled administration there is much to be altered. All the defects of democratic institutions are great in proportion as the area is small; and if you wish to work them well, I do not know any rule more important than that you should never have a popular representative assembly on a small area, for if you do, it will be impossible to have skilled administration. There will be much less choice of persons; a much smaller number, and those less competent for the task, will be willing to undertake the conduct of public affairs. And here I must direct attention to a principle of great importance. The value of a popular administrative body — I might say of any popular body—is measured by the value of the permanent officers. When a popular body knows what it is fit for and what it is unfit for, it will more and more understand that it is not its business to administer, but that it is its business to see that the administration is done by proper persons, and to keep them to their duties. I hope it will be more and more felt that the duty of this House is to put the right persons on that Bench opposite, and when there to keep them to their work. Even in legislative business it is the chief duty—it is most consistent with the capacity of a popular assembly to see that the business is transacted by the most competent persons; confining its own direct intervention to the enforcement of real discussion and publicity of the reasons offered *pro* and *con;* the offering of suggestions to those who do the work, and the imposition of a check upon them if they are disposed to do anything wrong. People will more value the importance of this principle the longer they have experience of it. This principle, when applied to local popular administration, shows itself in a very strong light indeed. A popular assembly that has only a little work to do in a little area, tries to do it itself, and to transact public business by making speeches—the most ineffective way in which public business can be done. In proportion as the local body approaches to the position of a great assembly like the present—though at a great distance—and has to represent a large area, and has a great deal of various work to do, in that proportion it will feel that its business is not to do the work itself; its business is to set the right people to do it, and to use for the purpose of controlling them all the lights which the collision of opinion amongst their own members may produce, but not to take the work out of the hands of the administrators. The adoption of that principle absolutely requires that the popular democratic representative bodies, such as those by which our local administration is carried on, should not be on the small scale of a local board, but should be on a larger scale —as large a scale as is consistent with unity of interest in the body whose affairs they have to administer. The local business of the metropolis is now divided, in kind, amongst a variety of administrative bodies, and is likewise divided, in a most minute manner, geographically. The various parishes carry on their business by means of vestries and local boards, and there are duties besides, that do not belong to the vestries, which are of the most multifarious description possible. There are 37 districts for the registration of births, 56 for the purposes of the Building Act, 19 divisions for police purposes, 30 County Court districts, and 15 Militia districts. There should be for the administration of all this business a consolidation of those very small districts. Among the advantages to be derived from consolidation would be greater efficiency and economy. Nothing can surprise me more than to find any petition presented against this Bill on the ground that its effects will be to raise the rates; that is not only impossible, but it must have the contrary effect, because in proportion as the present divisions approach the size they would all reach when combined under the plan I propose, economy has been effected. Compare the two districts, for example, of Marylebone and Westminster, which are about equal in population. Marylebone is all one parish under one local government, and is an approximation to the system I would establish, and its administrative expenses amount to £8,000 a year. Westminster is divided amongst five boards, and the five boards cost £20,000 a year. Probably not more than a third of the number of officers employed in Westminster is employed in Marylebone. In fact, the more an area is divided into independent districts, the more paid officers there must be, and the less skilled they will be. The small districts cannot afford to pay for the greatest skill, and the smallness of the districts prevents the officers from acquiring it. Add to this the expense now arising from quarrels and litigation, which, of course, would not exist if these boards were fused into one. I find that no less than 4,000 persons are engaged, in some capacity or other, in the local government of the metropolis. I cannot help asking, would any person now think of establishing the present system of administration in the metropolis if it did not already exist? Would it exist at all except for the accidental growing up of arrangements that have never been reviewed? In a great metropolis, who cares about his parish, except for its church? and, as we are going to get rid of church rates, the parish will have no common interest at all in future. If we are to have a body that can do the work well, the first condition must be unlimited publicity—publicity which must not be theoretic, but real. It is not only that the people should have a right to know what is done; but that they should really and actually know what is being done. You must get them to give their attention to it; and that is not accomplished on the present system, because the area of administration being on so small a scale, the public does not take sufficient interest in the subject to inquire into what is being done. Except in a large parish, no light is thrown on what is going on. I am far from undervaluing what the local institutions, imperfect as they are, have done; but they are doing much less every day, as the conditions on which they were established become less adapted to existing circumstances. It is very generally believed that it is an extremely frequent thing for persons who sit in vestries of the metropolis to be landlords of small tenements utterly unfit for human habitations, men whose interest—I do not say they always yield to that interest—is not to promote those sanitary arrangements for the improvement of the dwelling places of the great mass of the community which it should be our object to promote. In the Bill of my hon. Friend the Member for Finsbury (Mr. M'Cullagh Torrens)—the Labourers' and Artizans' Dwellings Bill—it was desired to give greater powers in dealing with that class of property, but no authority could be found that was deemed fit to exercise those powers. At first the Bill intrusted those powers to the vestries; but the vestries were not trusted, and the Select Committee preferred intrusting them to the Metropolitan Board of Works: and then it appeared that the Board of Works was not trusted either; and I have received repeated applications to oppose the Bill on that ground. It may be said that, acting on the principles I have enunciated, I ought to have proposed one municipal government for the whole metropolis. There is a good deal to be said for such a course. But on the other hand, it might shock settled ideas to propose at once to entrust the whole local government of so vast an area, with about 3,000,000 of inhabitants, to one local body. The business to be intrusted to their management would, moreover, be too great, and it would give them the control of too large an amount of revenue; and it would have been useless to attempt to obtain the consent of the House to such a measure. Probably it is better to have local municipal bodies for the different Parliamentary boroughs, and that the central Board should not be troubled with any business but such as is common to the whole metropolis. The Parliamentary boroughs offer a medium between the contemptibly small size of an ordinary parish and the inordinate size of the whole metropolis; and in them there has grown up, from the circumstance of their being Parliamentary boroughs, a certain feeling of local connection amongst the whole of the inhabitants. This feeling exists in a very great degree in the old Parliamentary districts, the City of London, Westminster, and Southwark;

and some amount of it has grown up even in those which were created by the Act of 1832. I therefore propose by the Bill which I ask you to read a second time, to create municipalities for the Parliamentary districts, which shall exercise the powers of the municipalities under the Municipal Corporations Act, and also those of the vestries and local boards of the metropolis, except so far as Parliament shall otherwise dispose. It may be said that the Metropolitan Board of Works meets the idea of a central Board. The Metropolitan Board is a clumsy creation, arising from the felt want of some body to represent the whole metropolis. It was at first called into existence to carry out a great sanitary improvement which is now nearly completed, and its existence would in consequence have soon expired, but that Parliament in the meantime found out the necessity of some such central body, and threw upon it a great variety of duties, which originally were not contemplated. It never was intended that the Board should be a municipality for the whole of London; and I cannot conceive that that body can continue to discharge those duties without its construction being at least greatly modified. I could not expect that this Bill would pass at this period of the Session, even if the Government were to adopt it; but I think it is right to remind the House of this question, and to prepare the public mind for a more mature consideration of it. On these grounds I beg to move that the Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. J. Stuart Mill.*)

Mr. BENTINCK, in rising to move that the Bill be read a second time that day three months, said, that he did not wish it to be said that the Bill had been dropped solely in consequence of the lateness of the Session; and he therefore desired to obtain the opinion of the House on the Bill. He confessed his surprise that the hon. Member should attempt to proceed with it after his other Bill had been prevented from being discussed. Having been a Member of the Committee on Metropolitan Local Government which sat last Session, he would remind the hon. Member for Westminster (Mr. Stuart Mill) that in the opinion of the Committee the mainspring of reform in the municipal government of the metropolis had always been the creation of a general and central body. Last Session the hon. Member himself referred to such a creation as the most important element of his plan, so that to proceed with the present measure, from which the central body was absent, would be a waste of the time of the House. That the municipal administration of London was extremely bad, and that the separation of the metropolis into so many districts was a great evil would not be denied; but the hon. Member should first create the governing body and afterwards deal with the local administration. No doubt the metropolis was suffering from want of unity of management. The division into parishes was too arbitrary, but the divisions of the Parliamentary boroughs were quite as arbitrary, and if the hon. Member's Bill passed the existing anomalies would not be got rid of. The hon. Member referred to the jealousies between the vestries; but would there be no jealousies between the municipal corporations, and would not these jealousies be augmented rather than diminished by the creation of half-a-dozen rival mayors? At any rate, the hon. Member ought to have shown that his municipal corporations would be as economical and efficient as the municipal council which was recommended in the Report of the Select Committee. In Paragraph 17 they said—

> "It is desirable that Her Majesty's Government should ascertain in what manner the metropolis can be best divided into districts and wards, in accordance with these Resolutions."

When he looked at the hon. Member's Bill, all ideas of superior economy vanished, for one of the provisions of the Bill was that each municipality should have a spacious town hall and other municipal paraphernalia; and one witness examined before the Commmittee stated that in his opinion every one of these municipal corporations ought to spend £5,000 a year in entertaining strangers and dispensing hospitality. He did not see how the pockets of the ratepayers would be benefited by such a measure. With regard to the Bill being the means of introducing persons of a higher class than those now in the vestries, he differed from the hon. Member. The hon. Member proposed to style them "aldermen." No doubt it was a great thing to be an alderman; but there was a class of men who would be prevented from going into these councils from the very fact that they might be dubbed aldermen. The hon. and gallant Member for Bath (Colonel Hogg) served on the Vestry of St. George's, Hanover Square, with great credit and popularity; but he (Mr. Bentinck) doubted whether he would like to exchange the title of "the gallant colonel" for that of "the worthy alderman." He apprehended that the first thing his hon. and gallant Friend would do on being made an alderman would be to send in his resignation. Another objection to this Bill was that any measure dealing with the local government of the metropolis ought to be brought in by the Government—and that was one of the recommendations of the Committee. But the main objection to the Bill was that it was entirely repudiated by the mass of the ratepayers. Early in the year a deputation went to the Home Office on the subject of this Bill. There were in the metropolis thirty-eight vestries, representing an annual value of £14,000,000; and nineteen of these Vestry Boards, representing an annual value of £9,000,000, joined in the deputation against this Bill. What was there on the other side? The Vestry of St. James's, at a meeting at which only seven members were present, refused to petition against the Bill, by a majority of 1 — that one being Mr. Beal, the author of the Bill. A public meeting of the inhabitants was afterwards held in St. James's Hall, when a resolution was carried against the Bill with only four or five dissentients. A subsequent resolution was carried without a single dissentient—namely, that Mr. Beal be thrown out of the window. The vestries might be unpopular, and the inhabitants might wish to get rid of their jurisdiction; but all sensible men were opposed to the principle of this Bill, which would only increase the expenditure, insure misgovernment, and make the existing state of things worse than ever. He moved that the Bill be read a secone time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Bentinck.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. HARVEY LEWIS said, that while rendering full credit to the able and temperate manner in which the Bill had been introduced, he thought it was impossible at this period of the Session to pass the Bill. Another objection was that it was necessary to have the other Bill of the hon. Member before the House at the same time, so that his whole scheme might be discussed and considered at once. The Bill was generally condemned by the metropolis; and he believed that the interests of the ratepayers would be seriously injured if it became law. It would only have the effect of creating larger vestries with larger powers of taxation. Then the various officers now employed were to be compensated. The expenses of carrying out the Act would so great that he was not surprised that the ratepayers looked upon it with alarm. He objected to any Bill of this kind being brought forward without a general call for it; and there was no such call. He could testify that the deputation from the vestries expressed a strong feeling against the Bill. The object of asking the House to read it a second time was to stamp it with a certain amount of approbation; whereas the House at present cared little, and knew less, about the subject. The whole subject of metropolitan local government had been referred to a Select Committee last Session. They took evidence, and recommended that it was desirable that Her Majesty's Government should submit to Parliament a Bill to carry their Resolutions into effect. This would be far better than leaving the subject in the hands of a private Member.

COLONEL HOGG said, this bill was founded on an entirely false basis, and was altogether a very crude measure, and would be utterly unworkable. Instead of tending to produce economy, it would, he thought have an opposite effect. He had been present at an immense meeting in St. James's Hall, called together by the friends of the measure, and only four hands were held up in favour of the Bill. Great stress was laid upon the number of petitions presented in favour of the Bill, but, after all, he found that the number of petitions was 259, and the number of signatures 241. The fact was that a public meeting of ratepayers having declared against the Bill, the only resource the supporters of the measure had was to send round petitions to be signed by single individuals, who forwarded them to the hon. Member for Westminster (Mr. Stuart Mill), who, of course, was delighted to present them. The parish of St. James's, with a population of 35,000, was the only parish that had declared in favour of the Bill, and that by a majority of 1 only, in a vestry meeting of about seven individuals, whilst vestries in number nineteen and representing an annual value of £9,000,000 were strongly opposed to the Bill. He very much objected to the provision in the Bill which proposed to hand over the charitable funds of the metropolis to the municipalities. He thought the Board of Works had done its duty, and was, if it increased taxation, only supplying the deficiency of former years.

Sir JAMES FERGUSSON said, he could not undertake at this time of day to discuss the philosophical principles laid down by the hon. Member for Westminster (Mr. Stuart Mill), and as the hon. Member had said he should not press the Bill this Session he did not think it necessary to discuss it. He might remark that the Bill was opposed in its principle and details to the Report of the Select Committee which had inquired into the question. One of their recommendations was that the question should be dealt with by the Government; but he need hardly remind the House that circumstances had prevented the Government taking up the matter this Session. The principle of the measure, to divide the metropolis into new boroughs, was wholly at variance with the principle of the Municipal Corporations Act, which provided that new boroughs were to be created by the Crown, on petition by the inhabitants. He agreed with an hon. Gentleman who had spoken (Mr. Harvey Lewis) that a Bill of this kind should be introduced upon the responsibility of the the Government, and not on that of a private Member. At all events it was such a Bill as could not receive the support of the Government.

Mr. AYRTON suggested the withdrawal of the Bill. From the complicated character of the subject it was one which could only be efficiently dealt with by the Government. The measure before them only touched a fragment of the question, which should be dealt with as a whole. He would suggest that the Amendment should not be pressed, and that in it a Resolution should be substituted, declaring that it is the opinion of the House that the Government should introduce a Bill providing for the better government of the metropolis.

Mr. LOCKE hoped the right hon. Gentleman the Secretary for the Home Department would accede to the proposal of

the hon. and learned Member for the Tower Hamlets (Mr. Ayrton). No Member who had addressed the House had said that some alteration was not necessary in the government of the metropolis. The principle of a general Board of municipal administration was one of which he most highly approved. The extension of the City of London throughout the metropolis would greatly relieve the burdens of the ratepayers. The present Bill lay in a nutshell, Clause 9 containing the main principle. On the whole he would recommend the hon. Member for Westminster (Mr. Stuart Mill) to accede to the suggestion of the hon. and learned Member for the Tower Hamlets.

Sir STAFFORD NORTHCOTE said, that the proposal seemed to be that the Government should come forward to help the House out of a difficulty.

And it being now a quarter to Six of the clock—

Debate *adjourned* till *To-morrow.*

BRISTOL ELECTION.

Mr. Whitbread *reported* from the General Committee of Elections, the names of the Members of the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the City of Bristol, to which they had annexed the Petition referred to them by the House relating thereto:—Thomas Bazley, esquire; Gabriel Goldney, esquire; Lord George J. Manners (Camb. Co.); Robert Jasper More, esquire (Salop, S.); Edward Howes, esquire, Chairman.

Report to lie upon the Table.

RAILWAY COMPANIES (IRELAND) ADVANCES BILL.

On Motion of Mr. Sclater-Booth, Bill to authorize the further extension of the period for repayment of Advances made under "The Railway Companies (Ireland) Temporary Advances Act, 1866," *ordered* to be brought in by Mr. Sclater-Booth and Mr. Chancellor of the Exchequer.

Bill *presented,* and read the first time. [Bill 177.]

LANDS CLAUSES CONSOLIDATION ACT (1845) AMENDMENT BILL.

On Motion of Mr. Sclater-Booth, Bill to amend some provisions of "The Lands Clauses Consolidation Act, 1845," *ordered* to be brought in by Mr. Sclater-Booth, Mr. Attorney General, and Lord John Manners.

Bill *presented,* and read the first time. [Bill 176.]

BANK OF BOMBAY BILL.

On Motion of Sir STAFFORD NORTHCOTE, Bill to enable Commissioners appointed to inquire into the Failure of the Bank of Bombay to examine witnesses on oath in the United Kingdom, *ordered* to be brought in by Sir STAFFORD NORTHCOTE and Sir JAMES Fergusson.

Bill *presented,* and read the first time. [Bill 178.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, June 18, 1868.

MINUTES.]—PUBLIC BILLS—*First Reading*—Established Church (Ireland) (157); Drainage Provisional Order Confirmation * (158); Inclosure (No. 2) * (159); Judgments Extension * (160).

Second Reading — Jurors' Affirmations (Scotland) * (104).

Committee — Religious, &c. Buildings (Sites) (128-161); Unclaimed Prize Money (India) * (121).

Report—Unclaimed Prize Money (India) * (121); Poor Relief (155-162).

Third Reading—Sale of Poisons and Pharmacy Act Amendment * (148) and *passed.*.

ESTABLISHED CHURCH (IRELAND) BILL.

FIRST READING.

THE EARL OF CLARENDON moved that the Bill be now read the first time.

EARL GREY thereon gave Notice that he should move as an Amendment to the second reading that the Bill be read a second time that day six months.

Bill read 1ª; to be read 2ª on *Thursday* next, and to be *printed.* (No. 157.)

RELIGIOUS, &c., BUILDINGS (SITES) BILL.

(*The Lord Cranworth.*)

(NO. 128.) COMMITTEE (ON-RECOMMITMENT.)

House in Committee (*on Re-commitment*) (according to Order).

LORD ROMILLY *moved* to omit Clause 2 and insert the following instead thereof:—

> "Provided also, that every such alienation grant, conveyance, lease, assurance, surrender or other disposition shall be absolutely and to all intents and purposes null and void unless and until the same or some deed or instrument declaring the trusts thereof shall have been enrolled in Her Majesty's High Court of Chancery."

If deeds giving sites for religious and charitable buildings were not enrolled, occasion would be given for great abuses. The Bill as it at present stood did not propose anything that could not be done at present. The object of his Amendment was to make the effect of the deed date from whatever time it might be enrolled. His proposal would admit of enrolment without the intervention of a solicitor. A deed might be sent up by post, and then it would only be necessary that some one should call for it and pay the fees. There might be printed forms of deeds as there were of leases, which, in fact, required more revision. His sole object was to combine cheapness with security.

LORD CRANWORTH doubted the expediency of insisting on the formality prescribed by the Amendment. The Bill dispensed altogether with the necessity of enrolment in the case of these small grants. In manufacturing towns there were many little buildings such as chapels, schools, and mechanics' institutions, the conveyances of which became null and void unless they were enrolled, and yet in nine cases out of ten they were never enrolled. The Court of Chancery, indeed, could authorize their enrolment after the time for it had elapsed.

THE LORD CHANCELLOR opposed the Amendment. The Bill only dealt with cases where the land taken was for the purpose of erecting a building upon it for the promotion of religion, literature, or science. It was also provided that the grant or purchase should have been really and *bonâ fide* made for full and valuable consideration, and that the land granted or purchased should not be more than two acres in extent. The Bill proposed that in such cases it should be no longer necessary to enrol the deed in the Court of Chancery. It should be remembered that the Mortmain Act was passed on account of many large and improvident dispositions having been made by dying and other persons for charitable uses, to take effect after their death, to the disherison of their lawful heirs. But nobody could imagine that the sale of two acres of land would produce dangerous consequences in that respect. There was no doubt that under the Mortmain Act the system of enrolment was not contemplated at the time that Act received the sanction of the

Legislature; and one religious body, the Wesleyans, had resorted to the practice in order that if any question should arise their deeds might be referred to with facility. The question at issue, therefore, was whether an unnecessary hardship ought to be imposed on all Her Majesty's subjects because the practice of registration had proved a convenience to a particular religious denomination. He might mention, however, that the passing of the present measure would not prevent parties from enrolling their deeds in Chancery if they thought fit to do so. On the whole, he thought their Lordships would do well to adhere to the original clause.

Amendment (by Leave of the House) *withdrawn.*

Amendments made: The Report thereof to be received on *Monday* next; and Bill to be *printed* as amended. (No. 161).

POOR RELIEF BILL—(No. 155.)

(*The Earl of Devon.*)

REPORT.

Amendments *reported* (according to Order.)

THE EARL OF DEVON said, it would be in their Lordships' recollection that in the course of the discussion the other night he stated that, in the event of the House deciding on the rejection of the clause for removing idiots from workhouses, he would on the Report propose the clause that was originally in the Bill, but which had been rejected by the Select Committee. An objection was thereon taken by a noble Lord (Earl Grey) that such a clause ought to originate in the other House. Recognizing the force of that objection, he should be wanting in respect to their Lordships if he were now to propose the clause, and therefore he abstained from doing so.

THE MARQUESS OF WESTMEATH said, that the Bill originally provided that strange ministers of religion should be allowed to visit the workhouses only "at the request of an inmate." Now these words were struck out of the present Bill. But unless the noble Earl had some valid and convincing reason for the omission of these words, he hoped he would re-insert them.

THE EARL OF DEVON said, he must decline the suggestion for two reasons—first, that the words were found to interfere with that freedom of religious opinion which it was the object of the Poor Law Board to secure; and secondly, that there were often in the workhouses young children and others who were unable to recognize the value of religious instruction; and in fact the persons whom it was most important to visit were the least likely to ask for visitors.

THE MARQUESS OF WESTMEATH said, the reasons given by the noble Earl for not complying with his request were not at all satisfactory.

LORD REDESDALE thought that the right which the Bill would give to able-bodied paupers to go out of the workhouse once a week under the cloak of enabling them to attend once every Sunday at some place of worship of his own denomination was an indulgence wholly contrary to the principle on which that class of paupers should be dealt with. Then there ought to be a definition of what was "a convenient distance" in the clause giving permission to paupers to attend a place of religious worship. He apprehended that those facilities for going out would lead to mischief in affording opportunities to paupers to go away from a workhouse, leaving their families behind them, and would moreover prove completely subversive of discipline.

EARL FORTESCUE thought there was much in the objection of the noble Chairman of Committees. He was against fettering the discretion of Guardians in these matters, as he believed the effect of such a course would be to render good men unwilling to act in that capacity.

THE EARL OF DEVON said, he did not think the Bill went too far in the direction of giving the inmates of workhouses opportunities of going out.

LORD LYTTELTON was of opinion that the objections of his noble Friend (Earl Fortescue) and the noble Chairman of Committees were not well founded.

Amendments made; Bill to be read 3^a *To-morrow*; and to be *printed* as amended. (No. 162).

SALE OF POISONS AND PHARMACY ACT AMENDMENT BILL.—(No. 148.)

(*The Earl Granville*).

THIRD READING. BILL PASSED.

Bill read 3^a (according to Order).

LORD REDESDALE moved the introduction of a clause to secure for the protection of the public the use of one uniform bottle for holding poisons, to be called "the Poison Bottle." Its introduction might be gradual but in course of time it would come to be recognized by all. He had originally suggested on the Report the adoption of a bottle of a particular shape; but on reflection he had no objection to leave the matter to the decision of the Privy Council and of the Pharmaceutical Society. He believed that there was no objection to the introduction of this clause, which he felt confident would tend in practice to the prevention of very serious danger.

After Clause 17, *moved* to insert the following Clause:—

"From and after the Thirty-first Day of December One thousand eight hundred and sixty-eight it shall not be lawful to sell any Poison in a Bottle required to be labelled as aforesaid unless such Bottle shall be of a Shape and Character to be thenceforth known and described as a Poison Bottle; and it shall not be lawful to sell any Preparation not poisonous in any such Bottle; and any Person offending against either of the aforesaid Provisions shall be liable to the Penalties herein-before enacted for selling Poison not distinctly labelled. The Shape and Character to be prescribed by the Pharmaceutical Society, with the Consent of the Privy Council, within One Month after the passing of this Act, and advertised and published in such Manner as the Privy Council shall direct."—(*The Chairman of Committees.*)

THE MARQUESS OF SALISBURY said, the noble Lord had failed to answer the objection raised on a former occasion by the noble and learned Lord on the Woolsack, that many of the poisons which he proposed to put into these special bottles were poisons entering into the almost daily prescriptions of physicians.

LORD REDESDALE said, the noble Marquess was mistaken. The only poisons with regard to which his clause would enforce the use of a special bottle were those which by the previous clause were required to be labelled as poisons.

THE MARQUESS OF SALISBURY said, that one so well versed in the rules of the House as the noble Lord must see that there was great inconvenience in discussing a totally new provision of which no notice whatever had been given. The distinction taken by the noble Lord it would be seen on examination was not well founded; for the earlier clause provided that no person should sell any poison, wholesale or retail, unless in a wrapper distinctly labelled. A letter in *The Times* recently had given the names of some of the drugs in constant use, such as arsenic, prussic acid, strychnine, all poisonous vegetable alkalies and their salts, aconite, corrosive sublimate, belladonna, and cantharides. Every one of these drugs entered into the prescriptions of physicians, and were used sometimes in cases of great emergency. A physician in some urgent case might send to a chemist in whose possession he knew the particular drug to be; and yet that chemist, merely from the fact that his stock of this particular poison bottle happened to be exhausted, would be absolutely prevented from supplying the medicine. The bottle, of course, would be patented, being the invention of some particular person.

LORD REDESDALE: It is not a patent to begin with.

THE MARQUESS OF SALISBURY: Well, then, it was to be defined and published.

LORD REDESDALE said, he had already expressed his willingness to leave the shape of the bottle to be settled by the Privy Council and the Pharmaceutical Society.

THE MARQUESS OF SALISBURY: But there was great inconvenience in introducing extensive additions of this kind upon the mere discussion of some particular clause of a Bill—and that, too, without Notice. Apart from the practical objection that a particular medicine sent for in great haste in the middle of the night might fail to be procured, in the absence of the poison bottle, he objected to the whole principle of the proposed legislation on this point. Hitherto we had proceeded upon the principle of protecting persons from wrongs or injuries wilfully wrought by others; but we had never acted upon the principle of protecting sensible people from possible dangers merely because foolish people might have it in their power to injure themselves. Because somebody might be foolish enough to get up in the middle of the night, and, without taking the trouble to strike a light, might drink off the contents of a bottle, therefore the noble Lord proposed to introduce entirely new restraints affecting a whole profession. This was a principle of legislation not unknown to foreign countries, where Governments were very fond of protecting people against the consequences of their own acts; but it was totally opposed to the habits of this country, its direct tendency being to hinder the general business of mankind. The principle was one that, if adopted in this country, would tend, he felt sure, to greater evils than those which it sought to prevent.

EARL GRANVILLE thought that the clause framed by the noble Lord might be modified with advantage before it was submitted to the House. On this subject he had received a letter from a gentleman of much practical experience; and read to the House the following extract:—

> "I find that Lord Redesdale retains his faith in the poison bottle, and intends to propose it again on the third reading of the Pharmacy Bill, adopting that which I certainly believe to be by far the most distinctive bottle ever used. But the more I consider his Lordship's proposition, and the more I think of the value pertaining to special bottles of any shape, when used according to the discretion of dispensers who understand their business, the more impressed I become with the impolicy of specific enactments concerning them. I have already told your Lordship that most chemists in London use distinctive bottles for dangerous articles and external applications; they have done so for the last six or seven years, the practice gradually increasing. I have also said that the use of these bottles should be restricted to such articles. Now, I presume the words 'poison' and 'poisonous' in the proposed clause must be construed according to Clause 2. If so, we should be prohibited from using such bottles for every medicine not in the Schedule; and I need scarcely say the Schedule does not contain a sixth part of the dangerous preparations daily passing through our hands. I should not think now of selling laudanum in any other than a poison bottle. Laudanum is not in the Schedule; consequently I must, if the Amendment pass, discontinue that precaution. I know Lord Redesdale thinks it is the inconvenience of the compulsory enactment which actuates the Pharmaceutical Society in resisting his proposal; but I can assure you most honestly that they are anxious, both by example and recommendation, to promote his views, and really apprehensive that his Amendment would prevent their doing so."

If the securities sought by the clause were not complete it would be worse than no precautions at all, and resemble that very dangerous gun invented some years ago, which was provided with a complicated contrivance to prevent its going off.

THE DUKE OF MARLBOROUGH said, that although the clause had been greatly improved since last it was offered to the House he thought the disadvantages connected with the proposal outbalanced the advantages. The better course would be to leave it to the discretion of the Pharmaceutical Society and the Privy Council to take what precautions they thought necessary against the careless sale of poisons. If they thought it necessary to adopt a peculiar bottle they could do so; but such a course ought not to be imposed upon them by Act of Parliament The proposal of his noble Friend (Lord Redesdale) was defective, inasmuch as his Schedule of poisons for which the bottles were to be used omitted mention of many substances more harmful than those it contained; and the result would be that poisonous liquids would be placed in ordinary bottles, and comparatively harmless liquids in poison bottles. He recommended his noble Friend not to press the clause.

LORD REDESDALE said, it was difficult to know what to do; but the arguments offered against his proposal seemed by no means conclusive. Respecting the statement of the noble Marquess (the Marquess of Salisbury) that it was contrary to English practice to make laws for the safety of those who were well able to take care of themselves, he reminded the House that many instances of such legislation already existed; persons were every day being punished for stepping from a train in motion, and it was held to be no excuse that they could do so without danger. He thought it would be better to insert the clause, that it might be fairly discussed in the House of Commons.

THE EARL OF KIMBERLEY said, chemists were of opinion that security would not be gained by insisting on the use of any particular bottle. Even if it were adopted there would be no security against mistaking medicines intended for outward application for medicines to be taken internally. An eminent chemist from whom he had received a letter suggested that a case might arise in which diluted prussic acid would be dispensed for internal doses of a spoonful each in company with a highly poisonous lotion of belladonna. Both would be dispensed in poison bottles, and no security would be had that the lotion would not be taken for the diluted acid. His correspondent hoped their Lordships would not adopt the clause unless they wished to be killed by Act of Parliament.

After a few words from the Earl of AIRLIE and Lord STANLEY of ALDERLEY,

On Question? their Lordships *divided:*—Contents 39; Not-Contents 45: Majority 6.

On Question, That the Bill do pass?

THE MARQUESS OF CLANRICARDE was understood to express a hope that the provisions of the Bill would eventually be extended to Ireland.

Bill *passed*, and sent to the Commons.

NOVA SCOTIA.—PETITION.

LORD CAMPBELL, who had given Notice—

> "To present a Petition from Nova Scotia alleging the Existence of much Discontent in the Province in regard to an Act passed last Session under the Title of The British North America Act; and to move that an humble Address be presented to Her Majesty, praying Her Majesty to appoint a Commission to proceed to Nova Scotia for the Purpose of examining the Causes of the alleged Dissatisfaction with a View to their Removal."

said he rose to postpone his Motion. His reason for doing so was chiefly on account of the lateness of the hour, and the existence of certain rules or understandings with respect to the conduct of Public Business on Tuesdays and Thursdays. A good many Members had left the House on the understanding that the subject would not come on after six.

THE EARL OF CARNARVON said, that this Motion had been twice on the Paper and had been twice postponed. He protested against the continual postponement of important Notices—a course which was highly inconvenient to noble Lords who felt interested in the discussions which were likely to arise, and one which was also highly detrimental to the public interests. It was now only half-past six o'clock, and he could not see why the Motion should not be proceeded with.

LORD LYVEDEN remarked that the inconvenience arising from the course adopted by the noble Lord (Lord Campbell) was felt not only by many Members of their Lordships' House, but also by the Delegates from Nova Scotia, who were naturally anxious to be present at the discussion. He trusted that the noble Lord would place his Notice on the Paper for a day when it could have precedence, and that the date would be sufficiently early to admit of the Delegates from Nova Scotia being present at the discussion before leaving this country.

ESTABLISHED CHURCH (IRELAND) BILL.

NOTICE OF MOTION.

THE LORD CHANCELLOR said: My Lords, I beg to give notice that on the Motion for the Second Reading of the Suspensory Bill relating to the Irish branch of the Established Church I shall move that it be read a second time that day six months.

House adjourned at a quarter before Seven o'clock, till to-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, June 18, 1868.

MINUTES.]—NEW WRIT ISSUED—*For* Stamford *v.* Viscount Ingestre, now Earl of Shrewsbury.

Select Committee — Curragh of Kildare, General Dunne, Sir Colman O'Loghlen *added.*

PUBLIC BILLS—*Second Reading* — Electric Telegraphs [82]; Ecclesiastical Commissioners* [168]; Local Government Supplemental (No. 6)* [175].

Referred to Select Committee — Electric Telegraphs [82].

Committee—Representation of the People (Ireland) [71]; Representation of the People (Scotland)* [166]; Local Government Supplemental (No. 5)* [160]; Navy and Army Expenditure*—R.P.

Report — Representation of the People (Ireland) [71-179]; Representation of the People (Scotland* [166]; Local Government Supplemental (No. 5)* [160].

Considered as amended—Representation of the People (Scotland)* [166]; Boundary* [165]; Local Government Supplemental (No. 5)* [160]; Courts of Chancery and Exchequer (Ireland) Fee Funds* [146].

Third Reading — Representation of the People (Scotland)* [166]; Local Government Supplemental (No. 4)* [159]; Local Government Supplemental (No. 5)* [160]; Municipal Rate (Edinburgh)* [99], and *passed.*

Withdrawn—Weights and Measures (Scotland)* [109].

PARLIAMENT — PUBLIC PETITIONS.— BREACH OF PRIVILEGE.

MR. C. FORSTER moved that the Special Report of the Public Petitions Committee of the 28th of May last be read; but that, in the case of those Petitions to which the Report refers, the Order of the House that they do lie upon the Table be read and discharged. The hon. Member said, he had to bring under the notice of the House a Breach of Privilege, committed in the case of these Petitions. By the Standing Orders it is required that every Petition shall bear at least one signature on the sheet containing the Prayer of the Petition, and Petitions are frequently returned to hon. Members because this regulation is not complied with. But in the case of these Petitions an attempt was made to render them formally correct by taking a signature from the body of the Petition and placing it on the sheet containing the Prayer. Examination showed that this had been done in the case of 100 Petitions. The facts are admitted by the party implicated, who says he was not aware that he was committing a Breach of Privilege: and as he is now aware of the impropriety of his conduct, and is in an infirm state of health, the Committee of Public Petitions think sufficient punishment will be inflicted by discharging the Petitions. If, however, other cases of a similar character are brought before the Committee, they will adopt a much more severe course.

Special Report of the Committee [28*th May*] read.

THE CHANCELLOR OF THE EXCHEQUER said, he thought the Motion deserving of consideration by the House, as a question arose whether the rules at present in force were judicious, and ought to be maintained for the future. It was well known that many *bonâ fide* Petitions were presented with every intention of complying with the rules of the House, and yet were often returned to the Committee on Public Petitions as being informal. The hon. Gentleman, as Chairman of the Committee, had called the attention of the House to the fact of certain Petitions having had no signatures on the side on which the Petition was written. Now, if the rule of the House were complied with, the security it afforded only amounted to this, that there was one *bonâ fide* signature required to be on the same side, so that a hundred Petitions might be accepted, provided this condition were fulfilled. He thought this was straining at a gnat and swallowing a camel, and that it would not bear the scrutiny of common sense ; and it would be desirable that the Select Committee on Petitions should revise the rules, and consider whether they might not be improved, so that persons anxious to comply with the Orders of the House should not fall into a trap unawares, and have their Petitions rejected. There was another rule, of which the propriety was also very questionable, that no Petition should be received by the House that was printed. The object, he supposed, was to take precautions that the actual words professing to embody the sentiments of the petitioners should emanate from themselves, and not be suggested to them by some one else. But did the rules really accomplish that object ? They knew perfectly well that some person clever in expressing himself concisely was employed to draw up the form of a Petition ; they were sent round, and the petitioners had only the trouble of getting some person who wrote neatly to copy out the Petition again. He was not aware that the House derived any advantage from insisting on the observance of that rule, and he thought it desirable that the Committee should consider it and see whether this was so. It was right that petitioners should have their views brought before the House, and not have their Petitions rejected from unintentional breaches of its rules.

Motion *agreed to.*

Order, That, in the case of these Petitions to which the Report refers, they do lie upon the Table, read, and *discharged.*—(*Mr. Charles Forster.*)

IRELAND—RAILWAYS.—QUESTION.

MR. GREGORY said, he would beg to ask Mr. Chancellor of the Exchequer, Whether Her Majesty's Government intend to legislate for Irish Railroads during the present Session ; and, if not whether before the close of it, they will make a statement as to the plan they mean to adopt in dealing with those interests in the future Parliament?

THE CHANCELLOR OF THE EXCHEQUER: Sir, Her Majesty's Government do not intend to introduce any measure on the subject of Irish railways during the present Session. I should say that by the issue of a Commission the Government have shown that they intend to enter into the question as a matter of Business, and give every consideration to the matter, but they will not be prepared in this Session to state what their views are.

TURKEY—NEW EMBASSY HOUSE AT THERAPIA.—QUESTION.

MR. MONK said, he would beg to ask the Under Secretary of State for Foreign Affairs, Whether the Plans for the proposed New Embassy House at Therapia, which were sent home by Colonel Gordon, and for which a recent Vote was taken, have been set aside ; and, if so, whether it is the intention of the Government to have new plans prepared upon the basis of the Estimate already submitted to Parliament ?

MR. SCLATER-BOOTH said, in reply, that as the matter referred to by the hon. Member was settled at the Treasury, he would answer the Question. The plans had not been set set aside, but the cheaper of those sent home had been selected. From unavoidable circumstances some little delay had occured in the carrying out of the work.

TURKEY—REPAIRS TO THE EMBASSY AT CONSTANTINOPLE.—QUESTION.

Mr. OTWAY said, he wished to ask the Secretary to the Treasury, If he will state the name and profession of the gentleman who is responsible for the large excess over the Estimate given for the repairs of the Embassy at Constantinople; and, whether it is not true that no Officer of the Corps of Royal Engineers is responsible for the Estimate or the expenditure in question?

Mr. SCLATER-BOOTH replied that no Officer of the Royal Engineers could be held responsible for the works performed at the Embassy. He supposed the hon. Gentleman alluded to complaints made in that House a few years since with respect to the withdrawal of the clerk of the works from Constantinople. No doubt the expenditure at that time was incurred by the Office of Works here through their agent at Constantinople; but he was not prepared to say that the expenditure showed any excess over the Estimates.

GRANT TO THE ROYAL ACADEMY OF MUSIC.—QUESTION.

Mr. OTWAY said, he would beg to ask the First Lord of the Treasury, Whether it is true that the Government have announced their intention of withdrawing the small grant of five hundred pounds which has for some years been made to the Royal Academy of Music; and, whether the Government contemplates the creation of any institution for musical education, to be supported from the public funds?

Mr. DISRAELI: Sir, it is not the intention of Her Majesty's Government to withdraw the grant referred to by the hon. Gentleman, it having been withdrawn already. There was no provision for the £500 in the Estimates of this year; and notice being taken of the omission an explanation was given at the time. The discontinuance of the £500 had not been fatal to the institution, for the aid which it required was much larger: and the Government, after investigating the matter, were of opinion that they would not be authorized in recommending any enlargement of the grant, the results of the institution not being, in fact, of a satisfactory character. They were of opinion that provision for a cheap musical education should form part of our national system; but, although the subject had engaged not a little of their attention, he was not prepared to say anything further upon it at present.

IRELAND—RANGER OF THE CURRAGH. QUESTION.

Captain PACK-BERESFORD said, he wished to ask the Chief Secretary for Ireland, Whether he is aware that the gentleman acting temporarily as Ranger of the Curragh has made a claim for £1 for each horse entered to run for the Queen's Plate at the Curragh in April last, and also for £5 from the winner, as fees due to him; and, on what authority that gentleman makes such a claim?

The Earl of MAYO, in reply, said, he apprehended that all these arrangements would be altered by the Bill now before Parliament.

NEW SOUTH WALES—TREASON FELONY ACT.—QUESTION.

Mr. MAGUIRE said, he wished to ask the Under Secretary of State for the Colonies, If a Copy of the Treason Felony Act, lately passed by the Legislature of the Colony of New South Wales, has been received by the Colonial Office; and, if so, whether there is any objection to lay a Copy of it upon the Table of the House, with any Despatch that may have accompanied the same?

Mr. ADDERLEY said, in reply, that the Colonial Office had received a copy of the Treason Felony Act lately passed by the Legislature of New South Wales. It was chiefly copied from the Imperial Act; but it contained some provisions which appeared objectionable, and amendments had been recommended which would, he hoped, be adopted. It was inadvisable, therefore, at present to lay it on the table.

INDIA—REPORT OF THE MUNICIPAL COMMISSIONERS OF BOMBAY. QUESTION.

Colonel SYKES said, he would beg to ask the Secretary of State for India, Whether he has had transmitted to him officially the Report of the Municipal Commissioners of Bombay for 1867; when the Statistics of India with Maps will be laid upon the Table; and, whether any arrangement has been made for the more rapid issue of the Sheets of India Atlas; and when the next sheets will be issued?

Sir STAFFORD NORTHCOTE, in reply, said, he had not officially received a copy of the Report of the Municipal Commissioners of Bombay for 1867. The India statistics were nearly ready, with the exception of certain Returns, respecting which further communications with India were required; and arrangements had been made for the issue of sheets of the India Atlas by the Surveyor General of India. He believed some further issues would shortly be made.

CROPS IN CEYLON.—QUESTION.

Mr. WATKIN said, he wished to ask the Under Secretary of State for the Colonies, Whether the Colonial Office has been informed of the failure of the Crops in Ceylon, and of the dying out of large numbers of the Native population; and, whether it is proposed to institute any inquiry, or to take any special measures to meet the scarcity of food?

Mr. ADDERLEY said, in reply, that no information had been received by the Government of the failure of the crops in Ceylon, and of the dying of large numbers of the population. They had, however, heard of a great drought in the island; but it was not attended by the consequences suggested in the Question.

CATTLE PLAGUE.—QUESTION.

Sir J. CLARKE JERVOISE said, he wished to ask the Vice President of the Committee of Council on Education, Whether he is aware that a paragraph in *The Times* of the 7th of September, 1867, announced that the International Veterinary Congress held at Zurich—

> "Determined to request the Russian Government to appoint an International Commission to consider the possibility of arresting the cattle plague in its place of origin, the Steppes of Russia?"

whether this determination was carried out, and with what success; and, whether the Report of the Resolutions come to by by the Congress will be distributed?

Lord ROBERT MONTAGU: I am not aware, Sir, of the paragraph in *The Times* to which the hon. Baronet alludes; but have no doubt that such a paragraph would not have been inserted in that paper without good grounds for the statement. The matter does not come under the cognizance of the Privy Council Office, and the inquiry should be directed to the Secretary of State for Foreign Affairs.

Colonel Sykes

BATTA TO ARMY OF ABYSSINIA.
QUESTION.

Mr. BAILLIE COCHRANE said, he would beg to ask the Secretary of State for India, If it is the intention of the Government to place the troops who have served in Abyssinia on the same footing as troops serving a campaign in India as regards batta, or extra pay?

Sir STAFFORD NORTHCOTE: Sir, a communication has been received from Sir Robert Napier, strongly recommending that batta should be given to the troops. Her Majesty's Government, considering the great hardships the troops have undergone in the campaign, and the great losses they have suffered from wear and tear, have accordingly decided to grant the troops six months' batta.

ARMY—QUARTERMASTERS OF MILITIA.—QUESTION.

Colonel KINGSCOTE said, he would beg to ask the Secretary of State for War, Why, considering the hardships to individuals and the inconvenience to Regiments from Quartermasters of Militia not being able to retire on a pension or retiring allowance, he cannot provide for such pension or retiring allowance in Vote No. 27 of the present Army Estimates, and so enable him to introduce a clause into the Militia Pay and Clothing Bill to give effect for the future to such pension or allowance; whether a Clause providing for pensions and retiring allowances was not always inserted in the Militia Pay and Clothing Acts prior to 1829, when Quartermasters were no longer appointed to Militia Regiments, and why it should not have been re-inserted on their re-appointment in 1854; and whether some Quartermasters are not now receiving pensions under the Acts passed before 1829?

Sir JOHN PAKINGTON, in reply, said, he was afraid it would not be in his power to provide pensions or retiring allowances to Quartermasters of Militia in the present Army Estimates. It would be very irregular to add a new item to the present Estimates, and the only mode would be by introducing a Supplementary Estimate. The matter was certainly deserving of consideration, and should receive it; but it was not sufficiently pressing to justify a Supplementary Estimate.

Colonel KINGSCOTE said, he wished to know, Whether he understood the right hon. Gentleman to undertake that the matter should be provided for in the Estimates of next year?

SIR JOHN PAKINGTON: I am not in a position to give any promise on that subject.

INDIA—FACILITIES FOR RELIGIOUS WORSHIP IN THE ARMY.

QUESTION.

MR. O'REILLY said, he would beg to ask the Secretary of State for India, Whether an Order has been issued by the Governor General in Council for India—

> "Relative to providing a room in the lines of European regiments in India to which the men can resort for private reading and prayer, and for holding prayer meetings and other meetings of a similar character, and directing that a room of a suitable size, with such furniture as may be deemed to fit it for the purposes above mentioned, shall be considered one of the recognized requirements in the barracks of every British regiment or considerable detachment of British troops; and, further, that a residence would be assigned to a scripture reader in the married quarters."

Whether the rooms contemplated in the above Order will be available for the Roman Catholic soldiers for similar purposes of united and public prayer, and other devotional exercises consonant with their religion; and, whether in cases where Roman Catholic soldiers comprise the majority, or other large portion of the troops, a residence will be assigned to a Roman Catholic catechist or religious teacher, as in other cases to a Protestant scripture reader.

SIR STAFFORD NORTHCOTE said, in reply, that an Order had been issued at the instance of the Commander-in-Chief for India, in which it was stated that a room of suitable size should be considered one of the recognized necessities of European regiments in India. As regarded the other part of the Question of the hon. Member, it rested altogether with the authorities in India; but if the hon. Member would put the Question formally to him he would send it on to them.

MR. O'REILLY said, he wished to know whether if such an application were made it would be granted?

SIR STAFFORD NORTHCOTE said, that the matter was one entirely for the consideration of the Governor General of India.

MARRIAGE LAW COMMISSION.

QUESTION.

SIR COLMAN O'LOGHLEN said, he would beg to ask the Secretary of State for the Home Department, When the Report of the Marriage Law Commission will be laid before the House?

MR. GATHORNE HARDY said, in reply, that the Report of the Marriage Law Commission was ready, and he hoped would be laid on the table before the end of the Session.

ADMISSION OF FOREIGN CATTLE.

QUESTION.

MR. HORSFALL said, seeing that the Order in Council for the admission of Foreign Cattle into certain Ports in this Country specified that such Order was to continue in force until "the end of July, and no longer," he would beg to ask the Vice President of the Council, Whether it is the intention of Her Majesty's Government to renew such Order—say for twelve months, or at least until the assembly of the new Parliament, except, of course, in the event of any case of the Cattle Disease arising?

LORD ROBERT MONTAGU: Sir, it is the intention of the Lords of the Council to continue the Order relating to the importation of French and Spanish Cattle until after the meeting of the new Parliament, unless the case alluded to by the hon. Member should arise.

IRELAND—LAW OF PAWNBROKING.

QUESTION.

In answer to Mr. PIM,

THE EARL OF MAYO said, that the question of the law of pawnbroking in Ireland was one of considerable difficulty and intricacy, and he could not promise any legislation on the subject in the present Session. If any vacancy occurred in the offices of pawnbrokers' auctioneers care would be taken that the appointment was made subject to such conditions as Parliament might impose in any legislation on the subject.

PARLIAMENT—BUSINESS OF THE HOUSE.

MR. DISRAELI: I have now to move the revival of the Standing Order recently agreed to on the subject of Morning Sittings, and which regulates our Sittings when we meet at two o'clock and adjourn at seven. This Standing Order does not, however, interfere with our Sittings when for any reason the House shall prefer to meet at the usual hour of twelve and to adjourn at four.

Mr. MILNER GIBSON said, he was disposed to submit to the authority of the right hon. Gentleman as to the course of Public Business. The Prime Minister a few days ago made a definite declaration that he intended to take the Irish Reform Bill, the Scotch Reform Bill, and the Boundary Bill before any other measures. He understood the right hon. Gentleman to say that he would put those Bills down on Government nights, so that they might arrive at the House of Lords with the least possible delay. It was now intended, as he understood, to interpose other business before those Bills were gone on with. He therefore wished to have some definite declaration from the right hon. Gentleman on the subject; for with all respect for the hon. Member for Liverpool (Mr. Horsfall), who had asked a Question of the noble Lord the Vice President of the Council (Lord Robert Montagu), that Minister was not the person to interrogate as to the Business of the House; he expressed hopes that something would come on—for instance, the Metropolitan Cattle Market Bill—when probably there was no chance of its doing so, causing great inconvenience to hon. Gentlemen who stayed there with the idea that the measure could be taken when it really could not. He desired also to remind the right hon. Gentleman (Mr. Disraeli) that in speaking of the Electric Telegraphs Bill and the Metropolitan Cattle Market Bill he used these words, "they are not formally withdrawn from the Paper." What was the meaning of that, except that substantially the Government did not really expect to pass them into law this Session, but desired to have them discussed, and perhaps made the foundation of legislation in some future year?

Mr. BOUVERIE thought that the matter more immediately before them was the making of arrangements for meetings of the House at two o'clock exactly conformable to the meetings at twelve, only that, instead of their sitting till four and re-assembling at six, they should, when the Minister chose, meet at two and continue to sit till seven. He understood the Prime Minister to say that the two fashions of holding Morning Sittings were still to go on together. Now that, he thought, would be a very inconvenient practice, and they would never know the day before a Morning Sitting whether it would be the pleasure of the Minister that they should meet at twelve and sit till four, or meet at two and sit till seven. He believed that the arrangement for meeting at two and sitting till seven, unless where there was important Business fixed for the Evening Sitting, had worked very satisfactorily; but then they ought not to have the two systems together. It should be understood—without any formal Motion on the subject—that if the House now agreed to the proposal to meet at two whenever the right hon. Gentleman thought it necessary to have Morning Sittings, they should really meet at two, and not hark back to the twelve o'clock arrangement.

Mr. DISRAELI: In answer to the Question of the right hon. Member for Kilmarnock (Mr. Bouverie) I would observe that the Standing Order which I am now moving is precisely that which the House adopted last year. There is no change in it whatever. Last year we had the double system of two and twelve o'clock sittings, as might suit the convenience of the House, and no inconvenience was felt from that arrangement. Indeed, many Gentlemen thought it was better, on the whole, to have that alternative arrangement. For myself, if I am obliged, in the conduct of Government Business, to have recourse to a Morning Sitting — which I always, of course, do with regret—I am in favour of two o'clock, as the hour of meeting. But last year there were Gentlemen who objected to be deprived of the opportunity of meeting at twelve, if the House wished to do so; and I therefore thought that in reviving, as we probably should have to revive, the plan of Morning Sittings, it would be most prudent to follow exactly the precedent of last year, which worked successfully, and to adopt the Standing Order of last Session without any change whatever. With respect to the Question of the right hon. Member for Ashton (Mr. Milner Gibson) as to the general course of Public Business, I may say that I am not at all aware that I have deviated from the general view I laid before the House some time ago. I then stated that the wish of the Government — of course, speaking generally, as one must always do upon the conduct of Business which touches so many measures of importance — was, that we should proceed with what I call the Supplementary Reform Bills, with as much despatch as possible. And I must say that we have proceeded with considerable despatch; that we have made very great advances with those Bills; and I do not anticipate that any great delay is now possible with respect to any of them. But I said, at the same time, that there were two measures before the House — namely, the Metropolitan Cattle Market Bill and the Electric Telegraphs Bill—upon which, for particular reasons, we wished to take the opinion of the House. Unfortunately, we have not had that opportunity, owing to the debate the other day terminating in an unexpected manner. And therefore I think the course that I have adopted to-night is one more conducive than any other to a satisfactory result in the general despatch of Business in this House. Originally, I had placed the Electric Telegraphs Bill and the Metropolitan Cattle Market Bill as the first two Orders of the Day; but, in consequence of the strongly-expressed opinion of the House that we should lose no time whatever in coming to a virtual conclusion on the Irish Reform Bill, we changed the Orders in deference to the wish of the House, and placed the Representation of the People (Ireland) Bill first on the Paper. I am not disposed myself to think that Bill will take any considerable time. We shall then proceed with the Electric Telegraphs Bill; and I have an idea, from all that reaches me, that that measure also will not take any considerable time, but yet that the House will arrive at a result which will be satisfactory to those who are greatly interested in that subject. The other measure is one in which Gentlemen take a very deep interest, and I feel bound to give them an opportunity of expressing their opinions upon it. But I have no doubt they will adopt that concinnity of expression and condensation of thought which becomes them. Therefore, I will not take that gloomy view of the state of Public Business which the right hon. Member for Ashton does; but I regard it as being on the whole very satisfactory, and I think we shall be able to send the three Supplementary Reform Bills up to the other House with considerable promptitude. I therefore hope the House will not change the arrangement I have this evening proposed, which I believe is one that will much advance the course of Public Business.

Mr. DARBY GRIFFITH asked, what course was to be taken with respect to the Corrupt Practices at Elections Bill?

Mr. DISRAELI: I have already said that when the three Supplementary Reform Bills have passed this House I should then consider what are the most efficacious means we can adopt to carry the Corrupt Practices Bill; and I think we had better clear the Paper a little before we commence with that Bill.

Motion *agreed to.*

Resolved, That, unless the House shall otherwise order, whenever the House shall meet at Two o'clock, the House will proceed with Private Business, Petitions, Motions for unopposed Returns, and leave of absence to Members, giving Notices of Motions, Questions to Ministers, and such Orders of the Day as shall have been appointed for the Morning Sitting.

Resolved, That on such days, if the business be not sooner disposed of, the House will suspend its sitting at Seven o'clock; and at Ten minutes before Seven o'clock, unless the House shall otherwise order, Mr. Speaker shall adjourn the Debate on any business then under discussion, or the Chairman shall report Progress, as the case may be, and no opposed business shall then be proceeded with.

Resolved, That when such business has not been disposed of at Seven o'clock, unless the House shall otherwise order, Mr. Speaker (or the Chairman, in case the House shall be in Committee) do leave the Chair, and the House will resume its sitting at Nine o'clock, when the Orders of the Day not disposed of at the Morning Sitting, and any Motion which was under discussion at Ten minutes to Seven o'clock, shall be set down in the Order Book after the other Orders of the Day.

Resolved, That whenever the House shall be in Committee at Seven o'clock, the Chairman do report Progress when the House resumes its sitting.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE (IRELAND) BILL—[Bill 71.]

(*The Earl of Mayo, Mr. Disraeli, Mr. Attorney General for Ireland.*)

COMMITTEE. [*Progress 15th June.*]

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Mr. DISRAELI said: I wish to take the earliest opportunity of expressing the opinion of the Government respecting the clauses of this measure which were postponed the other night. I quite agree with many Gentlemen who spoke the other evening on the subject, that it is by no means expedient to disturb the distribution of electoral power which exists unless there is a prospect of considerable advantage being obtained; and I also agree that the distribution of seats in Ireland could probably not be very much changed, and that no very great benefit in strengthening the representation could be secured thereby. But, at the same time, taking a general view of the electoral system, and having to propose very extensive changes in England as to the distribution of seats, and some not unimportant changes of the same kind in Scotland, we did not wish to appear unwilling to consider the case of Ireland, although we knew it did not offer facilities for improvement in respect to the distribution of seats by any means equal to those presented by England and Scotland. We therefore gave our best attention to the subject, although the area was limited, and the means at our disposal comparatively insignificant. I can assure the House, if it be necessary, that in the project which we brought forward, and the proposition which we made, we were not for a moment influenced by any consideration whatever of party interest. And, although there may be even in this House some Members who are incredulous on the subject, I can say for myself and for my Colleagues that in regard to the distribution of seats, not only in Ireland, but also in England and Scotland, we never have been influenced by petty and contracted views of that kind. I have always thought it a great mistake, when considering these questions, to attempt to carry out any arrangement which could not fairly be justified, with the short-sighted notion of its serving some party interest or connection; because I have lived long enough to know that the opinions of individuals change in a very remarkable manner, that Liberal Peers sometimes become Conservative, and, I am sorry to say, decided Conservatives sometimes become very ultra-Liberals. Therefore, the only consideration with us has been whether we could practically propose any changes which would really improve and strengthen the representation. I flatter myself that, as far as England and Scotland are concerned, the results at which this House has arrived have greatly had that effect. With regard to our proposition in respect to Ireland, I regret to say that it seems to have found very little favour on either side of the House. I am perfectly aware what the cause is of that general dissatisfaction. There exists, very naturally, among those Gentlemen who are connected with Ireland a feeling that the borough representation should not be decreased. But we must, at the same time, see that the borough representation in that country has not that robust character which prevails in England and, to a certain degree, in Scotland. At the same time, it is a consideration of great importance that it should be a primary object, in the re-construction of our electoral system, that the civic principle should have as much development as we can give it, and I can only say that I trust the increasing prosperity of Ireland will develop that urban character with so much force in time that we shall have a representation of the urban interest more satisfactory than at present. But, under all the circumstances of the case, feeling that it would be unwise to make changes unless there was a general opinion that a great improvement would occur, and great advantage to the community accrue, Her Majesty's Government are not disposed to insist on the postponed Clauses 10, 11, and 12, and therefore I shall beg leave to move that they be omitted. In doing so I believe we shall be taking that course which will, on the whole, be most agreeable to the general feeling of the House, and be facilitating the progress of Public Business. With respect to the other clauses which have been postponed., my noble Friend the Chief Secretary for Ireland (the Earl of Mayo) will take the earliest opportunity of stating what we propose to do in reference to them, and when they are disposed of we can proceed with the new clauses.

Clause 1 *agreed to.*

Clause 2 (Application of Act).

THE EARL OF MAYO suggested to the right hon. Member for Louth (Mr. C. Fortescue) who had a Notice on the Paper providing for the union of the Queen's University with the University of Dublin for the purpose of returning a Member to Parliament, that it would be more convenient that he should put his proposition in the shape of a substantive Motion. With that view he begged to move the omission in the clause of all the words after the word "only." If the right hon. Gentleman's Motion should not be carried, those words might be re-inserted on the Report.

MR. CHICHESTER FORTESCUE accordingly moved the omission of the words.

MR. FAWCETT contended that there was no reason why the right hon. Member for Louth should not proceed with the clause of which he had given notice—namely, that the Dublin University and the Queen's University in Ireland should return two Members to serve in Parliament.

MR. CHICHESTER FORTESCUE said, he had no intention to withdraw his clause in reference to University representation in Ireland, and should bring it up.

Words *omitted.*

Clause, as amended, *agreed to.*

Clause 9 *struck out.*

Clause 10 (Disfranchisement of certain Boroughs).

THE EARL OF MAYO moved that the clause be omitted from the Bill.

MR. J. GOLDSMID entered his protest against the policy which was proposed, and wanted to know upon what principle the small boroughs of England had been sacrificed, while those of Ireland were not to be molested? In Ireland, too, the boroughs were much smaller than in England; and in the former country Kingstown was the only borough with more than 10,000 inhabitants which was not represented in Parliament. If these small boroughs in Ireland remained represented this would furnish a reason why the new Parliament should interfere with the Reform measures. The matter of Reform had been left much in the hands of the House, and he hoped that the House would take upon itself to disfranchise the small boroughs in Ireland. He should oppose the omission of the clause.

MR. PIM said, he was well pleased that the Government scheme of re-distribution was given up, as he considered it a very bad one. He particularly objected to the transfer of representation from the boroughs to the counties; but, as he understood from the speech of the Prime Minister, that all idea of such a transfer was now abandoned, he would merely say, that, while the proportion of county representatives in England was only 37 per cent of the whole, it was in Ireland at present 62 per cent of the whole; and, under these circumstances, he thought it a most extraordinary proposition to increase the number of country gentlemen, imbued with the same ideas and class prejudices, whichever party they might belong to, and close up so many of the avenues by which the trading and professional classes obtain access to the House. The line of 5,000 which had been adopted in England was no rule for Ireland. The small boroughs were, in fact, quite as independent as some of the larger ones. Mallow was quite as respectable as Athlone, and although the borough of Carrickfergus had a population exceeding 9,000 there were really only 4,028 persons in the town. It was in fact a small county. The only way, in his opinion, to render the small boroughs independent was to group them. This had been resorted to in Scotland and in Wales, and with success. English Members disliked the idea of grouping, and it appeared to be unpopular in Ireland also, but the Scotch and Welsh Members thought well of it. In fact, it was disliked by those who knew nothing about it practically, and approved by those who had experience of its working. Sir Hugh Cairns (now Lord Cairns), although opposing its adoption in England in 1866, had stated that when adopted in Scotland and Wales, "the object was to secure a borough representation, and that there could not have been such a representation at that time in Wales except by aggregating the towns which form these groups." Mr. Gladstone had also defended grouping as a "real Reform," conducing to independence and purity of election. He (Mr. Pim) had put on the Notice Paper, a plan of grouping. He did not expect that plan to be adopted, because he thought any plan to be acceptable to the House must emanate from the Government; but he had suggested that plan in order to show the effects of grouping if done on a large scale. By that plan 200,000 persons would be added to the total population of the cities and boroughs of Ireland, and the borough electors would be increased by about 10,000. This would strengthen these constituencies and take away any plausible excuse for transferring Members from boroughs to counties. Grouping was, in his opinion, the best mode of strengthening the borough representation of Ireland, and rendering it independent; but even as it now stood, if you will disfranchise the small boroughs, there were several large towns unrepresented. The claims of Kingstown were universally admitted, and there was Queenstown, and Fermoy, and Nenagh in the South, and Newtownards, and Lurgan, and Portadown in the North. Why not give Members to these towns instead of to the counties? It was not well to act in so important a matter in the total absence of any expression of public opinion, and there was no such expression in Ireland at present. In fact, the thoughts of the people of Ireland were so engrossed with the important question which had lately been brought before them, that they thought of nothing else. Therefore, while he regretted much that the City of Dublin should not get the third Member to which its population and its position as the capital fully entitled it, and while he thought a proper re-distribution of seats was of great importance, he could not regret that the Government plan had been withdrawn. Before sitting down he must advert to the claims of Ireland to an increased number of Members. If the whole number of 658 was divided among the inhabitants of the United Kingdom, it would be one Member for 44,000 persons nearly. This would give 132 Members as the proportion for Ireland. But even comparing Ireland with Scotland, Scotland had got seven additional Members this Session, making up the total to sixty, which was ten less than their proportion according to population—but, taking Scotland at sixty, Ireland would, on the same scale, be entitled to 113; so that we were now eight Members deficient of what we were entitled to on a comparison with Scotland. If some of these were given to us, the strong claims of the county of Cork to be divided into two ridings, with two Members each, might very properly be acceded to, as ought also those of the city of Dublin, and the town of Belfast. Mr. Gladstone, in the late debate respecting the county of Sutherland, had stated that "the principle of our representation is founded on the basis of population," and surely if this be a good argument for maintaining the property of a Duke, it is equally valid to support the claims of a nation.

COLONEL GREVILLE-NUGENT said, he was opposed to the re-distribution scheme of the Government, and he was glad it had been withdrawn. There was no doubt that the case of Ireland was different from that of England, as there were not so many populous boroughs and large cities; but so far as such claims for representation existed, they ought to be satisfied. The population of Londonderry was 20,875, and it had only one Member, whilst Galway, with 25,000 inhabitants, had two.

CAPTAIN HAYTER condemned the course taken by the Government in disfranchising a number of English boroughs, while they allowed such places as Mallow, Kinsale, Downpatrick, Dungannon, Portarlington, and Cashel to be represented. By adopting this course they forfeited all claim to be considered Reformers, and he was sure the first question for the new Parliament would be that of re-distribution of seats in the three countries.

Clause *struck out.*

Clauses 11 and 12 *struck out.*

Mr. Pim

Clause 16 (Members holding certain Offices not to vacate Seats on Acceptance of another Office).

THE EARL OF MAYO proposed to omit this clause, and to make provision for it in the Registration Bill.

Clause *struck out.*

Clauses 17 and 25 *struck out.*

THE EARL OF MAYO proposed to insert the following clause after Clause 26:—

(In certain boroughs, occupiers of lands, &c., the owners of which are now rated, shall be entitled to be registered if the rate due for the year 1868 has been paid before the first day of July.)

"In the Boroughs of Dublin, Cork, Limerick, Belfast, and Waterford, every man who would be entitled to be registered at the next Registration of Parliamentary Voters, under the provisions of section three of this Act, in respect of the occupation of lands, tenements, or hereditaments (for which the owner at the time of the passing of this Act is liable to be rated to the poor rate instead of the occupier), if he had been rated to the poor rate in respect of the said premises and had duly paid the said poor rate, shall, notwithstanding that he has not been so rated, be entitled to be registered at the next Registration of Parliamentary Voters, subject to the following condition:—That all poor rates in respect of the said premises which have become payable after the first day of July, one thousand eight hundred and sixty-seven, and before the first day of January, one thousand eight hundred and sixty-eight, have been duly paid on or before the first day of July, one thousand eight hundred and sixty-eight."

Clause *brought up*, and read a first time.

MR. CHICHESTER FORTESCUE thought the clause very objectionable. Those persons in the five largest cities in Ireland had been hitherto exempted from the payment of rates that were usually paid by occupiers. He objected to remove the burden of paying these rates from the owners to the occupiers. He thought the payment of rates should not be enforced the first year.

MR. SERJEANT BARRY said, he objected to the clause on the ground that it made the possession of the franchise in the five boroughs, as regarded occupiers below £8, depend upon an act being done by other persons over whom the persons affected could have no possible control. And, further, it required that the rates should be paid by the 1st of July, though it was perfectly certain that the Bill itself could not become law by that time. He would propose, as an Amendment, to leave out all the words in the clause after "Waterford," and insert others which would give the vote in the first year without the payment of the last rate. It appeared to him that this would meet the justice of the case.

THE SOLICITOR GENERAL said, that the clause was drawn up precisely on the same model and contained the same provisions as the clause which it was proposed to insert in the Boundary Bill for England. The principle of all the Bills was that no person was entitled to be registered in respect of the occupation franchise unless he had been rated and had paid his rates; but, as in certain cases there were some occupiers who could not have the opportunity of paying the rates, it would be impossible, if some indulgence were not given, that they could vote this year. If, however, the Amendment of the hon. and learned Gentleman were adopted, the electors in question would have an advantage over other people.

MR. MONSELL urged that it was altogether unfair to put it in the power of another person, who might be of different politics, to deprive his tenants of their votes by not paying the rates.

THE EARL OF MAYO said, that the 1st of July was the last day for paying the rates, and he believed that the rates were all paid by this time. The fact was, it was not in the power of any landlord to disfranchise his tenants, because everything the landlord had was liable for the rates, and it was not to be conceived that he would subject himself to penalties for the sake of depriving his tenants of the right to vote.

MR. SULLIVAN said, that he held in his hand a letter which stated that a large amount of rates due by landlords in Dublin remained unpaid up to yesterday. If that were the case, was it not a monstrous thing that a landlord, by keeping the rates unpaid until the 2nd of July, might have it in his power to deprive his tenants of their votes?

MR. SYNAN argued that no principle was at stake, since the operation of the Amendment would expire on the 1st of January next, and that it would be unjust to deprive occupiers of their votes in consequence of the act of their landlords.

THE EARL OF MAYO said, he was prepared to agree to the proposal of the hon. and learned Gentleman (Mr. Serjeant Barry) on the understanding that it applied only to the rate which had just been struck, and not to any future one. He admitted that there was some force in the argument that persons might otherwise be disfranchised through causes beyond their own control, and he did not wish to place any unnecessary obstacle in the way of their getting upon the register. He thought the object in view might be obtained by adopting the former part of his clause, and omitting the condition that rates payable between the 1st of July, 1867, and the 1st of January, 1868, should have been duly paid before the 1st of July next.

Clause read a second time, and *ordered* to stand part of the Bill.

MR. SERJEANT BARRY moved to amend the clause by striking out all the words after the word "Waterford" in line 1, in order to insert the following words:—

"So far as regards the year one thousand eight hundred and sixty-eight, and so far as regards any subsequent year until a new rate shall have been made and a register of voters formed in respect of such rate, the occupiers of lands, tenements, and hereditaments in the Boroughs of Dublin, Cork, Limerick, Belfast, and Waterford, respectively, rated at the net annual value of less than eight pounds and more than four pounds, shall be entitled to be put on the register of voters, and to vote for the Election of Members of Parliament for such Boroughs respectively, notwithstanding that in the last rate for the time being the immediate lessor of such lands, tenements, and hereditaments shall have been rated in respect thereof, and notwithstanding that any rates made on such immediate lessor shall remain unpaid."

Clause *brought up*, and read a first time.

THE EARL OF MAYO said, he would agree to the clause if it was understood to apply only to the rate that had been struck, and not to future rates. He should, however, prefer to have the words of his own clause, which, without the condition appended, would carry out the intention of the hon. and learned Member.

MR. SERJEANT BARRY said, it would be necessary, either in this Bill or in the new Registration Act, to provide machinery for having the names of these occupiers furnished to the proper authority, so that they might be placed on the register.

THE EARL OF MAYO said, the matter would receive his attention.

MR. SERJEANT GASELEE said, he did not know whether Members sitting below the Gangway were supposed to take any part in the debate; but for the last half hour there had been such a conversational tone maintained between the Gentlemen on either side of the table that not one word had been heard below the Gangway. Hon. Members sitting there did not know what was the Question before the House, for the Bill had been so altered that they did not know whether it was the Irish or Scotch Reform Bill. If right hon. Gentlemen would condescend to direct their not very powerful voices to below the Gangway, instead of looking so complacently upon one another, hon. Members in that part of the House would be able to take part in the debate. If this were the Irish Reform Bill, it was a mere farce to go on with it, for the re-distribution scheme had been given up. [" Question."] He had, with the help of the Scotch Members, disfranchised the small boroughs in England, and he wished to do a similar good for Ireland. [" Question."]

The CHAIRMAN: The Question is not the disfranchisement of any boroughs in Ireland. The Question is " That the clause, as amended, be added to the Bill."

MR. SERJEANT GASELEE said, it was no wonder he did not know what the Question was. The exertion of hon. Members in speaking so low must have been very great, and they would doubtless require some rest, and he would therefore propose that the Chairman should report Progress. He would not press his Motion; but he hoped that hon. Members would not speak so low.

Clause, as amended, *added* to the Bill.

MR. CHICHESTER FORTESCUE said, he had now to propose a new clause of some importance in connection with University representation. In doing so he was actuated by no unfriendly feeling towards the University of Dublin, but rather the reverse, his object being to strengthen and improve the University representation and at the same time remove a grievance which was now felt by between 700 and 800 qualified graduates in not possessing a share in the University representation of Ireland. The graduates in the Queen's University would have preferred a separate representative in that House; and when he was a Member of the late Government he had the pleasure of making a proposal that they should elect a third University Member for Ireland. This proposal was, however, made in connection with very extensive changes proposed to be made in the Queen's University in Ireland, the intention being to place it on a wider basis, and to make it, in fact, a kind of London University for Ireland. He should not feel justified in renewing that proposal on the present occasion. The Committee had no scheme of distribution of seats before them, and he would now ask them to admit these 700 or 800 graduates within the very ample representation of the University of Dublin. He used the word "ample" advisedly, as would be seen by comparing the University constituencies of the three Kingdoms. By a Parliamentary Return it appeared that the constituency of the University of Oxford consisted of 4,190 voters, being one Member to 2,095 electors. The University of Cambridge consisted of 5,440, being one Member to 2,720 voters. The University of Dublin consisted of only 1,870 electors, or one Member to 935 voters. This was within nine of the number of the voters of Dublin University in 1834, when two Members, instead of one, were given to the University. In the London University in 1866 the number of graduates of Convocation standing was 1,700. He contended, therefore, that there was ample room within the Irish University representation for the admission of the respectable body of undergraduates whose cause he was then pleading, and also ample room for an increased number of graduates, both in the one University and the other, even supposing the changes that were now mooted were carried into effect. Dublin University had the advantage of great historical renown, magnitude, and importance; but there was much less difference between it and the Queen's University than was commonly supposed. Neither of the Irish Universities could be said in the main to be, like those of Oxford and Cambridge, Universities on the collegiate footing. The Queen's Colleges were not, in the Oxford sense, Colleges for residence. Trinity College, Dublin, which was deemed to exist on the Oxford collegiate footing, comprised but a very small portion of the undergraduates of Dublin University. The total number of undergraduates in the University of Dublin in the year 1851-2 was 1,217. Of these only 118 resided in the College; 581 more lived in Dublin and its suburbs, and attended lectures, and the remainder, 518, resided elsewhere, and merely came up for the examinations. In Michaelmas Term, 1851, the total number of students attending lectures was 411; of whom only 313 were allowed credit for attendance. In Hilary Term, 1852, the number was 361, and in Trinity Term, 1852, it was 196. The smallness of the number arose from the fact that degrees in Arts in the University of Dublin could be obtained by examinations only. Thus, the University of Dublin, as far as it performed the functions of a collegiate University like

Oxford and Cambridge, provided for the discipline and residence of only 118 of its undergraduates, while with respect to 518 it was on the footing of the Queen's Colleges or the Scotch Universities; and in regard to 581, it was upon the footing of London University, giving degrees solely on the passing of certain stated examinations, and not requiring either attendance at lectures or residence in College. There was no such violent contrast between the two Irish Universities as that which was last year described as existing between the Universities of London and Durham; and the parallel was much stronger between them and the Scotch Universities, which had just been united for the purposes of Parliamentary representation. Last year they gave London University one Member, while Dublin University now enjoyed two. Again, London University and the Scotch Universities having now received Parliamentary representation, the want of such representation would now be felt by the Queen's University in Ireland as a much greater disadvantage and grievance than heretofore. There were other proposals on the Paper for attaining the same end as he contemplated. Among them was the proposal of the hon. and learned Baronet (Sir Colman O'Loghlen), which he believed would not be pressed, for depriving the University of Dublin of one seat and giving it to the Queen's University. That was a more violent plan than his, and not likely to be as acceptable. Then the hon. Member for Brighton (Mr. Fawcett) proposed the grouping of certain small Irish boroughs in order to obtain an additional seat for the representative of the Irish Universities. The plan of grouping having, however, been given up, that proposal was out of the question, and his own proposal was, he thought, the most natural mode of doing some justice to that body of Irish graduates which could be suggested. Although, no doubt, they would prefer separate representation, yet they would admit that his plan was not unimportant to their academical interests. It would increase the dignity of the Queen's University, while it would also improve the University representation of Ireland generally. It would likewise considerably strengthen the lay element in the constituency, a matter of no slight importance; and it would compel the Members for the Universities to take into account the opinions and interests of a wider and much more varied class than they had now to consider. He believed that his proposal, while removing the grievances under which a body of Irish graduates now laboured, would strengthen the University representation of Ireland by adding to it some of the best educated men of the country. With these views he confidently moved his clause.

Clause (In all future Parliaments the University of Dublin and the Queen's University in Ireland shall jointly return two Members to serve in Parliament for said Universities,)—(*Mr. Chichester Fortescue,*) —*brought up*, and read the first time.

THE EARL OF MAYO said, it seemed to have been agreed, by the almost general consent of the Committee, not to entertain now any question with regard to the re-distribution of seats; but the Amendment was a proposal for re-distribution. It was one of an objectionable character; for it was like a proposal to join the London University with one of the older Universities for the purpose of representation, and such a proposal, when made last year, did not find much favour, while the proposal to join Durham University to that of London was opposed by the Liberal party. The Amendment proposed to join for the purposes of representation two bodies that were essentially distinct—which had different opinions upon almost every subject; and whose combination could produce nothing but discord. The strongest argument against the proposal was that it was not demanded by anyone connected with these two bodies. A distinguished and influential member of Convocation of the Queen's University had written to him—

> "The project of uniting the constituencies of the two Universities as proposed was discussed among ourselves the other day at a committee of Convocation, and unanimously condemned. I do not think a single voice was raised in its favour. We should nominally have two representatives who would virtually represent another institution."

He had always entertained the opinion that if it were possible it would be desirable to bestow Parliamentary representation on the Queen's University, and he would have proposed to give it in the re-distribution scheme which had been submitted to the House but for the pressing claims of the large populations. In any future scheme the claims of the Queen's University must be considered. It would now give a constituency of 880, but in a few years it may be expected that the increase of Members would give a large and independent constituency. The present arrangements with regard to the qualifications for voters for the Dublin University were not altogether satisfactory. The voter must be an M.A., and pay £5 for registration and £9 10*s*. on taking the degree, so that it cost £15 to become a voter of the University. Hence the disparity between the roll of Masters and that of electors, the latter containing 1,870 names, and the former the names of 1,496 additional who did not possess the franchise. He was empowered by the authorities of the University to say he should be prepared, when the Registration Bill was before the House, to make an alteration in the system which had hitherto prevailed in the University of Dublin. He would propose a clause to give the franchise to every M.A. on taking his degree, without requiring as a condition the payment of any registration fee. The list of M.A.'s would then be the electoral roll. Seeing that the Board of Trinity College were prepared to make so large a concession, and that neither University favoured the Amendment, he hoped the Committee would pause before adopting it, for it would not add to the weight of the representation of Trinity College, nor meet the case of the younger institution.

Mr. GREGORY said, he wholly dissented from the position of the noble Lord, that because the Government had abandoned their scheme of re-distribution they were not to form any new constituency. A more miserable confession of pusillanimity had never proceeded from a Treasury Bench. But how did that confession contrast with the spirit of the right hon. Gentleman at the Head of the Government at Merchant Taylors' Hall the night before, in which, describing the magnificence of the edifice the Government had reared, and the new system of Parliamentary Reform which was to leave its stamp of glory on their names for ever, the right hon. Gentleman spoke of "a political settlement which has successfully reconciled the traditions of our ancient country and the requirements of modern times." The Government had abstained from interfering about six miserable boroughs, which, taken altogether, would not make one good constituency. The noble Lord laid the whole stress of his case on the fact that Trinity College did not wish for that which was proposed. Of course it did not, for it was one of the closest corporations ever known. What was it except the representative of that Established Church which we were determined to do away with? What were the Members for Trinity College chosen for except to be the adherents and mouthpieces of the Church about to be destroyed? One of its Members was a steady opponent of every measure which had for its object civil and religious liberty—["No!"]—and the other was the Law Adviser of a Tory Government — the fourth in succession. "All honourable men" doubtless; but if the University of Dublin rested its claims to representation upon the fact that it always sent here a mouthpiece of the Irish Church and a Law Officer of a Tory Government, the sooner that confederation was broken up the better. If the proposal was to give a representative to the Queen's University he should oppose it, believing that there ought to be but one University degree in Ireland, to be conferred alike on Protestant and Roman Catholic, and which would stamp those who obtained it; and that the representative should neither be necessarily Protestant, Roman Catholic, or Presbyterian; but one representing the intellectual eminence of Ireland. This proposal had the true ring and stamp of Liberalism upon it, and he trusted that everyone would vote for it as giving a fair representation to the intellectual genius of Ireland.

The ATTORNEY GENERAL for IRELAND (Mr. Warren), in opposing this Motion, said, he did so far more in the interests of the Queen's University than in that of the University which he represented. If the constituencies of the two Universities were joined there would be an overwhelming preponderance of electoral strength in the University of Dublin; but you would introduce an element of discord and of rivalry; the greater University, triumphing over the smaller one, would make itself obnoxious to it, and feelings of antagonism which did not now exist between the two institutions would be sure to prevail. Another objection was that, the Queen's University being thus overborne in election contests, the governing body of that University would be under a constant temptation to increase the number of its members by lowering the standard of its degree. In short, nothing was to be gained by giving to the graduates of the Queen's University that which they were unwilling to take, and, indeed, were wise enough to disclaim. No petition had been presented in favour of this proposal; no meeting had been held in support of it; it was the proposition of the right hon. Gentleman (Mr. C. Fortescue), and his alone. The Queen's University desired to have a Member of its own, and he hoped the day would come when it would have one.

Question put, "That the said Clause be read a second time."

The Committee *divided* :—Ayes 173 ; Noes 183 : Majority 10.

MR. FAWCETT said, he understood that the Government were not averse, while opposing the grouping together the University of Dublin and the Queen's University, to give the latter representation. He himself, indeed, did not think that the proposal which had just been rejected was the best for giving effect to that object, and he would therefore move that Portarlington, the smallest borough in Ireland, be disfranchised, and the seat taken from it conferred on the Queen's University.

THE CHAIRMAN informed the hon. Gentleman that he must put his proposal in the shape of a clause.

COLONEL FRENCH then rose to move a clause which stood on the Paper in his name, but was interrupted by

MR. FAWCETT, who asked the Chairman to be good enough to inform him in what terms his Motion should be couched to render it formal?

THE CHAIRMAN : The proper way for the hon. Member to proceed is to frame a clause giving effect to his intentions. He can then move the second reading of that clause.

MR. FAWCETT said, that by the assistance of a Friend a clause embodying his views had been placed in the hands of the Chairman. He begged, therefore, to move that it be now read a second time.

THE CHAIRMAN said, that the clause was not ready when the hon. Member for Brighton concluded his speech, and that the hon. Member for Roscommon (Colonel French) had just risen to move a clause of which Notice had been given. Under these circumstances the hon. Member for Roscommon would have the right to move his clause first ; but the hon. Member for Brighton would be at liberty to move his clause afterwards.

MR. FAWCETT thereupon stated that he should move his clause as soon as he had an opportunity of doing so.

COLONEL FRENCH again rose for the purpose of moving his Amendment, when

THE CHAIRMAN pointed out that the convenient course had been usually adopted in Committee of considering the new clauses in the order in which they stood upon the Paper. On the present occasion, however, the clause of the right hon. Gentleman the Member for Louth (Mr. C. Fortescue) had been taken first, under circumstances which the Committee would remember. But, as that had been disposed of, it was natural to revert to the ordinary course of taking the clauses as they stood upon the Paper ; and therefore the hon. Member could not move his clause first, except by the common consent of Gentlemen who had clauses on the Paper preceding his. If those Gentlemen wished to move their clauses first they were at liberty to do so. The first clause on the Paper was that of the hon. Member for Athlone (Mr. Rearden).

MR. REARDEN said, he would not press the clause which stood in his name.

SIR GEORGE BOWYER rose to move the clause of which he had given notice. Its object was to assimilate the law of England and that of Ireland with respect to the expenses of clerks of the peace. In England the clerks of the peace were entitled not only to be repaid the sums expended by them, but were also entitled to reasonable remuneration for their time and trouble in performing the services and duties imposed upon them in regard to the registration of voters. This was not the case in Ireland, and he therefore begged to move the following clause :—

(Definition of the word "expenses.")

"The word 'expenses' contained in section seventy of the Act of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter sixty-nine, shall be deemed to and shall include and apply to all proper and reasonable fees and charges of any clerk of the peace of, or acting for, any county, county of a city, or county of a town, or by any clerk of the peace of, or acting in or for, any borough situate in a county at large, to be hereafter made or charged by him in any year for his trouble, care, and attention in the performance of the services and duties imposed upon him by the said Act or by this Act, in addition to any money actually paid or distributed by him for, or in respect of, any such service or duties as aforesaid."

MR. G. MORRIS seconded the Motion. The justice of the case required that these officers should be paid.

Clause *brought up*, and read a first time.

THE EARL OF MAYO said, he was unable to assent to the insertion of the clause which related to the clerks of the peace for all the counties in Ireland. Those gentlemen were already remunerated sufficiently for the work they performed, the arrangements as regards their duties in connection with the electoral lists having been settled by the Act of 1850. He had not heard that there was any indisposition on the part of gentlemen to fill vacancies when they occurred, through a feeling that the remuneration was insufficient. He thought there was no ground whatever for making an addition to the local taxation by increasing the remuneration of this particular class of officers.

Sir COLMAN O'LOGHLEN regretted that the noble Earl (the Earl of Mayo) would not agree to the clause, as, in his opinion, there ought to be no difference made in this respect between England and Ireland. If the salary were only one-half its present amount there would be the same number of applications for the situations when vacant.

Lord JOHN BROWNE reminded the House that the question of the remuneration of clerks of the peace in Ireland had been under the consideration of the Grand Jury Committee upstairs, who, if those officers were not sufficiently paid already, would, in all probability recommend the increase of their salaries.

Mr. VANCE thought that, as additional duties would be imposed on the clerks of the peace by this Bill, they were fairly entitled to additional remuneration.

Mr. BRADY asked why those gentlemen should not be compensated for the additional duties placed upon them?

Mr. Serjeant ARMSTRONG said, he saw no objection to giving power to the Grand Juries, whose interest it was to keep down the county expenditure, to consider whether or not some reasonable allowance should be made to the clerks of the peace in consideration of the extra duties imposed on them.

The ATTORNEY GENERAL for IRELAND (Mr. Warren), observed, if the Amendment should be carried the clerks of the peace in Ireland would be entitled to an increase of salary, and from the inquiries which he had made he saw no reasonable ground for additional payment.

Mr. SYNAN doubted whether the presentments of the Grand Jury would be compulsory under the Act of Parliament.

Mr. BAGWELL said, he did not believe there was any class of officers in Ireland who deserved less to have an increase of salary. It was generally a complete sinecure, and the holders of the office got deputies to discharge the duties, to whom they paid a small salary.

The O'CONOR DON said, he could not see that the salaries of these gentlemen ought to be at all increased. The exact salaries were fixed at a time when the criminal duties to be discharged were very much greater. The salary now remained the same, though the duties had been much diminished.

Mr. BARROW contended that the clerks of the peace were entitled to additional emoluments for increased duties.

Lord JOHN BROWNE said, if the salary of the clerks of the peace was to be increased, so also should that of the clerks of the unions, as the increased duties would equally fall upon them.

Clause *withdrawn.*

Sir GEORGE BOWYER intimated that he should again propose the clause in the event of the Motion of the hon. and gallant Member for Roscommon (Colonel French) being carried.

Sir COLMAN O'LOGHLEN moved the following clause:—

(Freemen's franchise abolished, saving rights of existing freemen.)

"After the passing of this Act no person shall be entitled to vote at the Election of a Member to serve in Parliament for any city or borough by reason of being a freeman of such city or borough, save and except those who at the time of the passing of this Act shall have been actually enrolled as freemen on the freemen's roll of such city or borough."

The hon. and learned Member said the number of boroughs where the freemen's franchise existed was only 21. In 10 of those the number of freemen did not exceed 10; in two it was under 30; and in three it was under 100. In Drogheda it was 143; in Cork, 254; in Waterford, 350; in Galway, 453; in Carrickfergus, 752; and in Dublin 2,602. He objected to the freemen's franchise in Ireland because it was a relic of the old ascendancy system, which had operated to the great detriment of the country. The freemen exercised a most powerful influence on the elections for the city of Dublin. The candidates who expected to obtain their suffrages had to go to "the Aldermen of Skinners' Alley," dressed in orange sashes and belts, or they would have no chance of obtaining their votes. He did not know whether the hon. Member for Armagh (Mr. Vance) still preserved the orange sash and belt he wore on such visits, when, in conjunction with Sir Edward Grogan, he represented the city of Dublin; perhaps they might also be useful for the electors of Armagh. There was no reason why freemen should not have votes as ratepayers; but one great objection to the present system was that while ratepayers were bound to pay their rates by a particular day, freemen avoided the payment of rates; and they were also privileged to have a separate polling-booth for themselves. Bribery and corruption prevailed in every borough where freemen existed. In Dublin elections a certain number of freemen must be bought whoever might be the candidate. Every election petition that had been presented charged bribery to have existed to an enormous extent. In Galway, too, it had always been the custom to pay the freemen so much per head. His clause would enact that after the passing of this Act no freeman should be enabled to vote except those actually on the roll. The freeman franchise was a remnant of Orange ascendancy in Ireland, and therefore he hoped the House would do away with it, saving the rights of existing freemen.

Clause (Freemen's franchise abolished, saving rights of existing freemen,)—(*Sir Colman O'Loghlen,*) — *brought up,* and read the first time.

MR. VANCE said, he did not think that at the time the Notice was put upon the Paper that the hon. and learned Member for Clare (Sir Colman O'Loghlen) seriously intended to bring the subject forward, because he had always expressed himself opposed to disfranchisement. He did not see why an exception should be made in the case of Ireland in respect of the freeman franchise. This franchise had not been interfered with in England; and the hon. and learned Baronet was the last man whom he should have suspected of a wish to disfranchise any class of the citizens of Dublin. In that city there were many Roman Catholic freemen who had not shown themthemselves favourable to him when he was a candidate for Dublin; but he should not like to see them disfranchised nevertheless. The hon. and learned Baronet objected to political power being continued in hereditary succession; but was not legislative power so continued in the other branch of the Legislature? He hoped that within the next few days the other House would give another proof of the advantage of hereditary powers in legislation. After one of his elections for Dublin there was a petition against his return in which the conduct of the freemen was greatly impugned. That petition came in due course before an Election Committee composed of three Gentlemen from the Opposition and two from the Ministerial side of the House. That Committee acquitted the freemen of Dublin of any corruption or any improper practices, and, finding the conduct of those electors perfectly pure, the Committee unanimously refused to report against the freemen. The hon. and learned Baronet had given the House an amusing account of a society, styled "The Aldermen of Skinners' Alley." He (Mr. Vance) belonged to that society, and he could assure the House that the hon. and learned Baronet was inaccurate as to his description of their sashes. They had no uniform, but they had principles which he was afraid would exclude the hon. and learned Baronet from the privileges of membership. The origin of the society was this — When James II. abdicated the Throne of this country and went to Ireland, he found in Dublin a Protestant Corporation. He determined to substitute for it a Roman Catholic Corporation; but the Protestant Corporation, unwilling to lose their regalia and paraphernalia carried them to a place of retirement in Skinners' Alley. The Aldermen of Skinners' Alley were a society which met annually to commemorate that event, and he could assure the House that it was a society of which no Protestant need be ashamed. The only case that the hon. and learned Baronet had made against the freemen of Dublin was that the majority were true Conservatives.

MR. G. MORRIS said, that in the borough of Galway, which he had the honour to represent, the freemen constituted about a third of the constituency. That they were not hereditary Orangemen was shown by the fact that only about thirty of them were Protestants, while the remaining 400 and odd were Roman Catholics. No doubt the freeman system in Galway had its origin in the wish to encourage a Protestant settlement in that town. There was a recital to that effect in the Act of Parliament; but about the year 1842 a change was made, by which Roman Catholics were admitted to the freedom of the town. If they were to compare the sums expended on elections in Clare as against the expenditure for a similar purpose in Galway, the latter would come out of the ordeal very well. It had been stated that he was the first Member returned for Galway without bribery. Now, he had succeeded a very near relative in the representation of that borough; and he had personal knowledge of the fact that 92 per cent of the electors had voted for his relative. Two petitions had been presented against his return, and not only had those petitions been declared groundless, but the Committee had given his relative costs on the ground that they were frivolous and vexatious. He himself had been returned for Galway without a contest at all. On those facts he thought that he was entitled to submit that the electors of Galway were not as black as they were painted. This was intended to be an enfranchising and not a disfranchising Bill, and he therefore regretted that attacks having for their object to disfranchise existing classes of voters should have been put forward, and that from the Liberal Benches. The hon. Member for Dublin (Mr. Pim) thought that Galway, with a population of 25,000 or 26,000 was not entitled to a second representative; and the hon. and learned Baronet the Member for Clare (Sir Colman O'Loghlen) proposed at one sweep to do away with one-third of his constituents. If anything could confirm him in the view which he entertained that he was sitting upon the right side of the House, it would be the fact that attacks like these upon his native town had proceeded in both cases from the Liberal Benches. He trusted that the Government upon this occasion would support the freeman franchise.

Mr. MONSELL said, he thought the case against the freemen had been so clearly established by his hon. and learned Friend the Member for Clare that he would not have thought it necessary to address the House but for the observations of the hon. Member for Galway (Mr. G. Morris) and the hon. Member for Armagh (Mr. Vance). The hon. Member for Galway had contended that the freemen of Galway were not a corrupt class. In answer to that he would refer to an extract from the Report of a Committee appointed to try the election in 1857, which stated that while many of the voters had eloped the number of those who would be got at and who were proved to have been bribed was 179, of whom all but four were freemen. Even the hon. Member for Armagh spoke of the purity of the freemen of Dublin, and said the Committee appointed to try his election for that city decided that there had been no bribery. That was perfectly true; but the Committee also reported that promises to bribe on the hon. Members behalf had been made and votes given on behalf of those promises, though the hon. Member most properly refused to make the promises good. But passing to the merits of the question, he was very anxious to hear from the hon. Gentleman opposite how he could support the freemen. He had all along laid down residence and the personal payment of rates as the test of qualification for the franchise. Now, when the franchise was reduced to a £6 rating, what necessity would there be for freemen who, if respectable at all, would possess the franchise in right of their residence? Those freemen were very different from the same class in England. In England only admission was by birth or servitude. In Dublin there were 2,858 freemen, and of these 1,755 were admitted by birth, in right of their grandfather, as the daughters of freemen, and other modes which were not recognized in England, and which were at variance with the ancient practice in Dublin. On these grounds he trusted the Committee would put an end to the system.

Mr. PIM said, he believed it was the intention of the Reform Act of 1832 that the anomalous right of freemen to vote should be gradually extinguished. The ordinary franchise was now so low that every respectable man could obtain a vote. The only objection to the Motion of the hon and learned Baronet (Sir Colman O'Loghlan) was that it did not protect inchoate rights, and he (Mr. Pim) would therefore propose, at the proper time, to add to the Motion an Amendment to preserve these rights. He would vote for the second reading of the clause proposed by the hon. and learned Baronet, and when the second reading was carried he would move the addition of the words—

> "And those who shall claim their freedom within twenty-one years from the passing of this Act, if the claim be on account of birth, or within seven years, if the claim be on account of servitude."

With this Amendment he thought the proposal would be a just one, and he hoped the noble Lord, the Chief Secretary for Ireland, would accede to it.

The Earl of MAYO desired to remind the Committee that throughout the discussions on the Reform question the House had invariably adhered to the principle of refusing to consent to any proposal which would have the effect of disfranchising any body of electors. The proposal now under consideration would, he believed, destroy a long existing franchise on very insufficient grounds. It appeared to him that the principal objections of the hon. and learned Member for Clare to the freemen was the same as the objection of the hon. Member for Louth (Mr. C. Fortescue) to Trinity College, that they sent Members to that House who were opposed to them on politics. That was a curious objection to come from Liberal Members; but he was sure it would have no weight with the Committee. The number of freemen in Ireland were 4,900, and of these there were 2,500 in Dublin. This was a proposal to disfranchise about one-sixth of the constituency of Dublin, and one-third of the constituency of Galway. In Waterford, too, it would disfranchise nearly one-third, certainly one-fourth of the existing constituency. On all former occasions the House had refused to destroy this franchise; for, though the Reform Act of 1832 certainly did place it under restrictions, its abolition was never contemplated. Inasmuch as the House had hitherto refused to destroy this franchise, he certainly could not think that the House would consent to deal with this last of the measures affecting the representation of the people in a manner different from those which had already been finished, and he trusted, therefore, that the Committee would negative the proposition.

MR. SULLIVAN said, he was of opinion that no one who considered the subject in its true bearings could doubt the advisability of adopting the proposal now before the Committee. ["Oh, oh!"] Hon. Gentlemen said "Oh, oh" so loudly without knowing one iota of the subject. In 1857 an election had taken place in Dublin, and there voted for two of the candidates 6,027 persons of property, station, and position, and those candidates had in the number 728 freemen. There were two other candidates who obtained the votes of 3,267 persons of property and position, and the votes of 3,800 freemen. So that the property votes were disfranchised by the votes of the freemen, who contributed nothing to the taxation of the city, or, indeed, to taxation of any kind. The Government had hitherto congratulated the House on having established the representation on the basis of taxation; but no argument of that nature could be urged in favour of the retention of this franchise. Indeed, in the city of Dublin the freeman vote was simply outrageous. Hon. Members might talk about its being hereditary; but the "grand birthright," as it was termed, according to legal definition, was derived from men who stedfastly refused to create any freemen who were not Protestants, or any Protestants whose opinions differed from their own. Of 2,858 freeman, no less than 1,755 were admitted to the vote in consequence of marrying daughters and granddaughters of freemen. When a right existed flowing from so corrupt a source, it ought not to be allowed to continue. He was certainly not previously aware that the hon. Member for Armagh (Mr. Vance) was an Alderman of Skinner's Alley; but he could not compliment the hon. Member on having transferred the saturnalia to that place. He was one of the candidates who obtained the votes of the 3,800. Every man of common sense would see that the proposal ought to be adopted, and he therefore trusted that it would receive the consent of the Committee.

MR. HENLEY said, he understood the object of the legislation of the last two years to be to enfranchise, not to disfranchise. When that House was asked last year to disfranchise the freemen of England they had refused to do so, and he should refuse to disfranchise the freemen of Ireland upon the present occasion. The right hon. Member for the county of Limerick (Mr. Monsell) said that some of the freemen of Ireland had wives who might use their influence to make them vote a particular way; but surely it was not an enormity for a man to vote in the way he was required by his wife. One of the privileges that a lady obtained by marriage was the power of influencing her husband in many things, and surely the right hon. Gentleman would not disfranchise all the freemen of Ireland because they had the good taste to get married. But the right hon. Gentleman went a step further, and complained that many of the freemen were guilty of the enormity of having fathers and grandfathers. The right hon. Gentleman said that the freemen had swamped the voters who exercised their votes under a property qualification; but he forgot to mention that in future that property qualification would consist simply in having occupied for a twelvemonth a tenement valued at £4 per annum, whereas the freemen were usually members of corporations who took a pride in being placed upon the register as freemen. Believing that the present Bill was framed for the purpose of enfranchisement, he refused to consent to its being converted into a disfranchising instrument.

Mr. GLADSTONE said, the right hon. Gentleman had one, and one only, fundamental argument against the proposition which had been made from that (the Opposition) side of the House. He says that the Reform Bill was a Bill by which they enfranchised, but did not disfranchise. [Mr. Henley dissented.] He (Mr. Gladstone) took direct issue with the right hon. Gentleman. They disfranchised by the English Reform Bill a great number of persons who possessed the franchise. He could not be aware of this—that when they extended the suffrage in towns they disfranchised a great number of persons. It was true that it might be said that while, on the one hand, these people were deprived of their county votes, they obtained a borough vote; but what became of the leaseholders in towns who were deprived of their vote without receiving any franchise in return? Did the right hon. Gentleman shake his head now? No, he did not, because he could not deny that the statement he had made was correct. When the House had seen occasion to abolish any particular franchise it had not been deterred from so doing by the mere cant word "disfranchisement." What was the difference between the cases of the leaseholders and of the freemen? The noble Lord (the Earl of Mayo) had said with great truth that at the time of the passing of both the last Reform Act and the Reform Act of 1832 the House refused to disfranchise the freemen; but that circumstance was owing to the existence of a party in the House which was willing to trade upon the favour of this particular class of voters in the expectation of making capital out of them at the next election. The exertions of that party were aided by those of a number of weak brethren on the Opposition Benches, who assisted to postpone the period of the destined immolation of this class of voters—one of the least creditable of the episodes in connection with the last Reform Bill. The real question to be determined on the present occasion was whether or not the freeman franchise operated beneficially to the country. At one period, undoubtedly, it did operate beneficially to the interests of the country, as it afforded a means, and the only means, of the opinions of the working classes being in any way represented in that House. But now that the broad principle of household suffrage had been adopted, there was no longer any reason for maintaining this particular franchise, which every Member in that House must know was a fertile source of corruption. The statistics of last year demonstrated that the freemen of England were a most corrupt body, and the case against those of Ireland, he presumed, would be still stronger. It had been shown that in all boroughs where the £10 householders had been tainted with corruption the freemen had been still more tainted with it. The franchise of the freeman was calculated to give a man an idea that the franchise was a property, and not, as they were so fond of saying when arguing on the ballot, that it was a trust. Why should a man obtain the freeman's franchise because he had married the daughter of a freeman? Could they conceive of anything more calculated to give him the idea that it was his property? This he would say—that the mode in which the House treated a subject of that kind would always be more or less a test of its earnestness in regard to putting a stop to corruption, and they never would extinguish corruption at elections so long as they continued a franchise which gave to the working classes the notion of property. The £10 franchise in England and the £8 franchise in Ireland might be pleaded, because those figures admitted but a moderate proportion of the artizan class to the franchise, and it became desirable to give a freeman franchise. But what became of the argument now, when they had carried the franchise down to the meanest tenement that payed a rate? He was bound to say that, in a case of this kind, it was the Legislature who chose to keep up a franchise of that kind who were far more responsible for the consequences which occurred than the unfortunate men who yielded to temptation. He should certainly support the clause.

Mr. J. LOWTHER remarked that the observations of the right hon. Member for South Lancashire with respect to the corruption of freemen at the last election could only refer to the cases of the boroughs of Lancaster, Totnes, Great Yarmouth, and Reigate. It might be useful to remind the House of the exact state of the case. Out of the 1,473 registered electors in the first of these boroughs 1,006 were freemen; and therefore it was not extraordinary that a large proportion of the corrupt electors of that borough were freemen. In the case of Totnes only half a dozen out of the 400 electors were freemen; and therefore no very large proportion of the corruption in that borough could have been attributable to freemen. In the case of Reigate, there was not a single freeman upon the register; and in the case of Great Yarmouth, it would be recollected that some years since the House in its wisdom thought fit to strike at the root of corruption by disfranchising the freemen of that borough; and therefore those persons could scarcely be held responsible for the corruption that had occurred subsequently to their disfranchisement.

MR. GLADSTONE said, he had not the figures by him at that moment; but he could tell the hon. Gentleman that he was not so entirely unaccustomed to the handling of statistics as to be misled by the gross proportion as between freemen and householders which he had quoted in the case of Lancaster. The comparison he drew was not between the gross number of guilty freemen, and the gross number of guilty householders, but between the proportion of guilty and innocent freemen and the proportion of guilty and innocent householders; and, if the hon. Gentleman would take the trouble to refer to authentic documents, he would find that they would bear out what he (Mr. Gladstone) had stated.

MR. CHICHESTER FORTESCUE said, the hon. Gentleman opposite (Mr. Lowther) had given some electoral facts with regard to England; he would give one fact with respect to Ireland. A Parliamentary Commission reported on the Galway election, in 1857, that 179 voters in the borough had been guilty of receiving bribes, and that of these 179 voters there were only four who were not freemen.

MR. VANCE said, in regard to Galway, he might remind the right hon. Gentleman (Mr. C. Fortescue) that since the year 1857 two petitions had been presented against the sitting Members for Galway; and so much had the freemen improved that not a single charge of corruption had been established against them.

MR. G. MORRIS said, that in 1865 two petitions were presented against the Members returned for Galway. It was shown that 92 per cent of the constituency had registered their votes, and after a thorough inquiry the petitions were declared frivolous and vexatious. That took place ten years after the occurrence upon which the right hon. Gentleman opposite (Mr. C. Fortescue) had relied for proof of the unfitness of the Irish freemen to retain their franchise.

Question put, "That the said Clause be read a second time."

The Committee *divided*:—Ayes 109; Noes 155: Majority 46.

MR. FAWCETT proposed that Portarlington be disfranchised, and that its Member be given to the Queen's University. He should much regret the absence from the House of his right hon. and learned Friend (Mr. Lawson); but he thought the Queen's University was justly entitled to representation, and as the Government had objected to the proposal to unite it with Dublin University the only alternative was to provide it a Member at the expense of the smallest borough. The population of Portarlington was under 3,000, there were only 106 electors, and at the last election his right hon. and learned Friend (Mr. Lawson) was returned by 46 votes—35 being given to the other candidate. The Queen's University, on the other hand, though only established a few years, would form a constituency of nearly 800, comprising a considerable portion of the intelligence of the country, and with an annual increment of 100 or 150 the number would probably increase in six or seven years to 1,500. This was not merely a question of re-distribution, but of enfranchisement; and persons who had passed through a curriculum as severe as that of Oxford or Cambridge ought not to be debarred a privilege that would be enjoyed by every University of the slightest consequence in England and Scotland.

Clause (In all future Parliaments the Queen's University in Ireland shall return one Member to serve in Parliament for such University, and the borough of Portarlington shall cease to return a Member to serve in Parliament for the said borough,)—(*Mr. Fawcett,*)—*brought up*, and read the first time.

THE EARL OF MAYO stated that the redistribution portion of the Bill having been abandoned, the Government could not entertain this proposal.

MR. CHICHESTER FORTESCUE advised his hon. Friend (Mr. Fawcett) not to press his proposition, the present not being a final measure with regard to Irish representation, and the University question being still unsolved.

MR. FAWCETT, contending that his proposal involved an important principle, felt bound to take the sense of the Committee upon it.

Question put, "That the said Clause be read a second time:"—The Committee *divided:*—Captain Grosvenor, one of the Members for the City of Westminster, came to the Table, and stated that having been in the House when the Question was put, but not having heard it, he had not voted: — Whereupon the Question was again stated to him, and being informed by the Chairman that he must vote, he declared that he voted with the Noes:—Ayes 55; Noes 210: Majority 155.

Colonel FRENCH rose to move the following clause:—

(Occupation franchise in counties.)

"From and after the passing of this Act, the first section of the Act of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter sixty-nine, and all other sections or parts of the same Act which relates to or affect the franchise conferred by the said first section, or the registration of voters upon whom it is conferred, and in which are the words 'twelve pounds' in reference to the said franchise, shall be read and construed as if the words 'more than eight pounds' had been used and were substituted in the said first and other sections, instead of and for the words 'twelve pounds,' so and in such manner that subject to all the provisions of the said Act, the occupation of lands, tenements, or hereditaments rated at the net annual value of more than eight pounds shall be as effectual to qualify any man to be registered as a voter, and when registered to vote at any Election of Members to serve in Parliament for any county in Ireland to be held after the passing of this Act as the occupation of lands, tenements, and hereditaments rated at the net annual value of twelve pounds and upwards was before the passing of this Act; and in all provisions relating to such occupation, registration, or voting, and in all lists, returns, precepts, notices, or other forms made or issued in pursuance of the provisions of the Registration Acts, the words 'more than eight pounds' shall, when necessary, be substituted for the words 'twelve pounds.'"

The hon. and gallant Member complained that while the Bill made but a slight addition to the borough franchise in Ireland it left the county franchise wholly untouched. He asked the House for no favour — justice alone he sought. If the House was governed by principle or consistency they could not refuse to deal with Ireland in this matter in the same spirit as they had dealt with England and Scotland. He asked Members to forget the insinuations that had been made that his object was to destroy the influence of the landed interest. Ireland had long been unfairly treated in regard to the county franchise; its ancient 40*s.* freehold franchise—one as old as that which existed either in England or Scotland — having many years ago been entirely swept away: in England the 40*s.* franchise left untouched. About 120,000 40*s.* freeholders were disfranchised in one day, and the constituency was reduced from 260,000 to 140,000. In 1850 an Act was introduced when Lord Russell was at the head of the Government to amend the representation of the people in Ireland. Then a new county franchise was established, based upon rating, under which all occupiers rated at £12 per annum were qualified to vote. All the £50 and £20 voters, who were entitled to vote for their lives, were erased from the franchise roll by this measure. He now desired to reduce that qualification from a £12 to an £8 rating. While large extensions of the suffrage were granted last year in both the boroughs and counties of England, and were this year in course of being granted to Scotland—170,000 added to the counties in England, and 400,000 to the boroughs, and in Scotland more than 100,000—the Bill now before the House proposed to concede only an insignificant extension of the Irish borough franchise, and denied the least extension whatever of that of the counties. Was this Bill conceived in the same spirit as that in which England had been dealt with? Neither in principle, in spirit—nor, in fact, was there any resemblance between the two measures. In 1850 a majority of 96 Members in this House decided in favour of an £8 rating franchise in Ireland. Sir Robert Peel, who was absent from the division, took occasion to say £8 was the proper figure, and that he was prepared to vote for it. A rating of £8 in Ireland bears the same proportion to the wealth of Ireland as a £12 rating does to the wealth of England. On an average the number of rated tenements in England per cent was 5,500; in Scotland, 11,500; in Ireland, 11,000. England and Scotland got an increase of 700,000 or 800,000, Ireland but 33,000. Never during our connection with this country have we been allowed a fair representation. In the Lords this was altered to £15, but a compromise was agreed on, and a £12 rating franchise was ultimately adopted. He had been assured that an £8 rating franchise in Ireland was equivalent to a £14 or £15 franchise in England; and he thought therefore that such a limit might be safely re-imposed. The entire number of voters who would be added to the constituency by dealing liberally with Ireland in this way would be about 32,000; and he did not see how hon. Gentleman opposite would be able to justify themselves with their consciences or their constituencies if, having reduced the county franchise in England and Scotland, they did not also reduce it in Ireland.

Clause *brought up*, and read the first time.

THE EARL OF MAYO said, that if the proposal of the Government with regard to the Irish county franchise was to make any substantial difference between the county franchises in England and Ireland, there would be great weight in what had been said by the right hon. and gallant Gentleman who had just sat down. The result of passing the Bill before the House would be that the county franchise in Ireland would be placed on precisely the same footing with the county franchise in England as fixed by the Bill of last year. The fact was that Ireland had anticipated England in this matter. In 1850 an Act was passed which created for the first time in Ireland an occupation franchise, fixed at £12. So it had remained ever since, and had given general satisfaction. The effect of this change was an enormous enfranchisement in Ireland, the number of county voters being raised from 41,000 to 176,000 or 178,000. When, therefore, it was said that no provision had been made for the extension of the county franchise in Ireland, the fact was lost sight of that a very large extension had already taken place—a larger proportional extension, he believed, than had been effected in England by the Act of last year. The right hon. and gallant Gentleman had not shown that there was anything in the circumstances of Ireland to justify a lower county franchise than in England; and his proposition rested principally upon the difference between valuation here and in Ireland, which he said had the effect of placing the franchise in Ireland at a higher figure than in England. In 1852 it was enacted that valuation in Ireland should be based upon the value of agricultural produce, and also upon the principle adopted in this country; but, although there was a difference in the process between the two countries, the result in both was very nearly the same. The scale of valuation for produce laid down in 1852 was somewhat too low. It was conceded on both sides that the basis of the valuation was not a satisfactory one, and it would be absolutely necessary for the Government in power next year to propose great alterations in it. In the Bill of the hon. Member for Pontefract (Mr. Childers) introduced last year, the value of agricultural produce as a basis of valuation was given up as untenable, and the annual letting value was substituted free of rates and taxes, and with deductions for expenses, insurance, and repairs. It was necessary to remember that the earlier valuations were affected by the average of poor rates for three years; and, the average having fallen, a corresponding variation had been made. That applied to a great part of Ulster, which had been more recently valued, and where flax was not included in the Schedule of agricultural produce. At present the valuation came as near as possible to that of this country; but with regard to the counties which were first valued, some change in the system of valuation must shortly be made. The Chancellor of the Exchequer had declared it was necessary, and the late Government had recorded their opinions in a Bill. The alleged difference between the systems of valuation in England and Ireland fell to the ground, and no case had been made out for the exceptional course proposed. It was the duty of the House to maintain the county franchise in Ireland as nearly as possible at the same point as in England; and he believed that that equality would give Ireland as many votes in proportion to its population as England and Scotland had. There was really no substantial reason for the difference proposed.

MR. SYNAN said, that the noble Earl (the Earl of Mayo) had forgotten that this was an economical question as far as concerned the two countries. Did £12 rating in England represent the equivalent of £12 rating in Ireland? It was not the figures we had to deal with, but the persons; and the £12 occupiers in the two countries belonged to different classes. It could not be maintained that £100 at the West End of London was equal to £100 in a provincial town. On that principle, when this House fixed the occupation franchise for Ireland at £8 the Lords raised it to £15, and £12 was adopted as a compromise. Valuation in England was fixed by local authority on the principle of the letting value. This must necessarily give a higher valuation than fixing it for the purposes of taxation; and it was admitted that the present valuation for taxation in Ireland was far below the letting value of the land. Apply that with the economical reasons stated to the figures before the House, and the franchise must be reduced to £8 or £9.

Mr. OSBORNE said, he was sure the great majority of the Committee would agree with him in the opinion that one of the most unpleasant ways of passing a hot summer evening in the month of June was in discussing the clauses of a so-called Irish Reform Bill. [*A laugh.*] He said "so-called" Irish Reform Bill, because he believed that in the minds of the tenant-farmers of that country—and especially of persons who lived in it but were not connected with it by representation—the measure was neither desirable nor desired. It was, in fact, altogether an *ignis fatuus;* for the re-distribution portion of it, its only good feature, had been entirely wiped out. That being so, his right hon. and gallant Friend the Member for Roscommon (Colonel French) proposed to reduce the county franchise from £12 to £8, and if that reduction would really confer a free and independent franchise, he should give the proposal his support. He had, however, his doubts upon that point. He believed that the true reform which was wanting in the constituencies in Ireland was not so much the lowering of the franchise as protection to those by whom the present franchise was held, and he was strongly of opinion that if it were reduced from £12 to £8 without such protection to the tenant, a positive injury would be done him by the Bill. Why did he take that view? It was very much the fashion in that House to grow enamoured of the principle of rating. That was the principle which prevailed in Ireland, but how did it operate? There existed there unfortunately a self-registering system, under which the tenant was left no option. His name was placed on the register, contrary in most instances to his own feelings, especially if he happened to have no lease. His interests dragged him one way, his convictions another. If he voted in the South of Ireland, where by conviction he was generally opposed to his landlord, in accordance with his conviction, he sometimes received notice to quit. If he voted according to his interests what was the result? Why that his priest gave him another notice to quit, having reference to another world. Such were the consequences produced by the self-registering system, the system of rating to which hon. Members had become so partial, and it was quite clear that between the landlord and the priest the vote which it was sought to confer upon him would be a positive curse to the tenant who had no lease. Such was a short statement of the real state of the case, and he challenged any man connected with Ireland to gainsay it. But what was the evident remedy for the evil to which he referred? It was while gifting the tenant-farmer with that *damnosa hæreditas*, which he would, he contended, find a vote to be when he had no lease, to accompany it with the safeguard of the ballot. He would by that means be protected against both the landlord and the priest; but without such protection the reduction of the franchise to £8, or £5, or £4 would be a mere farce, for the tenant had no will of his own. He was driven like a serf to the hustings between two powers—the ecclesiastical and the lay.

Mr. GREGORY maintained that the proposed reduction of the franchise would have the effect of placing the counties in Ireland below the bar of public opinion, and said he felt perfectly convinced that the result in Connaught, at all events, would be to hand over the representation to a certain number of large landowners with a small and miserable tenantry. At the present moment a General Election was impending in Ireland more momentous in its character than any which had been held since the days of Catholic Emancipation; and he did not believe that any landlord in that country would be so mischievous or so daring as to endeavour to control his tenants in the exercise of the franchise. [Mr. Osborne: Lots.] The retribution would fall upon their order if they did so; but, be that as it might, one thing, at all events, was quite clear, that it was not the tenant with good means who could stand out against his landlord who would be influenced in giving his vote, but the poor miserable tenant on whom his right hon. and gallant Friend sought to confer the franchise. Entertaining that view, he felt it to be his duty to oppose the right hon. and gallant Gentleman's Motion.

Mr. O'REILLY said, that after instituting the most careful inquiry into the subject, he had come to the conclusion that the change which his right hon. and gallant Friend advocated would, if carried into effect, result in no party advantage whatsoever. He adeed, his own experience had shown him that the poorer class of tenantry in Ireland were prepared to display as much independence in contested elections as those who occupied a higher social position. The re-distribution of seats had been left to a future Parliament—the freeman's franchise had been left to a future Parliament. ["No, no!"] He repeated the assertion. He knew that a desire existed that it should not be left to a future Parliament, and that the present vote should be considered final, but that vote would be challenged hereafter. He might further observe that the deduction from the value of agricultural land in England was never more than 15 per cent, whereas from the official reports of the valuations in Ireland it would be seen that it would amount to 25 per cent, so that a £10 rating in Ireland would be equivalent to at least a £12 rating in this country.

LORD JOHN BROWNE said, he was of opinion that a compromise might be advantageously arrived at. He believed there was no strong or general feeling in Ireland on the subject of the county franchise, either one way or the other, and that many of the Liberal party in that country thought it would not serve Irish interests to lower the county franchise to £8. The Irish Liberals were generally of opinion that if any considerable extension of the franchise were made, it would be desirable to divide the large counties, such as Cork, Galway, and Mayo, as the expense would be so great that none but very rich candidates would be able to stand for them. Many hon. Members on the Opposition side of the House were adverse to the proposed reduction of the franchise, but they did not like to vote against their party. For his own part he thought it would be better to compromise the matter by fixing the county franchise at £10.

MR. GLADSTONE: Some statements have been made in the course of this debate the effect of which will be to justify those who decline making any Motion for the improvement of this Bill. My hon. Friend the Member for Nottingham (Mr. Osborne) takes a very despairing view of the measure, which he regards as containing no provisions of any value; and my hon. Friend is consistent, for in his opinion the only thing to be done is to give to the electors the protection of secret voting. Now, I can easily understand the course of those who with my hon. Friend think that such protection ought to be given; but as I have never supported secret voting in England, I should hesitate to introduce it into Ireland in this exceptional way, and therefore I cannot walk in the footsteps of my hon. Friend. Much has been said about the dependence of the Irish voters, and I have no doubt it has been said with a great deal of truth; but, at the same time, it must surely be admitted that those statements have been somewhat highly coloured. At any rate, there are on record some facts which history has commemorated, and I may say made immortal, for at one General Election a greater triumph was achieved in Ireland through the medium of the people themselves than can, perhaps, be pointed out in any General Election with regard to any portion of the United Kingdom. I own it appears to me that my hon. Friend the Member for Longford (Mr. O'Reilly) is perfectly right in his general doctrine, that the extension of the franchise tends to create a stronger and a healthier state of public opinion, and as I have an Irish Reform Bill before me—although, as my hon. Friend truly remarked, it contains much that stands over for consideration by a future Parliament—I do not feel justified in passing by a point of such importance as the county franchise without making an honest endeavour to place the measure on something like a satisfactory footing. Therefore, I have to ask myself in what position we shall leave the county franchise if we leave the Bill as it now stands? I am not at all bound by the Bill of 1866, for our position is greatly changed since then by the fact that in dealing with England and Scotland we have adopted a far wider basis than was then proposed. We must, therefore, observe a certain proportion in dealing with the case of Ireland. If we pass this Reform Bill as it at present stands, I apprehend it will contain no other great provision by virtue of which it can claim the honour of sisterhood with the Bills for England and Scotland but that which provides for an extension of the franchise to a comparatively limited number of persons, and it appears to me a very doubtful question indeed whether Parliament ought to allow the country to suppose for one moment it imagines that by passing a Bill of so limited a scope it has disposed of the question of Reform for Ireland. Now, what is the relative position of the Parliamentary franchise in England and Ireland? If this measure passes as it now stands, you will leave the franchise in Ireland higher at three points and lower at none than the franchise in England and Scotland. In the first place, you will leave the franchise higher in the boroughs, because the "hard and fast" line, of which we have heard so much in reference to England, has been adopted for Ireland. Then rating is carried down to a certain point at which rating and the franchise are stopped together, so that no one inhabitant of Ireland living in a house under £4 will be enabled to vote, while to the multitudes in England and Scotland living in houses under £4 you have given the franchise. And when we come to the county franchise, which in Ireland is the most important, we find that the most popular form of the county franchise in this country—namely, the 40*s.* freehold—does not exist in Ireland at all; and therefore there is to be in England a low popular franchise, of which no counterpart exists in the sister country. As to the occupation franchise the noble Lord (the Earl of Mayo) has admitted that under the semblance of apparent parity there is a real difference between the occupation franchise in England and that in Ireland. He has admitted that the occupation franchise in Ireland at £12 is higher than the occupation franchise in England, not only on every fair ground which we ought to take into consideration as to the relative wealth and poverty of the two countries, but that it is also equivalent to a higher figure on account of the low scale of population and of agricultural produce in Ireland. The noble Lord says, however, that any Government which may be in Office must pass an Act to alter the valuation of land in Ireland, and therefore he remarks there will virtually be a considerable addition made to the present constituencies. My answer to that is two-fold. In the first place that is an argument which is utterly valueless as regards the valuation in the present year; and in the next place I am not by any means so sanguine as the noble Lord respecting the time when the alteration of the valuation is to take place. He says it must be done almost immediately, whatever Government may be in Office. Now, I know that when we were in Office it was a matter of such formidable difficulty that, though we were most anxious to carry a Bill on the subject through the House we did not even make the attempt. And why, may I ask, has not the noble Lord done it? He has been in Office for two years, and has had every motive to do it; but nevertheless the valuation of Ireland still remains unamended. That being the case, I must say I do not place so much confidence in the sanguine expectations of the noble Lord as I might have otherwise done. In regard to every important point it is proposed that we should leave Ireland with a higher franchise than that which has been given to England and Scotland. Now, to me that is not satisfactory, for I cannot help thinking that the figure of the franchise should be somewhat lower in Ireland than in this country. I think you ought to look not merely at the absolute position of the men who are to vote, but also at the relation between the number of the persons enfranchised and the number of the total population. Now, how does that stand? The voters in Ireland were, I think, about one to twenty-six of the population at a time when the voters in England—not allowing for double votes—were about one to twenty or twenty-two. But we have now enormously increased the English constituencies. We do not, indeed, know the precise extent of the increase, but it may turn out that the voting body will present almost as high a proportion as one in ten of the population. And yet it is proposed that we should maintain in Ireland substantially the same proportion as now exists—namely, one voter in about every twenty-five of the population. Supposing that the Motion of my right hon. and gallant Friend be carried you will make a total addition of between 60,000 and 70,000 to the present electoral body in Ireland, which will make the proportion about one in twenty of the population. Now, I cannot think that that will be an unreasonable extension of the franchise in Ireland. The noble Lord has referred to what was done in 1850. In that year an effort was made to prevent what I may call the almost total extinction of popular representation in Irish counties; for the object of the Act of 1850 was not to do for Ireland what we have lately done for England and Scotland, but to bring Ireland up to the position which it was felt she ought to occupy in relation to the Acts passed for England and Scotland in the year 1832. What is this alarming—this astounding proposition of the hon. Member for Roscommon? Why, it is the £8 franchise proposed by a Whig Government of a mild and moderate character in 1850, adopted at that time by this House and sent to the House of Lords, and it only failed to become law because the House of Lords declined to entertain it. One person, who has ceased to be among us, but whose authority is still great—Sir Robert Peel, who was no revolutionary statesman—said—

> "I am one of those who are in favour of an extensive franchise, and if I had had the opportunity of giving my vote on a former occasion, I should have given it in favour of £8 as against £15."

I hope hon. Gentlemen will lay these words to heart, so that when this Bill passes from the doors of this House, it may in some particular be more worthy of the object at which it professes to aim than in its present condition it is.

Question put, "That the said Clause be read a second time."

The Committee *divided* :—Ayes 205; Noes 241: Majority 36.

MR. BRADY moved that the Chairman do report Progress.

MR. DISRAELI hoped, considering the comparatively early hour, they might be allowed to proceed with the other clause.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Brady.*)

The Committee *divided* :—Ayes 79; Noes 289: Majority 210.

MR. BERKELEY moved to report Progress.

THE CHAIRMAN said, that the Committee having just divided on that Question, it could not be put again now.

MR. BRADY rose to move the following clause:—

> "And, in order to enable the electors to exercise the elective franchise according to their conscience, Be it Enacted, Tnat their votes at all Elections of Members to serve in any future Parliament shall be taken by ballot."

He said that, notwithstanding the impatience manifested on the Ministerial Benches, he was emboldened by the importance of the subject to ask if any extension of the franchise could satisfy the just claims of the Irish people without the security of the ballot? The House having rejected the Motion for the reduction of the county franchise from £12 to £8, was an additional reason for granting this security. He begged to move that the House do now adjourn. ["Chair, chair!"] He should move instead that the Chairman do now leave the Chair.

MR. DISRAELI: From communications that have reached me the last ten minutes, I understand the Amendment of the hon. Gentlemen is now the only one left for us to discuss. Hence, I think the Committee will see that it is most important we should if possible close this matter to-night. At the same time, I am very desirous in every way to meet the convenience of the hon. Gentleman and of the Committee. I am perfectly ready either to listen with patience to a discussion of the subject now, or, which would perhaps be the best way, the hon. Gentleman might not insist on moving this new clause now, but might bring it up on the Report, and obtain for it upon that occasion a fair and patient discussion. Such an arrangement certainly would very much facilitate the progress of Public Business, and I should be perfectly ready to facilitate in every way the discussion of the Question.

MR. BERKELEY said, he hoped his hon. Friend the Member for Leitrim would adopt the suggestion which had just been made to him.

MR. BRADY said he could not accept it. [An Hon. MEMBER: You will never get such a chance again.]

MR. BAGWELL said, that Members on that side were as anxious as the Government to bring the debate to a conclusion; but he begged to state that the question of the ballot in Ireland stood in a different position from what it did in England.

THE CHAIRMAN said, the hon. Member could not proceed to discuss the question of the ballot, no Motion upon that subject having yet been made. The only question at present before the Committee was the Motion that he do leave the Chair.

MR. BAGWELL said, he did not at all wish to discuss the ballot but merely to say that, being a very important question, it was difficult to discuss it at that hour of the night. On the other hand, to bring up the clause on the Report was as much as to say that they were not to discuss it at all.

MR. AYRTON said, he thought the right hon. Gentleman was justified in proposing that they should not proceed now, but that the question should be raised on the Report, in order that it might be discussed on a future day. But he thought they were entitled to an assurance from the right hon. Gentleman that the Report would be considered at such a period of the evening as to enable the question to be discussed.

MR. DISRAELI said, he should not think of bringing on the Report of the Irish Reform Bill, especially under the circumstances adverted to, at any other than a reasonable hour. His object in making the suggestion was to insure to the hon. Member an opportunity for a fair discussion of his proposal, which he seemed to think it was not likely to obtain at present.

MR. OSBORNE thought the hon. Member for Leitrim was making a very great mistake. He never would have again a similar opportunity. Certainly it was not likely that upon a topic of equal importance he would never again address so large a House. He believed the question was thoroughly well understood, though he did not know what its fate might be. He himself should vote with him, and the advice he gave was this—let there be a short discussion, and let them go to a vote that evening.

SIR JOHN GRAY begged the hon. Member for Leitrim (Mr. Brady) not to allow himself to be drawn into giving up the question, as he would never get such another opportunity. As the hon. Member valued the question, and was anxious that the proceedings in that House should not be misunderstood in Ireland, he (Sir John Gray) pressed him to go on with the question. They had now a large House, and he ought to have the question fairly discussed and voted upon, in order that he might ascertain the opinion of the House whether the Irish people, whom they preferred to enfranchise, should be free to give their votes, or merely the puppets of those who exercised an unfair authority over them.

Motion, by leave, *withdrawn.*

MR. LAWSON moved the following clause:—

(Freemen voters.)

"No person who shall after the first day of August, one thousand eight hundred and sixty-eight, be elected, made, or admitted a freeman of any Borough returning a Member or Members to Parliament otherwise than in right of birth or servitude, shall be entitled as such to be registered as a voter, or to vote at any Election of a Member or Members for any such Borough; and no person after the passing of this Act shall be entitled to be registered as a voter, or to vote as a freeman in respect of birth, unless his right be immediately derived from some person who was a freeman, or entitled to be admitted as a freeman, previous to the first day of August, one thousand eight hundred and sixty-eight."

Clause *agreed to.*

SIR JOHN GRAY said, as no other Member was disposed to move the addition of this clause, he rose to move in the words of the Notice which had been given—

"And, in order to enable the electors to exercise the elective franchise according to their conscience, Be it Enacted, That their votes at all Elections of Members to serve in any future Parliament shall be taken by ballot."

At so late an hour he should not trespass further on the attention of the Committee, but simply move the addition of the clause.

Clause (Voting to be by ballot,)—(*Sir John Gray,*)—*brought up,* and read the first time.

MR. BRADY said, the course taken by his hon. Friend was a most unusual course.

MR. KENNEDY seconded the Motion. The great difficulty in dealing with Ireland was to know what was wrong with the country, and what remedies were really required. No information worth having could be gained on these points at present, for the majority of the representatives under the present system were mere delegates returned to represent class opinions. The House would never be able to pass ameliorative measures for Ireland until the electors of Ireland were enabled to vote freely.

THE O'DONOGHUE moved that the Chairman report Progress.

COLONEL W. STUART, having remarked that it was evident the Irish Members did not desire to discuss the question, interpreted the desire for the ballot in Ireland as part of a scheme for handing over the people bound hand and foot to the priesthood, for it was evident the ballot would be no protection against the priests.

MR. CRUM-EWING said, the Committee was as able to vote on the question at once as it would ever be; everyone's mind had been made up long ago on the question.

MR. DISRAELI said, he had thought the suggestion he made to the hon. Member who gave notice of the Motion (Mr. Brady) was accepted by him and by the Committee. ["No!"] The alternative course was to proceed with the debate, which the Government was perfectly ready to do. The state of Public Business made it very undesirable to report Progress, and he was quite sure the hon. Member for Tralee (the O'Donoghue) would on reflection act in accordance with the general wishes of the Committee, because that was a course he always pursued. He promised hon. Gentlemen that in the event of the matter being postponed, the Report should be brought up at a sufficiently early hour to permit them fully to discuss the question at that stage.

MR. CHICHESTER FORTESCUE said, he hoped the Committee would either allow the question to stand over, or proceed to a division.

MR. BRADY said, he had no objection

to accept the proposition of the Prime Minister.

THE O'DONOGHUE said, he would withdraw his Motion.

Motion, by leave, *withdrawn.*

Question put, "That the said Clause be read a second time."

The Committee *divided :*— Ayes 126; Noes 225: Majority 99.

MR. BRADY gave Notice that, on the bringing up of the Report on the Irish Reform Bill, he should move the clause of which he had given Notice—

"And, in order to enable the electors to exercise the elective franchise according to their conscience, Be it Enacted, That their votes at all Elections of Members to serve in any future Parliament shall be taken by ballot."

SIR HERVEY BRUCE said, that at that late hour of the night he would not press the clause of which he had given Notice. Although the clause was of importance, still it was of greater importance that progress should be made with the Bill.

Schedules *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 179.]

ELECTRIC TELEGRAPHS BILL—[BILL 82.]

(*Mr. Chancellor of the Exchequer, Mr. Stephen Cave, Mr. Sclater-Booth*).

SECOND READING—ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [9th June], "That the Bill be now read a second time;" and which Amendment was—

To leave out from the words "That the" to the end of the Question, in order to add the words "question of the expediency of purchasing the Telegraphs by the State be referred to a Select Committee,"—(*Mr. Leeman,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. AYRTON said, it would be unnecessary to pursue the debate upon this Bill, as he understood the hon. Member for York (Mr. Leeman) was desirous of withdrawing his Amendment, in order that another Motion, to the terms of which he had agreed, might be substituted for it. As he understood the matter, the House by reading the Bill a second time would not be taken to express any opinion upon the Bill, the subject of which it was proposed to inquire into. [The CHANCELLOR of the EXCHEQUER dissented.] The right hon. Gentleman shook his head; but it was a matter of indifference to him what his opinion upon the subject might be.

MR. HORSFALL said, he hoped that the Chancellor of the Exchequer would not agree to any arrangement with regard to this Bill until after its second reading. The subject was one of great importance to the commercial interest of the country, and any delay with regard to it would be regarded with great jealousy.

MR. CHILDERS said, that being himself favourable to the Bill he had been in communication with the Chancellor of the Exchequer and hon. Members who took an opposite line, with a view to prevent delay in its discussion upstairs. He thought the best course would be to read the Bill a second time, on the understanding that it should be referred to a Select Committee, to be constituted in the way in which Hybrid Committees usually were; but special Instructions should be given that they should make inquiries with reference to the questions put with so much force the other night by the right hon. Member for South Lancashire—namely, the question of monopoly; that of the power of the Government to make less charges to the Press and other bodies than were to be paid by the public generally; provisions for secresy and for assuring the public as to the telegraph not being abused by Government for political purposes; the dealing with submarine cables and so forth. He had prepared Instructions which had received the concurrence of both parties, and which the Chancellor of the Exchequer would move.

MR. LEEMAN said, he was somewhat disappointed with the course that had been pursued by the hon. Member for Pontefract (Mr. Childers), who, he understood, was to have proposed a Motion to be substituted in lieu of the one he had intended to withdraw. He trusted that the hon. Gentleman would propose the Resolution in his possession, and in the readiness of the House to adopt it he was perfectly ready to withdraw his Amendment.

THE CHANCELLOR OF THE EXCHEQUER said, that to the proposal of the hon. Gentleman that the whole subject of the Post Office and Telegraphs be referred to a Select Committee he should have objected, because it would have had the effect of postponing the question for another year. He had consented to the proposal for a reference of the Bill to a Hybrid Committee; and as there were some points which such a Committee could not ordinarily very well consider, he had expressed in private, and now expressed in public, his willingness that they should receive certain Instructions. He proposed that they should inquire whether it was desirable that the transmission of messages should become a Post Office monopoly, whether news or messages should be furnished at reduced rates, the secresy of messages, arrangements for working the submarine cables, and for hearing the telegraph companies by counsel. He understood that his hon. Friend was satisfied that the Bill should be referred to the Committee with those Instructions, and he was perfectly ready to move a Resolution to that effect. He would not be so discourteous as to retort upon the hon. and learned Member for the Tower Hamlets, and say that it was immaterial to him what construction the hon. Member chose to put on the arrangement. What he did believe, however, was that the House, by assenting to the second reading of the Bill, would simply acknowledge that they did not object on public grounds to the Post Office working telegraphs, leaving the question of private interests entirely to the decision of the Committee.

Mr. BOUVERIE said, he did not think it right that the House should be supposed by consenting to the second reading to be committed to such a principle as that suggested by the Chancellor of the Exchequer. If the course now proposed were adopted, it should be on the understanding that the object was one of inquiry, and that the House had not assented to the principle now contended for.

The CHANCELLOR of the EXCHEQUER said, he thought he had been misunderstood. He did not ask the House to say that there was no objection to the Post Office taking possession of the telegraphs belonging to existing companies, but to affirm the principle that there was no objection on public grounds to the Post Office working telegraphs.

Mr. Alderman LAWRENCE said, he did not think the public interests ought to be handed over to a Department. A Parliamentary Inquiry ought to have preceded this movement. He strongly condemned the Bill, and wished to know if it was intended by the Government to act in the same way to other industries in the country?

Mr. NORWOOD pointed out the position in which a portion of the provincial Press would be placed in case this Bill were postponed to another Session. Three-fourths or four-fifths of the newspapers in the provinces had supported the measure, and the result of this was that several of the proprietors had been threatened and intimidated by the Telegraph Company. In one case, for instance, a newspaper in Belfast had presumed to publish an article approving this measure, whereupon a letter was received from the secretary, in London, containing the following paragraph:—

> "The time appears to have arrived when the directors should seriously consider whether the contract with your journal should be continued, and I have no doubt they will come to a decision which may afford you an opportunity of making your own news arrangements on less exorbitant terms."

This was not the only case of the kind that had occurred, for a similar threat had been employed towards a paper in Yorkshire, though, in consequence of the lateness of the hour, he should not dwell upon them any further. He trusted, however, that the Government would, in any case, bring in a short Bill for the purpose of affording protection to the provincial Press against the consequences which appeared likely to ensue from their having supported the Government proposal.

Mr. AYRTON explained that in what he had said awhile ago he did not intend any discourtesy to the right hon. Gentleman. All that he meant was, that he and those who agreed with him reserved to themselves the fullest liberty to discuss the matter when the Committee had made their Report.

Mr. NEWDEGATE thought it important to guard against the Government obtaining a dangerous monopoly in their control of telegraphic communications. Seeing the doubts that had been expressed on both sides, he did not think it possible that the Report of the Committee should be accepted by the House without discussion.

Mr. MAGUIRE said, he had understood that the Government would not bring on this Bill after 12 o'clock. He could not understand how the House could be asked to read the Bill a second time without assenting to its principle. The string of subjects to be inquired into as suggested by the Chancellor of the Exchequer, could not be settled for months. He begged, therefore, to move that the debate be now adjourned.

MR. BONHAM-CARTER asked if the Bill was a Hybrid Bill, who was to represent the public? If the Bill was referred to a Hybrid Committee the House would not commit itself to the principle, because the Preamble would have to be proved before the Committee.

THE CHANCELLOR OF THE EXCHEQUER said, he had got the best assistance in the House in connection with this subject. He found that by moving the Instructions in the form he had stated everything necessary would be done, and he believed the public interests would be just as effectually protected as the interests of private persons.

Motion made, and Question, "That the Debate be now adjourned," — (*Mr. Maguire,*)—put, and *negatived.*

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

And, on June 23, Committee *nominated* as follows:— Mr, CHANCELLOR of the EXCHEQUER, Mr. GOSCHEN, Sir FREDERICK HEYGATE, Mr. LEEMAN, Mr. CHARLES TURNER, Mr. NORWOOD, and Five Members to be added by the Committee of Selection:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at half after Two o'clock.

* * *

HOUSE OF LORDS,

Friday, June 19, 1868.

MINUTES.]—PUBLIC BILLS—*First Reading*—Representation of the People (Scotland)* (164); Local Government Supplemental (No. 4)* (165); Local Government Supplemental (No. 5)* (166); Municipal Rate (Edinburgh)* (167).

Second Reading—Lee River Conservancy* (140); Local Government Supplemental (No. 2)* (119).

Third Reading—Unclaimed Prize Money (India)* (121), and *passed.*

ABYSSINIA — RETURN OF THE ARMY.

OBSERVATIONS.

THE EARL OF ELLENBOROUGH: My Lords, I wish to draw attention to a matter which appears to me of serious importance. I apprehend that before we meet again a portion of the troops who have served in Abyssinia will arrive in this country, and I am extremely anxious to know in what manner Her Majesty's Government intends that they should be received. In my opinion they ought to be received with all military honours. If I am asked what precedent there is for this course, my reply is that such a reception will be of the highest benefit to the public service, and that it is the duty of statesmen to make good precedents and not to follow bad ones. Is there any example to be found in modern history of services like those which have been performed by these troops? I know of no mountain campaign comparable with that in Abyssinia since the passage of the Alps by Hannibal. True, there have been campaigns in mountains; but they were mountains in civilized countries and through which passages had been made by roads and bridges. In the mountains of Abyssinia there were no roads and no bridges. Since the Creation, Nature had been doing everything which could be done to render the country difficult of access, if not impassable, and man had done nothing to supply the means of communication. The success of the General depended not only upon his own prudence and his own ability, nor even upon the ability of the officers by whom he was supported—but it depended upon the endurance, the perseverance, and above all the forbearance of the troops he had under his command. That long line of communication, extending through such mountains for 400 miles, could never have been supported and maintained by a force treble the strength of that under the command of Sir Robert Napier had there been hostility on the part of the people of the country. The good-will of that people, their abstinence from all hostility, and their assistance in providing supplies, could only have been obtained by the most absolute forbearance and good conduct on the part of the troops; and we are told there has not been a single instance of complaint against them. Some centuries ago the highest honour that could be paid to a distinguished soldier in the French army was that of giving him the title of "Knight without fear and without reproach." We have the honour of possessing an army in which every man has proved himself worthy of that title; it is not only without fear but absolutely without reproach. The despatches which give an account of this extraordinary campaign will be the manual to which every military man in Europe will refer to make himself master of the principles of mountain warfare. We know that throughout Europe the conduct of our troops is to all military men the object of the most entire admiration; and it is not fitting that we should appear to be less sensitive of the great services and merits of our troops, or that we should appear to appreciate their conduct less than it is appreciated by those in foreign countries. It is impossible for us, do what we will, to make the military service popular by means of extraordinary pecuniary rewards; we can only make it popular by attending to every claim that may be made upon us for that honour which is the principle of military service; and I do trust that we shall not be found wanting on this occasion. I have always thought, and I trust now that it will appear to be the feeling of Her Majesty's Government, that the first of all professions is that of a soldier, and that the first of all rewards is military honour.

The Earl of MALMESBURY: My Lords, no man in this House can doubt that the noble Earl who has just sat down is a competent judge of military honours. He has himself been included in the highest honours of military success; he has had great experience in the effect of these honours upon a soldier's mind; and I am not surprised that the noble Earl on an occasion like the present, after one of the most glorious successes which the army of the country has achieved, should stand forward as the advocate of honour to the soldier. But I must remind the noble Earl that to a certain degree we are—whether rightly or wrongly—a nation of routine, and that routine is a necessary principle in every part of the service. We must remember that precedents in the army are of the greatest consequence; because if we are not careful how we dispense these honours, however much they may be deserved, and if they are given to the army upon occasions, perhaps analogous to former occasions, on which they have not heretofore been given—they may come to be almost as much a mark of offence to those who have gone before as the omission of them now may be to those who have accomplished such gallant feats. I am far from saying that because there is no precedent for these honours being bestowed upon our armies upon their return from foreign countries, that these honours should never be bestowed. We may, perhaps, have been, though not ungrateful in our hearts, cold in our manner to those who have won these victories. If your Lordships think so, and if the country thinks so, there can be no reason why honours which have not been granted but were deserved before should not now be given when they are deserved; but the noble Earl will pardon me if I ask him to pause before I give him any positive answer, because the question has not been considered by the Government. On this account, and in the presence of the illustrious Duke (the Commander-in-Chief), who is a soldier versed in campaigns, who has seen service, and is the best judge in these matters, it would not be proper in me to give a positive answer to the noble Earl.

The Duke of CAMBRIDGE: I am sure there is no man in the House more anxious than I am to do the fullest honour to the gallant troops engaged in this recent campaign; but I am quite sure, on the other hand, that your Lordships would hardly wish that that which has not been done, I believe, for any other portion of the troops should be done on the present occasion. Its omission will involve no dishonour to the troops; and I cannot help thinking we have no precedent for anything of the sort, even in the earliest times. I shall be very glad to hear from my noble Friend in what way he would wish these honours to be paid. I have no doubt he will refer us to the time when the army in India was received by himself on its return from service; but that army was received in a body, and that was an occasion upon which it was very reasonable and proper, on national grounds, that it should be so received. In this case we do not know when the troops embarked, or when they will arrive, and they certainly will not arrive simultaneously; and therefore, if anything is to be done, considerable arrangements will have to be made. If vessels arrive at intervals of days, the portion of the army returning to this country must be received piecemeal, and I do not know that it will be any gratification to the troops to be received in that way. Still, if it is desirable, no doubt arrangements can be made. It will be understood by the army that it was the desire of your Lordships and the country that all honour should be done to them and their Commander-in-Chief, and, if they are not formally received, it is not from any want or failing on the part of the country to appreciate the distinction they have achieved. I have no doubt the subject will be considered by the Government; but my noble Friend was prudent in not committing himself to a decisive answer.

THE EARL OF **ELLENBOROUGH**: If there is a will to remove any difficulty, it will be removed very soon. There is not the slightest objection to successive honours being given to detachments of the troops as they arrive; and the circumstance that they will not arrive simultaneously affords a convenient opportunity for any needful preparations.

EARL **GREY**: I cannot allow the conversation to conclude without expressing my regret that the suggestion of a public reception has been made publicly by the noble Earl in his place in Parliament. If he thought it desirable that such honours should be paid to the troops, there could be no objection to his making the suggestion privately to the Government. It appears to me it is a constitutional principle of great importance in this country that all honour should be bestowed by the spontaneous action of the Crown. But this principle is departed from when in either House of Parliament private Members who are under no responsibility bring forward proposals for conferring honours or boons on the troops or individuals who have performed public services. They may thus win an easy popularity for themselves, but they place the Government in a position of great difficulty, by compelling it either to forego its proper function of initiation, or appear to be ungracious by declining to do what is asked. I entertain, on principle, the strongest objection to suggestions of this kind being made in either House of Parliament. Remember if these things are done here they will be done elsewhere; and I ask your Lordships, in the present condition of men's minds, and the desire of persons to put themselves forward in quest of popularity, whether danger may not arise from encouraging practices of this kind? In this instance, I have an additional objection to the suggestion, and it is that no Notice of it was placed upon the Paper. A Committee of this House has strongly recommended that Questions of this kind shall not be brought forward without Notice, so as to prevent your Lordships being taken by surprise when you are not prepared for discussion; and I think this case furnishes a singular illustration of the inconvenience of departing from the rule laid down by the Committee.

LORD **LYVEDEN**: A source of difficulty in this case is that part of the troops return to India, and they have behaved in exactly the same manner as those who return to England; and I cannot see how honours could be given to one detachment and not the other. I have every disposition to do honour to the soldiers; but I think that under the circumstances stated by the noble Earl and the noble Duke it will be impossible to give such a reception to the troops as the noble Earl (the Earl of Ellenborough) desires.

FORESHORE AND BED OF THE SEA—THE BOARD OF TRADE.

OBSERVATIONS.

THE DUKE OF **ARGYLL** said, he desired to direct their Lordships' attention to a Memorandum of the Board of Trade lately presented to both Houses of Parliament as to the dealings of that Board with the Foreshore and Bed of the Sea. He was happy to say that the remarks he was about to make were in no way of a party character, and he was anxious to state in the outset that he had no complaint whatever to make against his noble Friend who now presided over the Board of Trade (the Duke of Richmond). On the contrary, in a case which had occurred to himself in reference to this subject he had been treated by his noble Friend with the utmost courtesy, and he believed it was his noble Friend's desire to modify what was, in his opinion, a very erroneous system of management. Before endeavouring to explain to the House what there was worthy of public attention in this particular document, it was absolutely necessary to say a few words on the position of the contest between the Crown as regards its claim to foreshore and the bed of the sea and the private individuals who had claims over the same portion of the soil. Not being a lawyer, he should not venture upon an exposition of the state of the law on the subject; and, indeed, he believed it would not be an easy task for even the best lawyers in their Lordships'

House to give a clear account of that law, which was, to a great extent, unsettled. That, however, did not interfere with what he might term the outside boundaries of the question. He apprehended it would not be questioned by anyone that the Crown had certain claims and rights over the bed of the sea and foreshore; and, on the other hand, he believed no one had ever questioned, on the part of the Crown, that the claims of the Crown, whether claims of ownership, or as trustee for the public, were subject to certain rights on the part of the public, and on the part also of private individuals. Those rights mainly depended — first, upon Common Law; secondly, upon charters; thirdly, they were incidental to the tenure of property which abutted on the foreshore, and were necessary to the enjoyment of the land; lastly, there were rights acquired by individuals or public bodies in consequence of use and prescription, which was the foundation of a very great deal of the property held by Members of that House as well as by the public at large. Some years ago, his attention had been directed to this subject by a very great change which occurred in the spirit of the administration of the Crown rights in Scotland. A case arose in reference to his own property on the Firth of Clyde, and led in 1855 or 1856 to a correspondence with the Treasury, which had since become a Parliamentary Paper. He would state the general result of that correspondence, and the impression it left on his mind—which impression, he believed, would be produced on the minds of all who perused it—at all events, the impression it left on his mind was that a systematic attempt was being made in Scotland, and he thought in England also, to convert the limited ownership of the Crown into a claim of absolute and unrestricted ownership over the bed of the sea and the foreshore; and that, in the second place, it was intended that this alleged absolute property of the Crown should be made a source of revenue. Now, he was bound to say that that correspondence and the circumstances which arose in connection with it left an impression on his mind that the public Department which professed to represent the Crown — the Office of Woods—was proceeeding to enforce its claims in a very oppressive spirit, and, he might add, in a very insidious and oppressive manner as regarded the interests and rights of private individuals. He ventured to call attention to that correspondence in justification of the somewhat severe remarks he had now made. Now, immediately after that correspondence, and, as he had reason to believe, in consequence of the facts then brought under the notice of the Government of which he was then a Member, a Bill was introduced to transfer the management of the claims of the Crown from the Woods and Forests to the Board of Trade. This, it must be admitted, was a most desirable change. In the first place, the Board of Trade had no pretension and no ambition to be a Revenue Department. Now, the Woods and Forests was a Revenue Department; and he did not at all dispute that it might have been the duty of those who presided over that Department to make the most of what they considered the rights of the Crown; but the Board of Trade not being a Revenue Department was better qualified to act in the spirit of public policy and with a view to the protection of public interests. The importance of the document to which he wished to direct attention arose from the circumstance that it was the first document, issued since the transfer of these claims to the Board of Trade, which professed to give an account of the principles upon which those claims were in future to be administered. It was therefore a document of very considerable public interest, as it affected not only individuals, but also an important public Department. He would now say a few words respecting the form in which the documents appeared. In the course of his correspondence with the Woods and Forests he found that he was placed under a very great disadvantage, in consequence of a change which had occurred some years previously in regard to the Parliamentary position of that Department. Some fifteen or twenty years ago the Department of Woods and Forests was presided over by a responsible Minister of the Crown, who was usually a Member of the Cabinet, and always a Member of the Government. About that period, however, the administration of the Woods and Forests was, for an object and under circumstances of which he was unaware, separated altogether from the control of a responsible Minister of the Government. The administration of that Department was then intrusted to a subordinate and permanent Officer of the Crown; and while his correspondence was going on he found that there was no Parliamentary or Ministerial chief to whom he could refer. He, therefore, appealed to his right hon. Friend, who was then at the head of the Treasury, and asked to whom he ought to address his complaints. He was told that there was no public authority to which he could address them, except the Lords Commissioners of Her Majesty's Treasury. Now, in his experience of the Lords of the Treasury, he had always found it extremely difficult to convince them that any act which gave them an increase of revenue was unjust to individuals, who were consequently placed at a considerable disadvantage when they had to complain on such a matter to such an authority. However, as there was no other authority to appeal to, he directed his appeal to the Treasury. Here again the transference to the Board of Trade promised a remedy for this evil —since that Board had a Parliamentary responsible head. But this document came directly from a subordinate officer. It was a Memorandum from the Board of Trade, professing to give an account of the policy to be hereafter pursued, and yet it was not signed by a responsible Minister—it was signed by Mr. Farrer, a gentleman of great respectability, who presided over a particular Department in the Board of Trade; but surely so important a document ought not to be signed solely by one of the permanent Civil Officers of the Crown! The policy it enunciated was a matter of great importance to a large section of the public, and the Board of Trade ought to be responsible for that policy through their Parliamentary head. In looking over the document the first thing which struck him was the animus which pervaded it as regards the rights of private individuals. He need hardly remind their Lordships that the rights of individuals and of public bodies over foreshores depended to a great extent on user and wont. On the first page the following passage occurred in reference to the resistance offered to the claims of the Crown by private individuals:—

> "In many places acts of ownership, or apparent ownership, are going on, and we either do not know of them, or cannot prevent them. The law seems to have decided, absurdly enough, that while the statutory period in case of actual and complete adverse possession sufficient to give a title as against the Crown is sixty years, yet that enjoyment for a much shorter period and of a much more limited kind may be enough to justify a jury in finding that an original grant from the Crown is to be presumed."

Now, he ventured to appeal to the House, and to the noble and learned Lord on the Woolsack, whether this was the kind of language which ought to be used by a permanent Civil Officer of the Crown when speaking of the rights of property as defined and secured by the Courts of law. Mr. Farrer said the Courts of law had decided "absurdly enough;" but he (the Duke of Argyll), on the other hand, maintained that the legal decisions were strictly in accordance with the justice of the case. The following passage also occurred in regard to the claims of the Crown:—

> "Its title is ousted by adverse possession of sixty years, instead of twenty-one. On the other hand, it has no one to look after its rights; and the lawyers have practically altered the Statutes of Limitation applicable to the Crown, by the fiction of allowing a jury to presume a grant."

Such was the way in which this permanent Civil Officer spoke of the Judges of the land, and of the decisions arrived at in the Courts of law. He would now read another passage which exhibited the same animus, and showed that the Board of Trade, as far as Mr. Farrer could be taken to represent it, was pursuing the same tactics as the Woods and Forests formerly pursued, against the rights of individuals—

> "This"—[the assertion of the rights of the Crown]—"which logically ought to be the first thing done, it will probably be prudent to postpone."

The Memorandum went on to state—

> "I have no doubt that in the end we shall have done something to ascertain or determine these rights; but with the present prejudice against the Crown it would be unwise to stir the question now."

In consequence of what the Memorandum described as "the present prejudice against the Crown," but which, in reality, was a prejudice for right and justice, it was considered unwise to stir in a general manner. It was thought more prudent to proceed step by step—to get individuals to acknowledge the rights claimed for the Crown. In page 3 of the Memorandum he found this statement—

> "We shall have no public support in protecting a mere title which does not appear to be of any immediate public advantage. And we shall be not unnaturally found fault with if we interpose obstacles to the execution of a really useful work. In such cases we must endeavour, as well as we can, to encourage the work, and at the same time get the parties to make some acknowledgment which may reserve the Crown's rights."

That was the principle on which the Department appeared to have proceeded—to "get" individuals to acknowledge rights of the Crown over those foreshores by the payment of a small sum. He then came to a passage in the Memorandum which had been incidentally referred to the other day. In the last paragraph of page No. 3, there was this passage—

> "Lastly, in cases where the Crown's title is doubtful we must act in the same way as if it were good, except that we must do so with greater caution, and be more ready to compromise the question on the principle of reserving to the public their rights and easements over the soil."

Now, these were the precise tactics that had been previously adopted by the Office of Woods and Works. He wished this to be distinctly understood, and to go forth to the people of England and Scotland, that when the Board of Trade claimed for the Crown rights over foreshores, such a claim did not afford the slightest presumption that the Crown really possessed any such rights. If any persons had such rights, they would do well to follow the example set them in Scotland. There an association was formed for the defence of the rights of individuals, and he was happy to say that in nearly every case of legal proceedings they had been successful. He presumed that to this fact might be attributed the tone of complaint adopted by Mr. Farrer of the Board of Trade. The Memorandum was very useful, as showing the way in which affairs were managed by permanent Civil Servants not subject to the control of Parliament. That observation might appear to be in contradiction to his statement that he had no feeling against the Board of Trade; but the sequel would show that he was not making any charge against his noble Friend the President of that Department. He would give an example of the way in which these matters were administered in Scotland. On a property of his own on the Firth of Clyde, a person who held a feu from him had commenced to take sand and gravel from the foreshore to make an embankment on his own feu. There was a long coast with an advancing tide in that neighbourhood; the roads were very close to the sea shore, and the proprietors had been put to great expense in preventing injury to the land by the encroaching tides. It was, therefore, a matter of great importance that the foreshores there should be preserved. Their Lordships would observe that, as the proprietors were road trustees as well as owners of the land, it was not likely that they would remove gravel or other materials to an extent which would do injury to the sea wall that had to be kept up; but it was quite another thing when a public Office stepped in and granted licences to third parties to take gravel and sand merely with the view of setting up rights of the Crown. In the case to which he now referred, the tenant was taking gravel and sand from before his (the Duke of Argyll's) property. Acting on advice, he interdicted him before the Sheriff of the county. The case first came before the Sheriff Substitute, who decided that the holder of the feu had no right to take away the gravel and sand; but there was an appeal to the Sheriff Depute, and what was the astonishment of his (the Duke of Argyll's) agents when they were confronted by an Order or Licence from the Board of Trade, authorizing the tenant to do what the Sheriff Substitute had decided he had no right to do! That order or license had actually been issued *pedente lite,* after the Sheriff Substitute had interdicted the person to whom it was granted. When he (the Duke of Argyll) was made acquainted with the fact, he applied to his noble Friend the President of the Board of Trade, who, on inquiry, found that the issuing of the licence was only part of the system adopted in these cases by the Board of Trade. His noble Friend, however, after making inquiries, revoked the licence, and returned the 2*s.* 6*d.* which had been paid for it. Now, he objected to this system of getting individuals to acknowledge rights claimed for the Crown, with no inquiry as to the effects which might arise to other parties interested in the shores, and he must express his opinion that in ninety-nine cases out of 100 the removal of sand and gravel from foreshores in Scotland was injurious to the adjoining property. He believed, too, that the granting of licences to remove gravel and sand in the way they had been granted in the case to which he had referred was most illegal; and he ventured to suggest that no such licences should be issued in future without full notice to all parties locally interested. In addition to the Memorandum, which was not signed by a a responsible Minister, but by Mr. Farrer, there was a document in the Appendix to which he wished to call the attention of their Lordships. It contained the opinion of a Mr. Reilly. Two years ago, under the Government of Lord Palmerston, a Bill was introduced to transfer to the Board of Trade the powers then exercised by the Woods and Forests in respect of the foreshores. As a Minister of the Crown, he (the Duke of Argyll) did not take any part in reference to the introduction of the Bill; he did, however, express to his Colleagues his opinion that in any measure of transfer from the one Department to the other, care should be taken that it should be nothing more than a transfer, and that no provisions should be introduced involving directly or indirectly any increase in the power of the Crown. Lord Palmerston, the Prime Minister, the then President of the Board of Trade, and Mr. Gladstone thought that he was right in that view; but when the Bill, as framed by the Department, came to be discussed in their Lordships' House, there were some noble Lords who thought that it contained material additions and material alterations—that not only was there a transfer, but that there were provisions giving the Board of Trade power greater than that possessed by the Woods and Forests. He rather thought that was the view taken by his noble and learned Friend on the other side (Lord Chelmsford). Well, in consequence of the objections taken by his noble and learned Friend and other Members of their Lordships' House, the Bill was altered with a view of securing that no power should be exercised by the Board of Trade which had not previously been exercised by the Woods and Forests. Now, what was the observation made on that circumstance by Mr. Reilly, whom he supposed to be the legal authority under whom the Bill had been drawn up—

> "I have considered 'the Crown Lands Act, 1866,' with reference to Mr. Farrer's note of the 10th instant, and its inclosure, and his note of the 11th instant. I concur generally in Mr. Farrer's view of the effect of the Act. It is not necessary to go into details for the present purpose. It is plain that the Board of Trade will find itself seriously fettered in the administration of the foreshore by the terms of the Act as it passed. When the Bill was undertaken and introduced it was not contemplated that the transfer of the foreshore to the Board of Trade from the Woods and Forests should be clogged with the provisions introduced into the Bill in its passage through the House of Lords."

The opinion of Mr. Reilly was entirely at variance with the understanding which he had had with his Colleagues in Lord Palmerston's Government; and certainly it was an illustration of the *esprit de corps* existing between the permanent Civil Servants in reference to matters of this kind. There was another passage in this Memorandum which he must read to their Lordships—

> "When the Bill went up to the House of Lords objections were raised to it on the part of some proprietors of land in Scotland—the Duke of Argyll, the Duke of Buccleuch, the Duke of Sutherland, and others — who alleged, among other things, that the Crown's rights to the foreshore are not, by law, of the same nature or extent in Scotland as in England. The result was, that in order to save the Bill it became necessary to put it into the form in which it received the Royal Assent."

Here again were observations which ought never to have been submitted to Parliament in such a shape. When a Bill left their Lordships' House, and was assented to by the other House of Parliament, it became an Act of Parliament. It was not the deed of individuals either in one House or the other; and it was, to say the least, unusual and irregular that a gentleman in the position of the writer of this Memorandum should designate certain individual Members of their Lordships' House, who were represented as taking in their own interest a course contrary to the law and to the declared opinion of Parliament. He must say that, taking the document from beginning to end—the absence of the signature of any responsible Minister—the language which it held with regard to the rights both of individuals and of the public, and the references which it contained to individual members of their Lordships' House, it was a most improper document to proceed from any Public Department, and it ought at once to be withdrawn. The future policy of the Government, moreover, upon matters of this kind ought to be decided by a Minister responsible to the Government and to the country, and not by permanent Civil Servants of the Crown, who, however honourable and upright in their conduct—and he should be the last to deny or doubt the immense value of the permanent Civil Service to the administration of public affairs—were apt to take a very limited, and almost a selfish view in the interest of their own Department, without regard to the general policy of the country. He hoped that his noble Friend who now presided over the Department would take effectual steps to lay it down, both as an official rule and as a matter of honour that, in future, whenever measures affecting, or that might affect, the rights of individuals in foreshores were about to be submitted to Parliament ample notice would be given to all parties affected by such proposals. A Bill had been brought in some time since with regard to fisheries which, if it had passed without alteration, would, in the opinion of some of the most eminent legal Members of that House, have materially increased the power of the Crown over foreshores, to the detriment of individuals, and he fully believed of the public also. It was perfectly natural that permanent Civil Servants of the Crown, who administered the business of the several Departments irrespective of the change of parties, should argue themselves into the belief that all the powers which they possessed or claimed were powers to be exercised in the service and for the benefit of the public. But he entirely denied that the control claimed for the Crown had been exercised formerly by the Office of Woods and Forests, and recently by the Board of Trade, in the manner most conducive to the public interest. It was idle to talk of foreshores, and of any rights of the Crown in them, as a source of important permanent revenue. He believed that rights to the foreshores formed as much the subject of private property as rights to the land, and ought to be enjoyed as such, subject, of course, to public use when necessary, and to such control by the Board of Admiralty as might be necessary to secure the interests of navigation. But, subject to these necessary conditions, the interference of officials ought to be restrained; for he had begun at last to fear that proprietors would be unable to embark or disembark their own timber from their own estates without the leave of some official in a public Department in London previously obtained. The course taken by the Woods and Forests for many years past, and now taken by the Board of Trade, was adverse, he maintained, to public rights and to the public interest. And the action taken by the association in Scotland was not more necessary to assert the rights and defend the interests of individuals, than it was to protect the public from this strained assertion of the rights of the Crown.

THE DUKE OF RICHMOND said, that before entering upon the details of the matter brought by the noble Duke under the notice of their Lordships, he begged to express his acknowledgments for the manner in which his personal share in the conduct of the Department had been alluded to. But the noble Duke, if he had been lavish of his praise as far as he (the Duke of Richmond) was concerned, had been equally lavish of his abuse upon one of the permanent Civil Servants of the Crown, the permanent Secretary to the Board of Trade—than whom, as far as his short official experience enabled him to pronounce an opinion, he knew no better public servant in any of the Government Departments. The noble Duke had alluded to some clauses formerly contained in the Sea Fisheries Bill, under which the rights of individuals to the foreshore might have been seriously affected. But what had occurred with regard to that Bill? At the instance of his noble and learned Friend Lord Chelmsford, Clauses 46 and 49 were withdrawn and another clause substituted, to meet the injustice of a case which his noble and learned Friend had properly pointed out; and it was with great satisfaction he found that the course so taken received the entire concurrence of their Lordships. But as soon as the Bill reached "another place" one of the noble Duke's former Colleagues (Mr. Milner Gibson) gave notice of a Motion to re-insert the very clauses which the noble Duke in his speech that evening had condemned, and which had been unanimously rejected by their Lordships.

THE DUKE OF ARGYLL: I hope we shall be unanimous in rejecting them again.

THE DUKE OF RICHMOND perceived that complete unanimity did not exist among the Members of the late Administration. To explain the nature of the remarks contained in the Memorandum, it was necessary to mention how that document originated. Down to the year 1866, the power over the foreshore was in the hands of the Commissioners of Woods and Forests. In that year—not for the reasons which the noble Duke had suggested, but in consequence of an official correspondence in which it was pointed out that there was great inconvenience in two Departments having to deal with matters very much of a cognate character—an Act was passed transferring the control of the foreshores from the Woods and Forests to the Board of Trade. The Board of Trade till then never having been called upon to deal with this subject, it was thought advisable that a Memorandum should be drawn up for the information of the Department. He was not at that time a Member of the Government, but he did not on that account seek to evade responsibility for the Memorandum; and their Lordships would not fail to perceive that upon the assumption of entirely new duties by a Department it was most desirable to establish some system and to provide for unity of action in all cases, so that conflicting decisions might be avoided. The noble Duke complained that this Paper was not signed by a responsible Minister. True, it was not signed by a Member of the Government; but for every Paper emanating from the Board of Trade he (the Duke of Richmond) felt himself responsible, although it might not actually bear his signature; and he believed the practice in very many of the Departments was for the documents to be signed by the Secretary of that Department. What might have been the practice in the Departments with which the noble Duke had been connected he was not, of course, prepared to say; but certainly, in the Department of Foreign Affairs, and, he believed, in the Departments of the different Secretaries of State, though the practice was not to require the signature of the Minister himself, in each case the Minister was just as responsible as if he had signed the Paper with his own hand. This document, as he had stated, was drawn up as a guide to the Department in the conduct of the additional business with which it had been charged. At the time there was not the smallest intention of letting the Memorandum go outside the Department; it was a mere code of rules to be acted upon by the Department, showing the principles by which it should be guided in dealing with the foreshores. The document came before the public at the instance of a private Member of the House of Commons, who asked the Vice President to the Board of Trade whether there was any objection to lay upon the table the Memorandum of Instructions under which the Department was acting. The Vice President, not thinking there could be any objection to such a course, said he should be very happy to lay the Instructions upon the table, and did so without further consideration. Had it been intended at the time the Memorandum was framed to make it a public document, though the same facts would have been embodied, it would have been much more carefully worded, and some of the passages referred to by the noble Duke would not have been included. In substance the Instructions would have been the same, but the wording would have been more respectful and the details not so fully given. He might, perhaps, remind the noble Duke that this matter rested in England and Scotland on a somewhat different footing. Without professing to be a lawyer they might, in his opinion, take it that *primâ facie* the foreshore vested in the Crown, and that when individuals had a right to foreshore that right arose—in England at all events—from the fact that they had received that right by express grant from the Crown, or that it was the result of prescription or immemorial usage, in which case an original grant from the Crown is assumed. With regard to the Scotch question, he believed the position was somewhat different; and when he became the President of the Board of Trade he found himself in a somewhat invidious position, because, as a Scotch proprietor, he had subscribed to an association the views of which, to say the least, did not exactly coincide with those of the Department. Under those circumstances he had thought it highly desirable that this question should be set at rest, and a case was drawn up for the purpose of taking legal opinion. As, however, a great number of intricate questions were involved that opinion would take some time in preparing. He had not yet received it; but he was told that it would shortly be ready. Before he went into the English part of the question he would quote a passage from the case to show the animus which influenced the Department in this matter—

> "It further appears that the pecuniary interest of the public in the foreshore in question is a secondary one, and that the primary object of a Government Department charged with the functions now committed to the Board of Trade should be to protect the public in the due enjoyment of the rights of navigation, fishing, boating, bathing, walking, &c. But in the present state of the law the Board of Trade are bound to deal with the foreshore, if belonging to the Crown as property, while the rights of the public over it, as well as the title to it, are constantly matters of dispute. The first step towards a settlement appears to be to ascertain what is the actual position of the Crown in Scotland as regards ownership of the foreshore. And it is with a view to determine the question that the present case has been prepared."

The case was a very long one; but from this passage it was evident that the objects of the Board of Trade were to protect the rights of the public and distinctly define the rights of the proprietors. The noble Duke had, with great skill, selected passages from the Memorandum here and there, first from one part and then from another, with a view to show that the object was to drive the proprietors into a corner and make them submit to a compromise. Now, the noble Duke had referred to the following passage:—

> "Lastly, in cases where the Crown's title is doubtful, we must act in the same way as if it

> were good, except that we must do so with greater caution, and be more ready to compromise the question on the principle of reserving to the public their rights and easements over the soil."

He was prepared to say that that was a very proper paragraph, and one every word of which he was prepared to endorse. But if the noble Duke had looked at the former paragraphs he would have found these passages—

> "The course to be adopted on receiving notice of such encroachment must differ according to the circumstances. The Act may not be injurious to the rights hitherto enjoyed by the public, and may only be objectionable on the ground that it tends to establish a title adverse to that of the Crown, and may thus help to prevent the Board of Trade from asserting that title in subsequent instances. In such cases we may be placed in great difficulty, especially if the Act itself is useful, and if the title of the Crown is doubtful.
>
> "In another class of cases we shall see at once that the Act is immediately injurious to the public, and that there is reason to interfere, not only on the ground of its affecting title, but because it tends more or less directly to deprive the public of some existing right or enjoyment."

The whole tenour of this Memorandum went on to show that the object of the Board of Trade was to protect the rights of the public, as was fully proved by the following extracts:—

> "These clauses will probably give us ample power to make provision when the working plans are submitted to the Board of Trade both for the protection of public rights, of navigation, &c., and of the Crown's title; and we have only to see that the clauses in question are properly incorporated and not impaired by other provisions."
>
> "Supposing it proves that what is proposed can be done (with or without modification) so as not to prejudice public rights or enjoyments, we may enter on the question of terms of purchase."
>
> "The above suggestions have reference to the protection of the public, and though their tendency will be to diminish the value of the soil and the purchase-money of what we sell, we must be most careful to put them prominently forward."

Their Lordships must bear in mind that this was a Memorandum drawn up for the purpose of guiding the Department in their conduct with reference to the foreshores. The Memorandum went on to say—

> "There is one other point on which we should be careful. The frontager, though he may have no legal title, has certainly a considerable interest in the foreshore, and we must take care that he is heard, and that we do not hastily or wantonly authorize works on the foreshore which will be detrimental to him. For this purpose it will be right to require every intending purchaser and lessee to give notice to the frontager. And it may often, if not generally, be found both just and expedient to give him the right of pre-emption."

He would not trouble their Lordships with the many extracts which he had marked, all of which would show that the object was to protect the public, and in no instance designed to injure the individual. Now with regard to the question of leases, the noble Duke (the Duke of Argyll) expressed a hope that an opportunity would be afforded for everyone being heard. He would, with their Lordships' permission, read the directions which were issued with reference to any application to the Inspecting Commanders of the Coastguard—

> "I am to request that you will ascertain and report for the information of this Board — 1, What use is at present, or has hitherto been, made of the shore in question, either by fishermen, boatmen, or the public generally; and whether the shore is now, or has been hitherto, used by the public for walking, bathing, boating, landing, fishing, gathering seaweed, &c., or for any other purpose? 2, Whether the lease or sale of the foreshore in question will in your opinion interfere with or abridge the exercise of any rights or privileges now or hitherto enjoyed by the public thereon, or with any use thereof which is now or has hitherto been made by anyone for any of the purposes before mentioned? The Board desire also to be informed, in the event of their proceeding with this application, what are the most advantageous places at which, and what are the best means by which, public notice of their intention should be given, in order that the population of the neighbourhood, and particularly those persons who have hitherto been accustomed to make any use of the shore, may not, without their knowledge be deprived of any rights to which they are properly entitled."

Thus the necessity of giving due notice was enforced in language as strong as could, in his opinion, possibly be employed. He must apologize to their Lordships for having referred so much to these Papers, but he had felt bound to enter into this matter in detail after the remarks made by the noble Duke. With regard to the case referred to by the noble Duke, in which a licence had been inadvertently granted for the removal of gravel, the following was the official answer of the Board of Trade to the noble Duke's complaint—

> "Your Grace is perfectly right in supposing that this Board had no knowledge of the facts mentioned in your Grace's letter when the licence in question was granted. Had these facts then been known, no such licence would have been granted. And now that your Grace has brought them to notice the licence has been withdrawn. In order that your Grace may fully understand the circumstances under which the licence was granted, a copy of the correspondence with Mr. Campbell is enclosed. As regards the principles upon which this Board is in the habit of dealing with cases of this description, I am to enclose, for your Grace's information, a copy of a memorandum which has been placed before Parliament, and which contains in general terms a statement of those principles."

The right to take gravel from the foreshore must have been obtained from the Crown. He said that, however, subject to the correction of the noble and learned Lord on the Woolsack. The foreshore in England must at some time or other have belonged to the Crown, and no individual owner of a foreshore had a right to remove gravel unless he had acquired that right from the Crown. If there were minerals on the foreshore the Crown would have an undoubted right to work them, as well as to give third parties a right to remove boulders and gravel. In speaking thus he referred to England only — he could not say what might be the case as regards Scotland. Although he had almost exhausted what he wished to say upon the subject, he must be permitted to say that he disputed some of the assertions of the noble Duke with regard to the Department over which he had the honour to be placed. He could assure the noble Duke that Department was actuated by no ill-feeling towards individuals, and that it had never attempted by means of threats of legal proceedings to compel proprietors to lease the foreshores. The only object of the Department was to preserve the rights of the public without injuring the rights of individuals. He hoped the noble Duke would allow him to condole with him upon the manner in which he had been treated by his Colleagues when they were in Office. It appeared that the other day, when a private gentleman had paid 2*s.* 6*d.* for a licence to remove gravel, complaint was made, and within twenty-four hours the licence was revoked, and the half-crown was returned. Contrast with that conduct of the present Board of Trade the conduct of the Board of Works appointed by the Government of which the noble Duke was a member, which had kept a threat of legal proceedings hanging over the noble Duke's head for four years, although the opinion of the Law Officers of the Crown was that the case against him would not hold water for a moment. He thought it unnecessary to go further into the Correspondence, as by the extracts he had read to the House he had succeeded in showing that the conduct of the present Board of Trade was not so bad as that of the former Board of Works had been.

LORD ROMILLY said, he would lay before the House a circumstance bearing upon the subject under discussion, which had recently come to his knowledge. Within the last fortnight a gentleman who was the proprietor of land adjoining the sea shore of South Wales, and who derived a very beneficial income from the sale of the limestones on the beach which were washed down from the cliffs, received a letter from the Board of Trade, stating that an application had been made to them to grant a licence to take the limestones, and asking if he had any objection to their granting such a licence. The gentleman replied that he had just as much objection to their dealing with the limestones as he had to their interfering with any other part of his property, and stated that the right to deal with the limestones had been enjoyed by himself and his ancestors from the time of Charles I. What the result of his communication was he had not heard. He was not going to dispute the doctrine stated by the noble Duke opposite (the Duke of Richmond) that the ownership of the foreshores lay originally in the Crown; but the same might be said of every acre of land in the country. The attempt on the part of the Board of Works to set up a claim to the foreshores on the part of the Crown was a most insidious one, and would be injurious instead of beneficial to the public interest, which required above all things that the rights of property should not be rendered insecure for the mere purpose of creating an income for the Government. He did not think that the document which had been so much referred to was ever intended to be made public, as it was presented to Parliament by accident, and was therefore infinitely more dangerous than if it had been drawn up for publication; especially as the principles it laid down were calculated greatly to render insecure the rights of property. Could any greater injury be done a man than for the Crown to pick out a portion of his property, and say, "This is Crown property; unless you can show your title to it you shall not continue in possession?" It was very difficult for individuals to resist pressure from the Crown for so small a payment as 2*s.* 6*d.* or 5*s.*, and yet the payment of such sums would take the right from the proprietor and vest it in the Crown. He trusted that Parliament would not sanction such an attempt to steal persons' property from them.

THE DUKE OF RICHMOND said, it was only just that he should state that in the case referred to by the noble and learned Lord, the Board of Trade had communicated with the gentleman who owned the foreshore, and had informed him that after the title he had shown no further proceeding would be taken against him.

Lord STANLEY of ALDERLEY thought the mode frequently resorted to for establishing the rights of the Crown by obtaining some acknowledgment from private proprietors, by the payment of some small sum, 2*s.* 6*d.* or 5*s.*, was highly objectionable. This was a mode of proceeding very often adopted in Wales, where the officers of the Woods and Forests were continually making claims on the part of the Crown. Very extraordinary proceedings had, to his own knowledge, happened in the case of the trustees of the river Weaver. This was a matter which required the attention of the noble Duke (the Duke of Richmond) and the Board of Trade. He hoped a more liberal spirit would in all these cases be adopted with reference to the rights of private proprietors.

Earl GRANVILLE said, it was quite clear that the Board of Trade had duties to perform in protecting the rights of the Crown ; but those duties ought to be performed in the largest spirit, and in the manner least annoying to individuals. He hoped the result of this debate would not be to induce the noble Duke (the Duke of Richmond) to abandon the protection of the rights of the Crown, although he confessed he was a little shaken in his conviction by something that had occurred to-night. He admired the submission of his noble Friend (the Duke of Argyll), to his Colleagues during the years he fought with such energy and ability in vindication of his rights ; but no sooner had the present Government come into Office than he obtained his request and the half-crown was returned to Mr. Campbell. There was another point worthy consideration. The public had certainly a right to know the general principles on which the Board of Trade proceeded in these matters; but because a Member of either House called for that information, it seemed astounding that a confidential Paper, evidently drawn up for use within the Office, should be immediately produced, accompanied by an Appendix containing the opinion of the Legal Advisers of the Crown. With such documents made public, the Department would find it impossible to defend themselves against the eager litigants.

Lord DELAMERE said a few words which were not heard.

The LORD CHANCELLOR said, it was extremely inconvenient in discussions of this kind to refer to particular cases or to canvass their merits, either as to the title of the Crown or of private persons in opposition to the Crown ; but he must beg their Lordships to bear in mind what had been said by the noble Earl who spoke last but one, in whose opinion he entirely concurred. From long experience and knowledge of what foreshore cases were he had very great sympathy with anyone who had the misfortune to be engaged in such litigation, especially with the Crown, an opponent who had a very long purse. But they must remember what was the position of the Crown and the public Department in regard to the foreshores. There were two rights over the foreshores of this country—one, the right of the Crown, as protector of navigation, to see that nothing interfered with the right of the public as to navigation ; the other was the right of the Crown with regard to the soil of the foreshore and the bed of the sea. There were two things as to that right perfectly distinct—the one was the duty or the power of the public Department to maintain the Crown's right to the soil as a source of revenue ; the other was the right or duty of the public Department to keep what the Crown had—namely, the title, where the Crown had got it. The right to the soil, viewed as a source of revenue, was a matter entirely within the discretion of Parliament. It was a question of policy to be discussed, on which Parliament might express its opinion—for this reason, that if revenue were lost in that direction Parliament would have to make it good in some other way. But as to keeping the navigation, whatever right the Crown had in the foreshore, the Department—the public officer, whether the Parliamentary head of the branch or the permanent officials of the Department—were appointed by Parliament, and the duty was confided to them, until altered by the Legislature, to protect the Crown in those rights which the law assigns to the Crown. It might be a very bad law or a very good law; but beyond all doubt it was the law in this country that the whole foreshore of the kingdom *primâ facie* belonged to the Crown; and the Crown had the right to say "The foreshores of the kingdom belong to us, unless you show either a grant or prescriptive right taking away that which otherwise belonged to the Crown." The case differed essentially from the case which had been put of a stranger or a neighbouring owner saying to some possessor of property inside the country, "I assume you have a bad title; I call on you to prove your title, or I will take possession of your land." That was not the law; but the law was that the Crown had a *primâ facie* right to the foreshore of the kingdom. Day by day acts might be done on the foreshores which would lead a jury to presume that the rights of the Crown had ceased; and it would, therefore, be perfectly idle to have a public officer to attend to the rights of the Crown, unless he asserted the law as it stood and took care that no encroachments were made injurious to those rights. If Parliament should please to say that such should no longer be the duty of the public officer, his functions would, no doubt, be lightened; but until he had instructions from Parliament to that effect he would be guilty of a dereliction of duty if he did not take care that encroachments were not made on the rights of the Crown. The Memorandum to which the noble Duke alluded appeared to be a kind of soliloquy in writing, proceeding from the rooms of the Board of Trade, and contained a very good statement of what the duties of the Board of Trade were with respect to the foreshores and the bed of the sea. One passage in the Memorandum was in the following terms:—

> "In cases where the Crown's title is doubtful, we must act in the same way as if it were good, except that we must do so with greater caution, and be more ready to compromise the question on the principle of reserving to the public their rights and easements over the soil."

That passage, though a little amusing when read without comment, exactly described the duty which the head of the Department was charged with; for he could not tell what acts of ownership might have been committed by persons in the course of thirty or forty years until he called on them to make good their title. The opinion of Mr. Reilly had been commented upon by the noble Duke. Now, Mr. Reilly was one of the most accomplished men at the English bar, and was favourably known to many of their Lordships as an experienced Parliamentary draughtsman. That gentleman, in his opinion, referred to the Bill of 1866, which on its first introduction, when the noble Duke was a Member of the then Government, undoubtedly contained the clauses to which the noble Duke now objected. Mr. Reilly alluded to proceedings in their Lordships' House, but it could not be deemed that there was anything disrespectful in his giving an explanation of the way in which those clauses were lost. The concluding sentence of Mr. Reilly's opinion contained a suggestion than which nothing could be fairer. It was in the following words:—

> "The only difficulty would be with regard to Scotland. It would be necessary for the Board of Trade either to come to terms with the Scotch proprietors or ascertain by legal proceedings the exact nature and extent of the Crown's right to the foreshore in Scotland, and then propose legislation on that basis."

For his part he was only anxious that nothing should fall from their Lordships to lead the public Department, which was intrusted with the care of this public property, to suppose that it would be acting rightly in neglecting the duty confided to it, or to cause any persons out-of-doors to fancy that Members of their Lordships' House, whose private interests ought most properly to be protected, were desirous to place those private interests in opposition to the just rights of the public.

THE DUKE OF SOMERSET was understood to say that the duties of the Board of Trade in regard to this matter were two-fold—they had to watch over the rights and interests of the Crown and those of the public. He thought that in all grants or licences which in any way affected the rights of proprietors adjoining the shore, they ought to receive due notice.

THE DUKE OF ARGYLL said, he had never intended to convey to the House that he entertained the smallest doubt that it was the duty of the Board of Trade, as it was formerly of the Department of Woods and Forests, to defend the rights of the Crown. Among the objections which he had urged against the Memorandum was that it throughout evinced the greatest antipathy to those rights of usage and prescription on which a large portion of the rights of property in this country depended.

NEW COURTS OF JUSTICE.

QUESTION.

THE MARQUESS OF SALISBURY rose to put a Question to Her Majesty's Government, of which he had given Notice, with respect to the new Courts of Justice, and said the subject to which he was about to invite their Lordships' attention was not, he was afraid, one in which they would take as much interest as in the exciting topic which they had just been discussing. He desired to make an Inquiry of his noble Friend who represented the Government in that House with regard to the competition for the new Law Courts. The facts of the case were as follows:—The Government issued conditions under which architects were to compete for designs for the new Courts, and a Treasury Minute embodying those conditions stated that the award made would be accepted as final. Very great stress was laid by the conditions on the question of utility in connection with the Courts. They state that—

> "The chief points to be kept constantly in view and to be treated as superseding, so far as they may conflict, all considerations of architectural effect, are the accommodation to be provided, and the arrangements to be adopted, so as in the greatest degree to facilitate the despatch and the accurate transaction of the law business of the country; and in carrying out this design the first object should be to provide ample uninterrupted communication and accommodation for those who have legitimate business in the new building. Again, the arrangement of the Courts and Offices is of vital moment; on it mainly depends the success or failure of their concentration, and its importance cannot be over-estimated."

Such were the conditions under which the architects were invited to compete. They did compete, and sent in their plans and estimates. The Judges who were appointed to decide on the comparative merits of those plans and estimates each delivered their award, the result being that in regard to all points of convenience, and in all points of accommodation and of arrangement for facilitating the despatch of business in the new Courts, Mr. Barry's design was declared to be superior to the others; but that on one point alone—that of architectural elevation, which the conditions distinctly stated to be of lesser moment—the design of Mr. Street was deemed to possess greater merit. That was the nature of the Report which was sent in to the Government; and one would have imagined that having issued certain conditions—that having declared that the award of the Judges should be final, and the Judges having informed them who the architect was whose design best satisfied the conditions, they would at once have selected him as the architect of the new Courts. That, however, was not done; and the complaint he had to make was that Mr. Barry's plan having been pronounced to be superior in those points which the Government declared to be most important, should have been set aside and Mr. Street's selected in its place. His noble Friend who represented the Government in that House might, indeed, say that he (the Marquess of Salisbury) was displaying the greatest possible ignorance in putting to him the Question on the subject of which he had given Notice, inasmuch as he ought to know it to be the universal practice, whenever Government invited architects to compete, to pay no attention to the award of the Judges, and to select the man whose design was not successful. Such, indeed, he must admit was but too often the case; but then he would venture to say that the practice was one which could not be persisted in without considerable injury to the character of a Government and the buildings which it had to erect. Architects—at least, architects of name and reputation—would not compete if they felt that at the last moment their prize might be taken from them, and that they might be deprived of the employment and pay which they had justly earned by means of a decision due to some occult influence at the Board of Works, whose proceedings their Lordships had been discussing during the early part of the evening. [The Earl of DERBY: Not the Board of Works. The Woods and Forests.] Well, he believed the Board of Works was first cousin to the Woods and Forests, and that at no distant period they would be still more closely united. But, be that as it might, it was a very great injury to architects themselves, and to the character of the Government for fair dealing that all future architectural competitions should be conducted under circumstances of much disadvantage, in consequence of the course which had been taken in the present instance. The conduct of the Government in the matter was, therefore, he thought, open to grave censure, and their decision ought, he contended, to be considered carefully before it was finally adopted. They wisely stated at the outset that utility in the case of the New Courts was the most important feature of all. The competition was made; two designs got a preference the one for utility, the other for ornament, and the Government selected the man who was most successful in the matter of ornament, and putting aside the man who was most successful in mere utility. Now, we had had, in his opinion, a great deal too much of that sort of thing. In countries in which artistic effect and æsthetic feeling had greater influence than in our own, utility could always apparently find a place without difficulty. But here, where that feeling was somewhat of an exotic, and required careful nurture, attempts were constantly being made by enthusiasts in architecture and art to treat utility as a matter of secondary importance. Their Lordships sitting in that Chamber ought, however, he would venture to say, to be the very last persons to sanction such a preposterous mode of proceeding. All those who had occasion to speak or listen in that House had reason to regret the preference which had been given by their predecessors to the merely ornamental over the useful. Better be without the ornamentation by which they were surrounded, and have a decent and sober building, in which the Public Business could be more satisfactorily conducted. In the case of the new Law Courts, at all events, he hoped the error would be avoided of causing utility to give way to ornament. The first requisite in such a building it appeared to him was that those whose business took them there should be able to breathe and see, and hear each other speak. When those objects, and adequate means of communication, were secured, then it would be time enough to think of ornament and architectural effect. Entertaining those views, he most earnestly deprecated the decision at which the Government had arrived, and he trusted it was not too late to re-consider it. As the House was aware, there were serious doubts expressed by competent judges as to the expediency of erecting the new Courts on the site which had been already purchased; and if a final decision as to that point still remained to be come to, he hoped the unfortunate decision in favour of Mr. Street and against Mr. Barry might not yet be regarded as irrevocable; but that a question which seriously affected the future administration of justice in this country might still be left open for the consideration of both Houses of Parliament. The Question which he had to ask of Her Majesty's Government was—

"If it is true that the Government has rejected the Design which was recommended by the professional Judges and the Judges of Designs as the best for Plan and internal Arrangements, and has adopted the Design which was recommended for Elevation only; and, further, if the Competitors were instructed that Utility and convenient Arrangement were to be preferred to architectural Effect?"

THE LORD CHANCELLOR said, he hoped that, as he had the honour of presiding over the Commission for the building of the new Law Courts, his noble Friend (the Earl of Malmesbury) would permit him to answer the Question put by the noble Marquess. He must first however be permitted to express his satisfaction that the subject had been brought under their Lordships' notice, for an opportunity was thereby afforded him of correcting a great deal of misapprehension with respect to it which prevailed out-of-doors. Answering the question of his noble Friend categorically, he had simply to say that the Government had neither rejected nor adopted any design; and he would briefly explain to the House how the matter really stood. Some years ago the duty of superintending the building of new Law Courts and having designs prepared for the purpose was assigned by Act of Parliament to the Treasury, with the co-operation of Commissioners who were to be appointed by Her Majesty. The Commissioners, who were a very numerous body, and composed of various elements, were accordingly appointed, and proceeded to the performance of their task. The question was at the outset discussed of the propriety of throwing open the preparation of designs to unlimited competition amongst architects. That point was decided in the negative; and it was then resolved that six or eight architects should be selected for the purpose of competition; and that number was ultimately, as the result of a Motion made in the House of Commons, increased to eleven. The architects who were thus selected very naturally felt that a Commission which was very numerous and which was chosen so that it might represent various interests might not be the best body to form a judgment as to the relative merits of architectural designs; and in order to meet their views a select body was appointed by the Treasury, with the consent of the Commissioners, who were called the Judges of the Designs. Those Judges were five in number, and were—Sir Alexander Cockburn, Lord Chief Justice; Sir Roundell Palmer, then Attorney General; Mr. Gladstone, then Chancellor of the Exchequer; Sir William Stirling-Maxwell; and Mr. Cowper, at the time First Commissioner of Works. With those Gentlemen were associated Mr. Shaw and Mr. Pownall, as professional advisers; and there was a third professional gentleman appointed to test the accuracy of the estimates which might be submitted to the Commission. These appointments having been made the competition commenced, the architects competing sent in their designs, which were exhibited to the public for several months. The terms on which the architects were to compete were laid down in a Treasury Minute—that was the basis of the contract which was made. By the terms of that contract each of the competitors was to receive a certain sum as compensation for the time and pains he devoted to preparing his plans; and in return for that sum his plans were to become the property of the Commission, whether he was the successful competitor or not. The Commission took care that the result of the competition should place them in the position of owners of all the plans of every kind which should be submitted to them. The terms of the competition further provided that the five Judges of the Designs should state in their opinion who was the successful competitor; and those terms also stated that the internal arrangements of the Courts and Offices was of vital importance, that on it mainly depended the failure or success of their concentration, and that its importance could not be over-estimated. It was a mistake to suppose it was ever intended that the competition should result in the selection of a particular design, which was thereupon to be the design adopted for the Courts. Its object rather was to test the relative merits of the different plans without pledging the Government to select a particular design, and erect the Courts according to that design. It was conceived that it might very well be that various useful hints might be taken from different designs; and the Judges of the Designs were to decide which of their authors showed the greatest skill and capacity for the superintendence of the erection of the new Law Courts. The Judges of the Designs proceeded with their work, and a very arduous work it was; and they were unable to say which one of the competing architects had been the most successful. They accordingly sent in what was called their "Award" to the Treasury, stating that they were unable to agree upon any one competing architect as being the most successful, but that putting two of the designs together—those of Mr. Barry and Mr. Street—they thought that of Mr. Street was the best for the external elevation, and that of Mr. Barry the best for the internal arrangements. Having received that Report from the Judges of the Designs, the Treasury wrote back to point out to them two matters of great importance. In the first place, the Treasury said the Judges of the Designs had not tested the estimates connected with the designs, on which much might depend; and, in the next place, that the Treasury felt itself in this difficulty—that whereas there had been ten or eleven architects competing singly, one against one all round, the Judges had adopted the designs of two together, and put them jointly in the scale against the single design of each other competitor. After getting that communication from the Treasury the Judges of the Designs replied that since their last Report they had tested the estimates, and that this did not alter their opinion; that they still could not agree upon the design of any one architect if taken singly; that they had done their best; that they were ready to give every assistance in their power, but that they could not alter their award. When these things became public some of the unsuccessful competitors said that it was an entire breach of the conditions of the competition—that they had entered the lists against each other singly, but not against any two men combined, and that they regarded the award as technically informal and invalid. The Treasury thereon consulted the Commission, which recommended that as this difference had arisen it should be referred to the Attorney General as arbitrator, in accordance with another of the original conditions. The Attorney General examined into the case, and no one need be surprised at the decision at which he arrived. His decision was that the reference had failed, that the award of the Judges of the Designs, as far as the competition was concerned, was invalid; that so far as that award was concerned Mr. Barry and Mr. Street could not be entitled to call themselves the successful candidates; and that the whole proceedings by competition were at at an end, because the Judges of the Designs had said that they could make no other award than that which was invalid. It then became the duty of the Government to consider whether they would take the responsibility of saying who should be the architect for superintending the erection of the Courts. They had become the proprietors of all the designs, and they had also before them the statement of the

Judges of the Designs, as far as it went, that Mr. Barry and Mr. Street had showed the greatest amount of skill in respect to the points to which he had previously referred. He (the Lord Chancellor) must encumber that matter with another statement which connected itself with what he had already said. About the same time there had been going on another competition for the National Gallery; and, singularly enough, it resulted just in the same way as the other. The Judges of the Designs in that case, presided over by a Member of their Lordships' House, reported to the Treasury that, having endeavoured to exercise their judgment on the competing designs submitted to them, they were not prepared to recommend any one individual design for adoption, but they pointed out the design of Mr. Barry as exhibiting the greatest amount of architectural merit. The Government, having thus cast upon them the double duty of choosing an architect to superintend the erection of the Law Courts, and also of choosing an architect to superintend the erection of a National Gallery, took this course—They certainly had in those two Reports testimony of the highest value in favour of Mr. Street and Mr. Barry; and in the exercise of their judgment, and on the responsibility which devolved upon them, they assigned to Mr. Street the task of superintending the erection of the Courts of Law, and they assigned to Mr. Barry the task of superintending the erection of the National Gallery. The Government and the Commission were in possession of all the designs; they had the right to make any use of them which they might think desirable; they were not limited to those designs as regarded the internal arrangements; and there was much in all the designs as regarded the internal arrangements which was capable of improvement. Therefore, concurring in all that had been said by his noble Friend (the Marquess of Salisbury) about the importance of the internal arrangements of the Courts of Law, and the great advantage of the three requisites to which he had referred—namely, that those Courts ought to be places in which persons could breathe, see, and hear—attributes which his noble Friend had reminded them could not perhaps be said to be all possessed by the Chamber in which their Lordships then sat; although he was bold enough to say that with respect to hearing, no man had less right to complain of that House than his noble Friend; but while concurring with him that those requisites were vital to a Court of Law, and also, while regretting that the award of the Judges of the Designs had failed in the manner he had described, he yet believed that the course the Government had taken would ultimately prove the one most conducive to the erection of a building which he trusted would secure the end that Parliament and the public had in view.

THE EARL OF STRADBROKE considered that some of the architects had been unjustly treated. After a short discussion in the other House it was determined to propose to a considerable number of our best architects to send in plans for which they were offered a certain sum (£800), on the condition that these plans were to become the property of Her Majesty's Government. Some of the most eminent among them declined, on the ground that they apprehended a want of fair play; to which it was replied that two professional gentlemen should be added to the list of Judges; and, on their names being mentioned and approved, all, being eleven in number, undertook the heavy task of forming plans for building the Law Courts, and the architects were particularly instructed to consider that light, air, quiet, and convenience in the various Courts were of primary importance, far more so than the outward appearance. After a long and minute consideration of the subject, the professional Judges determined that 41 points were in favour of Mr. Barry, 29 in favour of Mr. Scott; next came, I believe, Mr. Lockwood and Mr. Waterhouse giving to Mr. Street three points of preference, one being the the exterior, and two of minor importance. They added at the end of their Report, that they considered that Mr. Street's exterior was superior to the others, this being the gothic style. This was called no decision, because two architects were named, and Her Majesty's Government slipped out of their agreement. After such treatment, it is scarcely possible to believe that men of eminence will compete for the future.

LORD REDESDALE said, he had considerable doubts as to the course that had been adopted. It seemed to him that they were bound to adopt one or other of the designs, and that Mr. Barry was entitled to the preference. He also thought it very unfortunate that, because of the injustice done to that gentleman in regard to the

Law Courts, it had been resolved to adopt his plans for a new National Gallery. He thought there could be no immediate haste for a new National Gallery, when the Trustees were about to have possession of the whole of the rooms in the present building, and he believed that no one was satisfied with any of the plans that had been exhibited, and he regretted, therefore, that Mr. Barry was to receive that commission. A considerable sum must be voted for this new building, while only £12,000 were to be allowed for the new Government Offices, although the public were paying rent for hired buildings, in which the public business was transacted, and which were dispersed all over the town. This was a most unfortunate mode of dealing with these public works. He must express his opinion that Mr. Barry had not been fairly treated in the matter of the Law Courts, and the arrangement which had been come to was in every respect unfortunate.

Lord OVERSTONE said, he could not allow the remarks of the noble Lord upon the National Gallery to pass without a protest. He could assure their Lordships that the accommodation provided for the national pictures was very insufficient. It was defective in not providing the best light, in not giving due facilities for the circulation of the public, in the regulations for police purposes, and in the accommodation for students. The Trustees would gladly welcome the additional space acquired by the rooms now occupied by the Royal Academy; but it would be a great mistake to suppose that this would justify any delay in the erection of a new National Gallery worthy of our splendid collection of paintings. He hoped that the question of the National Gallery building would not be treated as secondary to any other. He must, moreover, express his regret, that though we had already had an opportunity of having a National Gallery sufficient for all requirements, and vastly superior to any other gallery in the world, and this at a small expense, yet for some reason which he was unable to penetrate, this plan was set aside and treated with contempt. He alluded to the proposed plan, by Mr. Barry, for the erection of a new National Gallery on the site of Burlington Gardens, which, had it not been unaccountably rejected, would now have been in an advanced state, and, indeed, near its completion; whilst the National Gallery as now proposed was wholly unsettled as regards the plan, and indefinitely postponed as regards the period of its completion. Few, if any, of their Lordships could hope to see it finished.

Lord CRANWORTH said, it was due from him to Mr. Barry, whom he never saw but once, to say that he was perfectly right in representing that the Instructions given in regard to the Law Courts were to attend, not perhaps exclusively, but mainly, to matters of internal accommodation, convenience, and arrangement. No doubt it was supposed that a handsome façade could be obtained in addition; but the Instructions had reference only to the internal arrangement. It was his (Lord Cranworth's) duty, when he had the honour of holding the Great Seal, to preside over the Commission, and they were most laboriously engaged for several months in going through communications from all the different Law Courts and Offices as to the accommodation they respectively required, and these Reports were then embodied in Instructions to be communicated to the competing architects. It was due to Mr. Barry to say that he had carried these Instructions out in the minutest detail, and that the Instructions all had reference to the best mode of securing light, air, quiet, and facility of communication, as well for those employed in the Courts as for the public; and matters of a similar kind. He knew nothing of the merits of the question now under discussion, and was not competent to decide on the merits of the respective plans; but it was due to M. Barry to remind their Lordships of the prominence given in the Instructions to all questions of internal arrangement. As the Law Officers of the Crown had given their opinion that none of the competitors had any legal right to be selected as the architect of the new buildings, and that the designs were by the conditions the property of the Government, the Government had of course the right of making the selection; and it seemed *primâ facie* a fair arrangement that Mr. Barry should be appointed to superintend the erection of the National Gallery, and Mr. Street that of the Courts of Law.

The Earl of HARROWBY said, he could not regard the question at issue as one between Mr. Barry and Mr. Street, but whether or not the architect to be employed in a building in which utility was the chief consideration should be the architect whose design was so much superior in regard to convenience and arrangement. It seemed to him that the Government were going to employ the architect who in this respect had shown least capacity of all; and the public had the least likelihood of being provided with the building it required by the present arrangement. The Government had not only unfairly disappointed the architect who had earned the title of having sent in the best design, according to the Instructions, but had overlooked the public interest in their selection. He would ask, was is too late to re-consider the question of site? A few years ago, when this subject was first brought forward, a site by the river side was only in prospect, but now it was an accomplished fact — a splendid site had been provided by the Thames Embankment, and there was a general feeling that this should be the site of the new Law Courts. The grandest buildings should be erected on the noblest sites. Independently of all architectural considerations, the river side had the strongest possible claims—it was the best in regard to freedom from noise, security against fire and popular troubles, and opportunities of access. The site by the river side had almost every superiority except one—it was convenient to the Temple, but not so convenient to Lincoln's Inn. Inasmuch, however, as Lincoln's Inn had managed to carry on a successful business when the Chancery Courts sat in Westminster Hall, he did not think that even Lincoln's Inn would be greatly injured, if the site for the new Law Courts was on the Thames Embankment. If the matter were not finally settled, beyond all redemption, he would urge upon the Government to consider even now whether a nobler and more useful site could not be found by the river side. As to the present site, there would be no access to the Courts except from the Strand. With that exception there would be no one decent street which would give an entrance to the Courts, and as much money must be laid out in providing new approaches as had been expended in purchasing the site. He believed that if the Government adopted his suggestion, they would be able to re-sell the present site for pretty nearly what it had cost.

The Earl of CARNARVON said, he had an impression that Mr. Barry had had a scant measure of justice, and that impression had been rather deepened than removed by the statement of the noble and learned Lord on the Woolsack. His noble and learned Friend said that, if ornamentation and utility came into conflict, the latter, according to the conditions laid down, should have the preference; that the Judges of the Designs thought Mr. Barry's plan superior in respect of utility and Mr. Street's in respect of ornamentation; that their joint recommendations being referred to the Attorney General, he decided that the award was to be regarded as no award at all, and that, under these circumstances, it was in the discretion of the Government to make any use of the plans, whether, he presumed, in the way of adoption or combination. His noble and learned Friend added that while this matter was pending the question of the National Gallery arose, and that Mr. Barry being unquestionably first in that competition, and, being doubtfully first with regard to the Law Courts, the Government had thought it right to split the difference, and assign Mr. Barry the prize—a much smaller one—for the National Gallery, and Mr. Street the larger prize for the Law Courts. Now, he (the Earl of Carnarvon) maintained that Mr. Street had no claim, as far as the conditions were concerned, to the latter, and he could not see why the National Gallery should have been mixed up with the question of the Law Courts. If Mr. Barry was unquestionably first in the case of the National Gallery, he was plainly entitled to the prize; and if he was also first by virtue of the conditions in the case of the Law Courts, he was equally entitled to that prize likewise. Supposing him to be successful in both competitions, he could see no reason why both prizes should not be awarded to him. Happily, both these architects were very eminent in their profession, and the question could therefore be discussed with the less invidiousness. He did not expect much taste from any Government, for, as a rule, he thought they did not show much capacity in this respect; but Parliament was bound to insist that when conditions had been laid down they should be rigidly and faithfully adhered to, and he agreed with his noble Friend (the Marquess of Salisbury) that it would be most unfortunate as regarded the profession, and still more unfortunate as regarded the Government and the country, if public works were dealt with in this manner. He trusted that the Government would reconsider their most ill-advised decision.

The LORD CHANCELLOR said, he was not aware that in any document Mr.

Barry had been described as unquestionably first in the National Gallery competition. The Judges were unable to recommend any one design submitted to them for the Law Courts; but they stated that they thought Mr. Barry's designs were the best in respect of internal arrangement, and Mr. Street's the best as an architectural composition. Now, the condition was that the plans of the greatest merit, both as regarded the interior and the exterior, should be preferred. But he had no passage before him which stated that if these two came into conflict the former should be sacrificed. The only stipulation of the kind, of which he was aware, was this—

> "The arrangement of the Courts and Offices is of vital moment; on it mainly depends the success or failure of their concentration, and its importance cannot be over-estimated."

He maintained that there had been no breach of contract, and he was not aware that such a thing had been alleged or suggested by any of the architects. The contract, in fact, according to the terms proposed, miscarried; and it being impossible to decide on a successful competitor, it became the duty of the Government to choose the person they believed to be the best. As to the collateral Report of Messrs. Shaw and Pownall, those gentlemen were in no respect the Judges, but were simply the advisers of the Judges; and he believed their Report was disagreed from by all the various bodies of the profession, who after all were the best qualified to decide with respect to internal accommodation. This was neither the time nor the place to discuss the question of site; but he believed that were the profession consulted they would, not merely by a large majority, but with something like unanimity, declare that the present site, though it might be less ornamental, was much more useful than one by the river side would be.

The Marquess of SALISBURY said, he was anxious that there should be no conflict on matters of fact. In page 11 of the "Conditions" it was said that the chief point to be considered was the question of accommodation and convenience. Now it was not merely Messrs. Shaw and Pownall, the professional assessors of the Judges of the Designs, but Mr. Cowper, Chairman of the Judges of the Designs who reported to the Government that Mr. Barry's designs were the best with regard to convenience of plan and internal arrangement, and Mr. Street's with regard to elevation only. His noble and learned Friend had said that he was unaware of any stipulation that if ornament and utility conflicted utility should be preferred; but he would remind him of this passage—

> "The chief points to be kept constantly in view, and to be treated as superseding, so far as they may conflict, all considerations of architectural effect, are the accommodation to be provided and the arrangements to be adopted so as, in the greatest degree, to facilitate the despatch and the accurate transaction of the law business of the country."

The LORD CHANCELLOR remarked that the preference for Mr. Barry's design as regarded the interior, and for Mr. Street's as regarded the exterior, was expressed not by Mr. Cowper merely, but by the Commissioners. Messrs. Shaw and Pownall's Report was really quite beside the question. The passage which the noble Marquess had quoted was not before him, but he had no doubt that it formed part of the conditions.

House adjourned at a quarter past Eight o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, June 19, 1868.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Four o'clock till Monday next.

HOUSE OF LORDS,

Monday, June 22, 1868.

MINUTES.]—*Sat First in Parliament*—The Earl of Craven, after the Death of his Father.

Public Bills—*First Reading*—Metropolis Local Management Acts Amendment* (169).

Committee—Pier and Harbour Orders Confirmation, &c.* (120); Pier and Harbour Orders Confirmation (No. 2)* (139); Jurors' Affirmations (Scotland)* (104).

Report—City of London Gas* (109-168); Pier and Harbour Orders Confirmation, &c.* (120); Pier and Harbour Orders Confirmation (No. 2)* (139); Religious, &c. Buildings (Sites)* (161); Jurors' Affirmations (Scotland)* (104)

METROPOLIS LOCAL MANAGEMENT ACTS AMENDMENT BILL [H.L.]

A Bill to amend the Metropolis Local Management Acts — Was *presented* by The Marquess TOWNSHEND; read 1ª. (No. 169.)

Their Lordships having gone through the Business on the Paper without debate—

House adjourned at a quarter past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, June 22, 1868.

MINUTES.] — SELECT COMMITTEE — *Report* — Poor Rates Assessment &c. Committee [No. 342].

PUBLIC BILLS—*Resolutions in Committee*—Navy and Army Expenditure *.

Ordered—Lunatic Asylums (Ireland) *.

First Reading — Sale of Poisons and Pharmacy Act Amendment * [181]; Poor Law and Medical Inspectors (Ireland) * [183]; Lunatic Asylums (Ireland) * [184].

Second Reading — Lands Clauses Consolidation Act (1845) Amendment * [176]; Bank of Bombay * [178]; Prisons (Scotland) Administration Acts Amendment * [155]; Bankruptcy Act (1861) Amendment [145].

Referred to Select Committee—Prisons (Scotland) Administration Acts Amendment * [155].

Committee—Government of India Act Amendment [91]—R.P.; County General Assessment (Scotland) (*re-comm.*) * [172]; Entail Amendment (Scotland) (*re-comm.*) * [140]; Local Government Supplemental (No. 6) * [175]; Renewable Leasehold Conversion (Ireland) Act Extension * [61].

Report—County General Assessment (Scotland) (*re-comm.*) * [172]; Entail Amendment (Scotland (*re-comm*) * [140]; Local Government Supplemental (No. 6) * [175]; Renewable Leasehold Conversion (Ireland) Act Extension * [61-182].

Considered as amended—Representation of the People (Ireland) [71]; Petroleum Act Amendment * [171].

Third Reading — Boundary * [165]; Courts of Chancery and Exchequer (Ireland) Fee Funds * [146] and *passed*.

COINAGE—HALF-CROWNS.

QUESTION.

SIR FREDERICK HEYGATE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is the fact that no half-crown pieces have been coined for some years past at the Mint, and if it is the intention to allow that useful coin ultimately to be withdrawn from circulation?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, it was true that no new half-crowns had been coined for fifteen years, but the present supply was adequate to the demand. Half-crown pieces formed about 30 per cent of the silver coinage, and there was no present intention of withdrawing them from circulation.

TENURE OF LAND (IRELAND).

QUESTION.

SIR COLMAN O'LOGHLEN said, he wished to ask the Chief Secretary for Ireland, If it be the intention of Her Majesty's Government to issue a Royal Commission to inquire into the Tenure and Occupation of Land in Ireland; and, if so, when will the Commission be issued?

THE EARL OF MAYO: It is the intention, Sir, of the Government to issue the Commission to which the hon. Gentleman refers. It is our earnest wish to endeavour to induce some Members of both Houses of Parliament to serve on the Commission; but, having regard to the Business of both Houses and the convenience of Members, it will be impossible to appoint the Commission until the termination of the Session.

EX-GOVERNOR EYRE—PETITION.

QUESTION.

MR. GRENFELL said, he wished to preface his Question on this subject by a few remarks. He was a member of the Jamaica Committee, which had been subject to the unceasing persecutions of an irresponsible body of persons signing themselves "The Eyre Defence Committee."

MR. SPEAKER said, the hon. Member is not acting in accordance with the Rules of the House in not confining himself to such matter as is necessary for explaining the grounds on which he puts the Question.

MR. GRENFELL said, he did not wish to trespass on the Rules of the House, and if it were necessary he would move the Adjournment. He was a member of the Jamaica Committee, and he had taken it upon himself to ask the hon. Member for Bute, On what grounds he stated, on Friday June 5th, that the Petition which he presented praying for an early re-appointment of Mr. Eyre to Her Majesty's Colonial Service was signed by 71 Peers, 6 Bishops, 20 Members of the House of Commons, 40 Generals, 26 Admirals, 400 Clergymen, and 30,000 other persons, when, in fact, it is only signed by 3 Peers, 1 Bishop, 6 Members of Parliament, 20 Generals, 9 Admirals, 171 Clergymen, and 10,000 other persons? He should not have ventured to ask this Question if it merely contained a Prayer that the expenses of Governor Eyre should be paid by the country, because there would be nothing astonishing in a Petition of that kind from a large number of irresponsible persons who might not have had the blue books before them, and might have signed the Petition in ignorance of the facts.

Mr. SPEAKER: I think the hon. Member has now stated everything necessary to give the information he desires to convey.

Mr. LAMONT said, he must beg the indulgence of the House while he gave a brief explanation of the circumstances attending the exaggerated statement referred to. When that Petition was given to him for presentation to the House it was accompanied by a short statement in writing, purporting to be an analysis or summary of the Petitioners. He did what he imagined the hon. Member for Stoke-upon-Trent or any other Member of this House would have done—he did not analyze this immense number of names himself; but he accepted the written statement as being substantially correct, and he read it to the House. He had now to express his regret that he committed himself to an unintentional exaggeration of the numbers, and he trusted that the House would believe him when he said that he stated that which he believed at the time to be strictly correct. It appeared that this exaggeration of the numbers was caused by the clerk who made up the statement supposing that he was entitled to include as Petitioners all those who had subscribed sums of money, however small, to Mr. Eyre's Defence and Aid Fund. With regard to the latter part of the hon. Member's Question, of which he had private notice, he begged to say that, considering the vast preponderance of opinion in favour of his distinguished friend among the educated and enlightened classes of the community, and especially among those who know anything about the colonies, he apprehended that there would not be the slightest difficulty before the prorogation in procuring a Supplementary Petition from the borough of Stoke-upon-Trent and the borough of Westminster alone, even more numerously signed than he stated the last to be.

Major ANSON said, he wished to make one or two remarks, and, to place himself in Order, he would, if necessary, move the Adjournment of the House. When the Petition was placed in the hands of the hon. Member for Bute some information was handed to him by the Secretary of the Eyre Defence Fund referring to figures which he might have to make use of in his speech. As soon as the Secretary saw the exaggerated statement in question he went to the hon. Member for Bute and told him of the mistake that had been made. None of the members of the Defence Fund Committee were responsible for the mistaken statement that had gone forth to the public.

THE CATTLE PLAGUE.—QUESTION.

Sir J. CLARKE JERVOISE said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he is aware that a paragraph in *The Times* of the 7th of September 1867, announced that the International Veterinary Congress held at Zurich

> "Determined to request the Russian Government to appoint an International Commission to consider the possibility of arresting the Cattle Plague in its place of origin—the Steppes of Russia;"

whether the statement is correct; whether this determination was carried out, and with what success; and whether the Report of the Resolutions come to by the Congress will be distributed?

Lord STANLEY: I regret, Sir, that I cannot give the hon. Member the information he requires. I have seen the paragraph in *The Times* to which his Question refers and I am aware that a body called the International Veterinary Congress have recently held a meeting at Zurich. No Report of that conference has, however, reached the Foreign Office, and I am not aware whether any request has been made such as is described in his Question.

MERCHANT SHIPPING ACTS.

QUESTION.

Mr. CANDLISH said, he wished to ask the Vice President of the Board of Trade, If he will lay his intended Bill for the amendment and consolidation of the Merchant Shipping Acts upon the

Table of the House before the close of the Session, that the Country may have an opportunity of considering its provisions before the meeting of the next Parliament?

Mr. STEPHEN CAVE said, in reply, that, when it became evident that there was no chance of passing this Bill during the present Session, the draughtsman was directed to employ himself on work of greater emergency; and therefore the consolidation of the Merchant Shipping Acts was not proceeded with with as much rapidity as before. He hoped, however, to lay the Bill on the table before the end of the Session, and to distribute it to Members sufficiently early for those who were interested in the question to express an opinion upon it in ample time before the meeting of the next Parliament.

METROPOLIS—THE RIVER THAMES AT BARKING.—QUESTION.

Lord EUSTACE CECIL said, he would beg to ask the Secretary of State for the Home Department, What steps he means to take with regard to the Memorial that has been addressed to him by the Vicar and other Inhabitants of Barking relative to the state of the River Thames in that neighbourhood?

Mr. GATHORNE HARDY said, in reply, that he received on Saturday last a communication from the Thames Conservators on the subject referred to in the noble Lord's Question, stating that they had not completed their investigation; and he did not wish to take any further steps until the inquiry was complete.

POST OFFICE—LONDON LETTER CARRIERS.—QUESTION.

Mr. BATHURST said, he wished to ask the Secretary to the Treasury, Why a fixed standard of height is required for London Letter Carriers?

Mr. SCLATER-BOOTH said, in reply, that great inconvenience to the public service arose some years ago from the want of some standard of physical strength in the minor Departments of the Post Office. The standard of height had been altered from time to time; and he knew of no reason why the present standard should be maintained, except that an ample supply of candidates for the service could be obtained at that standard.

THE NEUTRALITY COMMISSION.

QUESTION.

Mr. SHAW-LEFEVRE said, he would beg to ask the Secretary of State for Foreign Affairs, Whether the Recommendations of the Neutrality Commission have received the attention and approval of the Government; and, if so, whether a Measure will be introduced for the purpose of giving effect to them?

Lord STANLEY: Sir, I have read the Report of the Neutrality Commissioners with great interest and attention, and I may say that in the general scope of their recommendations Her Majesty's Government entirely concur. But with regard to the details of those recommendations I require more leisure than I have yet had for considering them before I give an opinion upon them. In the actual state of Business I conceive that it would be quite useless to attempt to legislate on the subject during the present Session; but if I have the opportunity I shall certainly be prepared to do so when the new Parliament meets.

METROPOLITAN POLICE.—QUESTION.

Mr. GROVE said, he would beg to ask the Secretary of State for the Home Department, Whether the official restrictions imposed for so many years on the late Surgeon in Chief of the Metropolitan Police Force, and announced as a necessity to the candidate, on his retirement, have been entirely relaxed, notwithstanding that the strength of the Police Force has so materially increased; and, whether the present Chief Surgeon is required to visit the sick of the different divisions, and perform the other duties of his office in the same manner as his predecessor, who was prohibited from engaging in private practice?

Mr. GATHORNE HARDY, in reply, said, he found that in April 1866, while the right hon. Member for Morpeth (Sir George Grey) was at the Home Office, the relaxation of the rule in regard to that matter was first made. Mr. Holmes was allowed to take private practice on condition that the salary, which had been £800, was reduced to £500, and that he should at all times be available for police duty. Mr. Holmes undertook so to be, and there was no complaint of his not having attended to that duty.

ARMY—NON-PURCHASE CORPS.

QUESTION.

Mr. CHILDERS said, he would beg to ask the Secretary of State for War, Whether the Government have yet decided on an amended scheme of retirement from the non-purchase corps; and if, before taking the Vote for Retired Officers in the Army Estimates, he will lay upon the Table any Correspondence on the subject between the Departments of Government, and the actuary's calculations of the cost of the plan proposed by the Select Committee of last year?

Sir JOHN PAKINGTON, in reply, said, he was not able to say that the Government had yet come to a decision on the subject, which was one that must be very carefully considered. They had a plan before them, and the Report of an actuary, and information received from other quarters; and if he could devise a plan that would receive the sanction of the Government, he would lay it on the table in the course of the Session, in order to act on it hereafter. It was more desirable that the plan should be prepared with due caution that that it should be prepared quickly. The subject was not a pressing one, and there was no immediate hurry. The really important object was to have the plan prepared with the greatest care. There was no Correspondence, and he was sure the hon. Member would not ask him to produce any Official Minutes. He had no objection to give him the Report of the actuary, if he would move for it.

ARMY—CASE OF CAPTAIN BROOKE.

QUESTIONS.

Mr. STACPOOLE said, he would beg to ask the Secretary of State for War, Whether it is true, as alleged in *The Pall Mall Gazette* of the 13th instant, that Captain Brooke, of the Royal Military College, Sandhurst, has been under arrest for one month without being brought to a Court Martial?

Sir JOHN PAKINGTON said, in reply, that it was quite true that Captain Brooke was under "open" arrest for nearly a month; but the course pursued with respect to him was quite in accordance with the 18th Article of War.

Captain VIVIAN said, he would beg to ask the Secretary of State for War, Whether he will lay upon the Table of the House Copy of the Correspondence which has taken place beetween Colonel Peel (late of the 11th Hussars), General Wetherall, and the Military authorities at the Horse Guards, which was the original cause of Captain Brooke being placed under arrest?

Sir JOHN PAKINGTON said, he did not think it would conduce to the convenience of the Service to lay Correspondence of that nature before the House, and he, therefore, must decline to produce it. As he believed that the hon. and gallant Officer asked the Question from a regard to the character of Colonel Peel, he had great pleasure in stating that there was nothing in all these transactions at all impugning the honourable character of Colonel Peel.

In answer to Captain Archdall,

Sir JOHN PAKINGTON said, Captain Brooke had been placed under arrest for a month and reprimanded, but at the end of that time he returned to his duty.

ECCLESIASTICAL TITLES BILL.

QUESTION.

Mr. MacEVOY said, he would beg to ask the First Minister of the Crown the Question he had given notice of for Friday last, Whether he will give him an early opportunity of moving the Second Reading of the Ecclesiastical Titles Bill, and whether he will state the course which the Government intend to take in regard to it?

Mr. DISRAELI said, he did not see any Notice of the Question on the Paper.

Mr. MacEVOY: It was on the Paper on Friday.

Mr. DISRAELI said, he found it quite impossible at present to fix any day; other Business was so pressing. If he could find an opportunity for the hon. Gentleman he would; and when the time came he would state the course which Government intended to take in regard to it.

FEVER IN THE MAURITIUS.

QUESTION.

Mr. J. A. SMITH said, he wished to ask the Under Secretary of State for the Colonies, What is the present state of the Mauritius, in reference to the disease which has been prevalent there?

Mr. ADDERLEY said, in reply, that a despatch had been received dated the 13th May, which stated that the mortality had in the previous month been 2,036, whilst in April, 1867, the mortality was 10,867, and only 1,216 of these 2,036 were from fever;—there was great hope that the fever was dying out. The proposed sanitary measures, if fairly carried out in Port Louis, may greatly diminish the chance of its recurrence.

SEA FISHERIES BILL—[BILL 170].

(*Mr. Stephen Cave, Mr. Edward Egerton, Mr. Shaw-Lefevre.*)

LORDS' AMENDMENTS.

Lords' Amendments *considered.*

Amendments, as far as the Amendment Leave out Clause 46, *agreed to.*

MR. MILNER GIBSON said, he wished to call the attention of the House to the Amendments which had been made in "another place." Two years ago the late Government had brought under consideration a Bill for facilitating the establishment of oyster fisheries. Lord Derby's Administration took it up, devoted much attention to it, improved it and passed it into a law. It was working well. Many applications had taken place under the Act for the establishment of oyster fisheries, and so far as he knew, the measure was giving general satisfaction. In the Sea Fisheries Bill it was thought desirable that all the statutes relating to sea fisheries should be consolidated into one, and therefore the Oyster Bill was put into the Sea Fisheries Bill as a matter of consolidation. Important Amendments had been made in the Bill in the House of Lords, which, if adopted by Parliament, would go far to defeat all the main objects of the measure intended to encourage the establishment of oyster fisheries. It might be right enough to amend, but it was not the proper way of doing it in a Consolidation Bill without notice or discussion. If the Oyster Fisheries Act was to be repealed, it should be brought under the consideration of Parliament; the object should not be effected in an indirect manner by the insertion of Amendments in a consolidating Bill by the other House of Parliament. The Bill enabled persons to appropriate unproductive, useless areas on the sea-shore for the cultivation of oysters; but care was to be taken that all proprietary and other rights should be respected, that all parties concerned should have due notice and an opportunity of being heard against any such appropriation of the sea-shore—not only before the Board of Trade, but if they thought fit before a Select Committee of the House, as in the case of a private Bill. There were many parts of the sea-shore which might be appriated to oyster beds without injury to anybody; but unless private rights, frequently of undefined and valueless character, were barred, after persons had received a grant and gone to a great expense in laying down oysters the persons who had rights of dredging might come and dredge them all up. He would bar any such right; but he would not do so without notice, and consent or compensation. What, then, had been done? The House of Lords said that it was right that areas of the sea-shore should be appropriated to oyster fisheries; but they inserted clauses to the effect that the Board of Trade Order should bar no rights except those of parties who had given their consent. Now, what would be the effect of this? There might be the inhabitants of a village who might have undefined prescriptive rights though of no real value, whose consent could not be obtained, and they might lie by whilst the Order was obtained, and then after the unfortunate grantee had invested his money they might come forward and say that their consent had not been obtained, and therefore they had the right to take the oysters. Certain Scotch proprietors appeared to think that there was some intention to interfere with their foreshore rights; but they would find that this measure for the promotion of the oyster fisheries would be most beneficial to them in the end. He thought that the Lords' Amendments ought to be rejected—in the first place, because what they proposed to do was not a fair mode of defeating the intentions of the Legislature when it passed the Oyster Fisheries Act. The clause in that Act which he supported was the law of the land. If, however, it could be shown that under the existing law adequate compensation was not given for the interference with the rights of any person where they were affected injuriously by any provisional Order of the Board of Trade, he should be ready to accede to an extension of that law in order to secure that object. The Lords' Amendments did not provide for the compensation of individuals for such an infringement of their rights, and, therefore, he moved that, instead of those Amendments, a clause be inserted in the Bill providing that the Lands Clauses Acts should be deemed to be incorporated in every Order of the Board of Trade made under this Act, and that grantees should make full compensation under the Lands

Clauses Acts to all persons whose rights of fishing or any of whose rights were injuriously affected by any Board of Trade Order, or by any confirming Act, under the Oyster Fisheries Act of 1866.

Leave out Clause 46, the next Amendment, read a second time.

Mr. STEPHEN CAVE said, he could not deny that he preferred the clauses as they stood in the Bill passed by that House, and he certainly agreed with the right hon. Gentleman the Member for Ashton that this alteration would to some extent curtail and fetter the operation of the Board of Trade, and so far impede the granting of Orders for oyster fisheries. At the same time there was considerable force in the arguments which induced the House of Lords to adopt these Amendments—namely, that a Government Department ought not to have the power of interfering with or taking away any property or right, however small or ill-defined, but that such power ought to be vested in Parliament alone. Inserting the Amendments in a consolidating Act might not have been the best way of proceeding; but they knew that it was the constant practice of Parliament to unite amendment with consolidation, and he did not think that they could find fault with the House of Lords on such a ground. The House of Lords thought that the power ought to be vested in Parliament alone to take away rights, and that it would be hard to call upon people to defend their rights before Parliament because the Board of Trade had made an Order which would curtail those rights. Very high legal authority had declared that the clauses in the Oyster Fisheries Bill were hardly constitutional, and ought not to have passed in 1866. That was a question which he must leave the right hon. Gentleman to settle with a former and probably future Colleague of his own; which, if they might judge from the ordinary sources of information, he would not find a very easy task. On the other hand, it might be said that in practice the present Board of Trade had been so careful of existing interests that not only had there been no objections on that score in respect of any of the Orders already issued, but they had drawn upon themselves complaints, he might even say taunts, from people speaking and writing in the interest of applicants for grants of oyster fisheries, on the ground of their being unduly scrupulous; so that the Board of Trade was not such an instrument in the hands of a despotic Government for the confiscation of property as it had been represented to be. Still, it was clearly contrary to the usage of law or Parliament that the property or rights of any persons should be left to the discretion of the occupants of a Government Department, who might not always be equally scrupulous. The effect of the Lords' Amendments would doubtless be that the only cases in which they would be able to grant oyster fisheries would be those to which no opposition was made. But then they should still be able to give full protection to such fisheries when made, which was probably the original intention of legislation on this matter. He was afraid there would be a more serious impediment thrown in the way of regulating fisheries, and especially of protecting places like Boston Deeps from wanton destruction of mussel spawn. The right hon. Gentleman proposed as an alternative the incorporation of the Lands Clauses Acts, but that would hardly meet the case, because those Acts simply provided for compensation for property compulsorily taken, whereas the objection made to the Bill was, that no power at all to take compulsorily ought to be given by it. As he had already said, he regretted the alteration which had been made. On the whole, however, he should be inclined to recommend the House to defer to the anxiety exhibited in "another place" for the protection not only of the property of great proprietors—for that was hardly a fair way of putting it—but of the rights of the general public in this matter, and agree with those Amendments, rather than run the risk of losing the Bill altogether; and then, in case the Act proved unworkable and it were found necessary to give more power to the Board of Trade, it might be done by a future substantive measure.

Sir ANDREW AGNEW said, he believed that the acceptance of the Lords' Amendments would counteract the benefit conferred by the Act passed two years ago. He trusted that in all that was done with regard to this subject, care would be taken to respect in every way the rights of the foreshore proprietors.

Mr. SHAW-LEFEVRE said, he would support the Motion made by his right hon. Friend the Member for Ashton. The Act of two years ago was passed in consequence of the recommendations made by a Commission appointed to inquire into the subject, and the only complaint that had since been made with regard to the working of that Act was that the Board of Trade had put its provisions into force too cautiously. It was preposterous to imagine that the House of Lords would, if the Amendments were rejected, throw out the Bill, because by so doing they would leave the law precisely in the state of which they complained. He therefore trusted that the House would not consent to Amendments which the Vice President of the Board of Trade did not attempt to defend, and which would entirely defeat a Bill which had been very beneficial to the public, and was only objected to by certain Scotch Lords, who, not content with owning a great part of Scotland, wished to extend their imaginary rights even into the sea.

General DUNNE said, he hoped that the House would accept these clauses which had been inserted in the Bill with the strictest attention to public rights, and in thorough harmony with the spirit of the Constitution.

The ATTORNEY GENERAL said, that as the Bill originally stood owners of foreshore were liable to deprivation of their rights by an Order of the Board of Trade, confirmed by an Act of Parliament, and the only way in which they could preserve their rights was by defending them in the passage of the Act through Parliament. The House of Lords perceived that this was a very strong piece of legislation, and they now endeavoured by these clauses to provide a remedy; for it certainly was hard that a man who had *bonâ fide* rights over a fishery should be deprived of those rights, however desirous he was of preserving and exercising them, or be compelled to oppose the passage of a Bill through Parliament.

Mr. LAWSON said, that the working of the Act had been attended with great benefit in Ireland, and it was unreasonable that so well-considered a measure as this had proved to be should be defeated by a side-wind, as now contemplated by the other branch of the Legislature. It appeared to him that the tendency of the Amendments was not so much to protect real rights as to give a colour to imaginary rights, and thus occasion useless litigation.

Mr. WALDEGRAVE-LESLIE said, he agreed with the right hon. Member for Ashton-under-Lyne (Mr. Milner Gibson) as regarded oyster fisheries; but must remind him that other rights were affected by the clause in question. For instance, Hastings had an ancient charter giving its corporation a right to take shingle from the foreshore to mend the roads; the Board of Trade, however, instead of inquiring as to the right exercised under this charter, sent its circular ordering coastguard officers to report cases of removal of shingle, and thus interfered with the unquestionable rights of the people. The question was a serious one for Hastings, because metal for the roads other than shingle cost the corporation almost as much as coal.

Mr. COLERIDGE said, he feared the Attorney General argued on the erroneous basis that it was desirable to grant rights for compensation, and to treat the matter entirely as a private concern, without admitting those large considerations to which a great Government Department ought always to give due weight. The power of the Crown over foreshores had been vested in the Board of Trade, and administered by that Department to the general satisfaction. He highly approved the Circular of the Board recently presented to the House, because it dealt with foreshores on the principle that the public was concerned in them. The case quoted by the hon. Member for Hastings (Mr. Waldegrave-Leslie) did not affect the expediency of issuing a general Order by the Board of Trade. No doubt a simple representation from the Corporation of Hastings would have secured a due consideration for its rights under the Royal Charter.

The SOLICITOR GENERAL said, he thought the hon. and learned Member for Exeter (Mr. Coleridge) had failed to appreciate the point under discussion. The more careful legislators in the House of Lords, with whom he agreed, objected to depriving subjects by force of rights they had long enjoyed. [Mr. Milner Gibson: There is compensation provided for.] That was precisely what the Lords objected to. Rights were to be taken away by force and compensation given. The only argument used against the view taken by the other House was that some parties would lie by by design while their rights were being dealt with; but the Lords said that if the rights of individuals were to be interfered with it should be done by an Act of Parliament, and not by a Government Department.

Mr. H. BAILLIE said, he trusted the House of Lords' proviso would be maintained as far as Scotch foreshores were concerned; but if the Irish Members particularly wished to have their foreshores placed entirely at the disposal of the Board of Trade, by all means let it be so.

Sir FRANCIS GOLDSMID said, that parties whose rights were affected had ample means for protecting their interests. Their Lordships appeared to attach some peculiar sacredness to the rights of foreshores which entitled them to be treated in a different manner to that in which Parliament had acted in sanctioning inclosures and all public improvements.

Mr. CRAUFURD said, he must complain very strongly of the language of the Circular drawn up by the Board of Trade. The Crown having always failed to establish their rights to the foreshores in Scotland in a straightforward manner, it was now sought to circumvent the proprietors of foreshores by the systematic course of action laid down for the Department.

Mr. M'LAREN said, it was altogether a mistake to suppose that the Board of Trade were grasping at any jurisdiction. The Bill merely recited the law as it now stood; and it was the other House of Parliament who wished to alter the law, and deprive the Crown of its rights. The Crown in this case was but the personification of the public interests, and the Board of Trade, in the name of the Crown, were merely protecting the public. He recommended the House to let well alone, and not to alter the existing state of the law,

Mr. MILNER GIBSON said, he wished to explain. He had been misunderstood by the learned Attorney General. The Motion affected no rights, altered no proprietary rights, and set up no titles. His only object was to apply to rights over the sea-shore the same formula which was applied to rights over land—namely, consent or compensation. But their Lordships would have no compensation.

Motion made, and Question put, "That this House doth disagree with The Lords in the said Amendment."—(*Mr. Milner Gibson.*)

The House *divided:*—Ayes 125; Noes 133: Majority 8.

Amendment *agreed to.*

Amendments, as far as the Amendment Clause B, *agreed to.*

Mr. STEPHEN CAVE, in moving the insertion of Clause B, as inserted by the Lords, said, he should like to say a few words on this Amendment. In 1839 a Convention was concluded with France fixing a close time for oyster fishing in the seas between the United Kingdom and France from the 30th of April to the 1st of September. The Convention was held not to apply to the sea within the three-mile limit, nor to seas beyond the English Channel. This was shown by the case of the oyster dredgers on the East Coast of England, who defied the authorities to prevent their taken their dredges out of port and fishing the whole year round beyond the three miles; and by the instance of the Arklow Banks, off Ireland, on which, according to the Report of the Irish Fishery Board for 1856, the Irish dredgers fished during the close months, from January to September. So that the position under the old Convention was this: a close time applicable to the Channel alone, and binding only on the French and English, because, the open sea being free to all, the Dutch or Belgians might have fished there with impunity at any time. This close time, even in the Channel, was practically disregarded by the English fishermen of the East Coast, as against them it was enforced only by cruizers, which the dredgers managed generally to evade. It was operative against the South Coast fishermen, who complained grievously of the unequal treatment. For these and many other reasons this system of *quasi* game laws in the open sea was condemned by the Deep Sea Fishery Commisioners appointed by the late Government; and their views on this point being adopted by the present Government, negotiations ensued with the French Government, with the object of bringing about an entire abolition, or, failing that, a relaxation of the close time. It was found that the French were very unwilling to relax the rule, not because they cared about the deep-sea beds, with respect to which they to some extent shared our views, but because they hoped by these means more effectually to preserve the beds within their territorial limit. However, our Government succeeded in striking off six weeks of the close time in the Channel, leaving the law in other parts precisely as before. There was, therefore, no pretence for saying that we took care of ourselves in the sense in which that expression had been used; and, moreover, any danger there might be that the Irish deep-sea beds might be fished during the close time in the Channel by dredgers driven during its continuance from their ordinary grounds existed before this new Convention was concluded, and had been practically diminished by the new Convention, inasmuch as the close time had been cut short by six weeks; and he need scarcely say that if the Bill were thrown out, or the Convention suspended, and the old Convention consequently *ipso facto* revived, the Irish banks would be exposed to the danger of which the Irish Members were now afraid, for six weeks longer. Whatever might be the ancient doctrine of *mare clausum*, or property in the bed of the sea, an opinion had been given by the Law Officers of both countries that the Irish Fishery Board never had any authority outside the three-mile limit; and when it was represented that the interests of Ireland were sacrificed it should be remembered that the Irish Sea was left in precisely the same position as the Bristol Channel, and the whole of the seas washing Scotland and England beyond the English Channel, in all of which were valuable oyster beds. Moreover, Ireland was left in this better position according to her own views, inasmuch as she had the power of completely regulating the fisheries within three miles. It had been asked, why should we not have a close time for oysters as well as for grouse or partridges? But oysters did not sit upon eggs, and everyone knew, in reference even to game, that close time was of no use, unless sufficient birds were left to breed. It was not dredging in close time which had diminished the supply of oysters, but partly failure of spat and partly over-dredging in open time. Hence the scarcity was felt in France, where close time was strictly observed. When oysters were taken in a sick, unhealthy state, it was when they had just spawned. Like other fish, they were wholesome shortly before spawning, when their capture, of course, still more prevented increase of brood. But he must say, with all deference, that this desire on the part of Ireland to obtain powers to which she had no claim by law, and which she had never exercised, ought scarcely to have been made a ground for impeding a Convention concluded nearly two years ago with a friendly Power—a Convention in which that Power made considerable concessions, and the principles of which had received the approbation of the late as well as of the present Government. It would not have been creditable to this country to inform France that we could not carry out our engagements because a section of Parliament endeavoured, by opposing this Bill, to obtain concessions at variance with the principle of entire freedom in the open sea, to which we endeavoured throughout the discussions to obtain the assent of the French Government. In order to avoid this the noble Duke the President of the Board of Trade reluctantly consented to the introduction of this clause, to which he moved that this House do now agree—

"The Irish Fishery Commissioners may from Time to Time lay before Her Majesty in Council Byelaws for the Purpose of restricting or regulating the dredging for Oysters on any Oyster Beds or Banks situate within the Distance of Twenty Miles, measured from a straight Line drawn from Wicklow Head to Carnsore Point on the Coast of Ireland, but outside of the exclusive Fishery Limits of the British Islands, and all such Byelaws shall apply equally to all Boats and Persons on whom they may be binding. It shall be lawful for Her Majesty, by Order in Council, to do all or any of the following things—namely, (a) To direct that such Byelaws shall be observed; (b) To impose Penalties not exceeding Twenty Pounds for the Breach of such Byelaws; (c) To apply to the Breach of such Byelaws such (if any) of the Enactments in force respecting the Breach of the Regulations respecting Irish Oyster Fisheries within the exclusive Fishery Limits of the British Islands, and with such Modifications and Alterations as may be found desirable; (d) To revoke or alter any Order so made. Provided that the Length of Close Time prescribed by any such Order shall not be shorter than that prescribed for the Time being by the Irish Fishery Commissioners in respect of Beds or Banks within the exclusive Fishery Limits of the British Islands. Every such Order shall be binding on all British Sea-Fishing Boats, and on any other Sea-Fishing-Boats in that Behalf specified in the Order, and on the Crews of such Boats."

Clause B, the next Amendment, read a second time.

MR. GREGORY said, that Ireland had great cause to complain of the three-mile limit, because the greater portion of some of their most valuable oyster beds were outside that distance, and consequently the great difficulty was how to protect that portion which was outside the municipal limit. He objected to the power of making by-laws being taken from the Sea Fisheries Commissioners and placed in the Board of Trade. At present every person interested in the oyster fishery had full opportunities of making objections, and in that respect the system had been found to work well. But it was now proposed to put an end to that system, and instead of their being one set of by-laws and one uniform limit, the Bill would create two limits, to be regulated by two sets of by-laws; a state of things that could only produce confusion. The effect of the Amendment he proposed would be that the by-laws for both limits should be sanctioned by the Lord Lieutenant of Ireland in Council. The hon. Member concluded by moving to leave out in line 2, the words "Her Majesty, and to insert in their place, "Lord Lieutenant or other Chief Governor of Ireland."

Amendment proposed, in line 2, to leave out the words "Her Majesty," in order to insert the words "the Lord Lieutenant or other Chief Governor of Ireland,"—(*Mr. Gregory,*)—instead thereof.

Mr. SHAW-LEFEVRE said, that as one of the Members of the recent Fisheries Commission, he desired to observe that, in the opinion of Professor Huxley and Mr. Caird and himself, no close season was desirable at all, and that the late failure in the supply of oysters was attributable to the exceptionable state of temperature that had been experienced, and other extraneous circumstances, and not to overdredging or to the non-enforcement of a close season. The Commissioners themselves were therefore willing to do away with the close season altogether. But the French Commissioners with whom they came in conference, in negotiating the new Convention, though of the same opinion themselves, represented that the French fishermen were not yet prepared for so great a change; and upon this representation the Commissioners agreed not to recommend the abolition of the close season, but that it should be shortened from four months to two and a half months. It was also agreed that the limits within which the close season should be enforced should be very nearly the same as those under the old Convention of 1844, that is to say, the English Channel only, and not the East Coast, or the Irish Channel, or the Irish Coast. The line was drawn from the North Foreland to Dunkirk, and from Land's End to Ushant. It was not therefore because they believed in the advantage of a close season that this limit had been agreed upon; in fact the close season was to be confined to as narrow limits as possible. He apprehended that the same policy which the Commissioners thought best for the East Coast of England was also best for Ireland. It could not therefore be said that they had neglected Ireland. But as there was a difference of opinion on this important subject among the Irish Fishery Commissioners, as there was a certain advantage in trying two opposite systems, it was not his intention to oppose the Amendment adopted by the House of Lords, giving to the Irish Commissioners the power of making by-laws as regards the three-mile limit, and also, under certain conditions, as regards the fisheries beyond that limit. He thought, however, that the Queen in Council ought to have the supervision of such by-laws.

General DUNNE said, that the views of the Irish people had not been adequately represented by the Commissioners. The most valuable part of the Irish fisheries was beyond the three-mile limit. Regard ought to be paid to the wishes of the people concerned rather than to the opinions of Professor Huxley and other theorists, who knew nothing of the matter. When the Lords gave the twenty-mile limit it was to have been expected that they would place the whole twenty miles within the jurisdiction of the Irish Commissioners, instead of leaving seventeen miles subject to Her Majesty in Council. Could there be anything more absurd than having two rules with regard to close time within the twenty miles? The three-mile limit was a modern invention assumed by lawyers; but the Government had over and over again exercised jurisdiction to the extent of the wider limit; and it did not follow because there were fisheries within it that they were to be open to the whole world.

Mr. BLAKE said, he must remind the hon. Member for Reading (Mr. Shaw-Lefevre) that some of the highest authorities on the subject—such as Mr. Barry, the Irish Commissioner, who understood the oyster question before the hon. Gentleman was born, Mr. Burchell, author of the able and valuable work, *The Harvest of the Sea*, Mr. Harry Long, chairman of one of the most successful oyster breeding companies yet established in England, and Dr. Frank Buckland, the eminent naturalist, agreed in thinking that it was of the greatest importance to protect the oyster fisheries during spat time. So convinced were the Irish fisherman of the same fact, that they had voluntarily established a close time, and had quite resolved not to be parties to killing the goose that laid the golden eggs. For his own part, he was inclined to think that the present want of oysters was owing partly to causes connected with temperature, but partly also to the system of over-dredging which prevailed so extensively. During the Whitsuntide Recess he had paid a visit to two or three of the best oyster fisheries in the kingdom; he found at all of them a great want of spirit, and he was convinced that unless the oyster fishery was properly protected by legislation its deficiency next year would be felt even more severely. Ireland was better adapted than any other country for the successful culture of oysters; but if the beds were dredged without being replenished they would soon be exhausted. The Irish Members were evidently unanimously in favour of a closer season, and he hoped that the right hon. Gentleman opposite would yield to their united opinion.

Mr. STEPHEN CAVE said, it was shown in 1856 that the Irish fishermen did not observe close time. But the question really before the House was this, whether Her Majesty should or should not be ousted of her authority over the Irish seas; and whether the Lord Lieutenant should for the first time in history be endowed with an authority extending beyond Ireland? That would be the practical result of the Amendment of the hon. Gentleman opposite. It should be remembered that the Bill only proposed that by-laws enacted by the Irish Fishery Commissioners should be subject to the sanction of the Queen in Council. There could be no conflict between the authorities, for it was provided that the close time should be the same both within and without the three miles limit, within the lines laid down in the clause already adopted by the House, and the by-laws, when sanctioned by the House, would be enforced within the whole area by the Irish Commissioners.

Question put, " That the words proposed to be left out stand part of the Clause."

The House *divided:*—Ayes 75; Noes 46: Majority 29.

Mr. GREGORY moved to increase the penalties to a maximum of £50 and a minimum of £10.

Amendment proposed, in line 13, to leave out the word "twenty," in order to insert the word "fifty,"—(*Mr. Gregory,*)—instead thereof.

Mr. STEPHEN CAVE said, that if anything, £20 was too much, as under the Act 5 & 6 *Vict.* c. 106, the Irish Fishery Commissioners could only impose a penalty of £5 for such offences within three miles; and it would be most unreasonable that they should be allowed to impose ten times that amount outside the three-mile limit.

Question, "That the word 'twenty' stand part of the Clause," put, and *agreed to.*

Clause B *agreed to.*

Subsequent Amendments to be taken into Consideration upon *Thursday.*

GOVERNMENT OF INDIA ACT AMENDMENT BILL—[Bill 91.]—COMMITTEE.

(*Sir Stafford Northcote, Sir James Fergusson.*)

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Lord WILLIAM HAY said, he wished to offer some general remarks on the measure, having been prevented from doing so at an earlier stage. There was a general agreement that some change should be made in the constitution of the Council, and he offered no objection to the second reading. The principal clause in the Bill was to alter the tenure of the Council from a tenure for life to one for twelve years. That was a great improvement; but it was the only change of importance proposed by the Secretary of State to be made in a Bill passed ten years ago for the better government of India. The right hon. Gentleman assumed that no other change was necessary, and that, with the exception of the tenure of office the constitution of the Council was just what it ought to be. To that proposition he would not assent. He thought that several changes might be made in the constitution of the Council, especially in regard to the power possessed by the Council of overruling the Secretary of State upon matters affecting the expenditure of the Indian revenues. That was a very unfortunate defect, because it placed the centre of power and real authority regarding the government of India in the hands of the Council. It was wrong in principle, and it was opposed to the opinion of those whose opinion was best worth having, among others of Lord Macaulay, who was not only well acquainted with the details of Indian administration, but had also had the advantage of having spent several years in that country; and who said in 1853—

> "India is, and must be governed in India. That is a law we did not make, which we cannot alter, and to which we should do our best to conform our legislation."

But the existence of this power in the hands of the Council had a directly contrary effect. A Secretary of State for India was not chosen for his fitness to govern India, but because of his ability to manage his Council. This was a great misfortune, and one remedy would be to take away from the Council the power they possessed in respect to Indian expenditure, and to give the Secretary of State the same power on this as on other subjects that came before him, and which were scarcely of less importance. The Secretary of State had the power of giving away a country like Mysore, which was almost as large as Scotland; yet when the question arose of an expenditure of a few hundred pounds he was liable to be over-ruled by a body that ought to be purely consultative. The result of such a state of things was that, instead of accelerating the dispatch of public business it lowered the position of the Governor General of India. He feared that there was a tendency, owing to the facility of communication, to interfere with the Governor General of India, and this tendency was increased by throwing so much power into the hands of the Council. He did not believe that the influence they exercised had accomplished the object which Parliament had in view — the control of the Indian expenditure. He believed that it had led, on the contrary, to great extravagance in our expenditure that never would have been tolerated if the chief and main power had been left in the hands of the Governor General of India. This was not his own opinion merely, and he was surprised that the Secretary of State for India had asked the House to agree to the second reading of an Act to amend the Act passed a few years ago without giving the House the slightest opportunity of forming an opinion how the Act had operated. Lord Cranborne, in his speech last year upon the Resolutions moved by the hon. Member for the Tower Hamlets (Mr. Ayrton) said—

> "We all know that this Council was constituted at a time of considerable difficulty, and that it was the result of Parliamentary compromise. Therefore, we cannot expect that it will work as well as a scheme matured under better auspices."

And Lord Cranborne added—

> "You cannot always expect, if you choose to place extravagant powers in a particular body, that those powers will not be sometimes misused." —[3 *Hansard*, clxxxix. 1380.]

The Session was so far advanced that it was too late to appoint a Select Committee, who might have taken evidence upon the subject. He might be told that Indian authorities were in favour of the Act; but these authorities were usually men who had been, who were, or who hoped to be themselves Members of the Council, and their opinions must therefore be taken with very considerable allowance. The witnesses who ought to be examined before such a Committee would be persons who had lived in India for the ten years during which the Act had been in operation. For instance, he should like to have had the evidence of Mr. Massey, who had just returned from India, on the subject. He would change the Council into a purely consultative body, still leaving to its Members the power of dissenting from the recommendations of the Secretary of State, and recording that dissent in a Paper to be laid upon the table of the House. He would, however, take away the power of over-ruling the Secretary of State, and then the Council would become what they should be, a body for the control and supervision of the Government of India. At present the Secretary of State must have a Council, but the day might come when it would not be necessary to have a Council at all, and when he would be able to obtain the information of a local character which he might require from Members of that House and others. Until then he admitted it was necessary the Secretary of State should have a body to advise him more independent than Under Secretaries of State. It was said that it was unadvisable and unconstitutional to give the Secretary of State the sole control over a revenue of £50,000,000 a year. But a Secretary of State would take a strange course if he went against the opinion of the majority of his Council without very good reason. He had not the control over the whole revenue of India, but only over the portion of it which was spent in this country. That question might be regarded from two points—first, from the Indian taxpayer's point of view, and next from what might be called the constitutional point of view. In the first place, what the Indian taxpayer thought of was the best guarantee he could obtain for the proper expenditure of the Indian revenues. As an Indian taxpayer himself, though not a very large one, he believed he spoke the opinion of the great majority of the taxpayers in

India, both English and Native, when he said they would prefer the guarantee that would be afforded them by a Secretary of State, independent of his Council, whom they could question in that House about everything connected with Indian expenditure. That was preferable to the guarantee afforded by the check given to a body of gentlemen who were wholly irresponsible to any human being, and only responsible to their own consciences. The noble Viscount proceeded to say that the Council were at present practically irresponsible—

> "I think, therefore, the protection of a Council which has power to limit the expenditure is desirable, and should be sustained; but the point to which I take exception is that the responsibility for that expenditure is not thrown on the Council. . . . Remember that the Council have every item of expenditure, large and small, under their control, and every act of the Government which can involve expenditure—that is to say, the vast majority of its acts. But you never blame the Council if the Government of India goes wrong. You blame the Secretary of State; he is the figure that stands before Parliament. . . . What I wish to do is to impress upon the House that you hold the Secretary of State responsible for a policy in India and what it produces; but you never know whether he carries out his own policy, or a policy imposed upon him, either by the absolute votes of his Council or by a clear indication of their will."—[3 *Hansard*, clxxxix. 1381.]

Lord Cranborne, therefore, argued that, if the Council was to control the Secretary of State, it ought to bear the responsibility; and he must confess that noble Lord also expressed the opinion that it was necessary the Council should have the power to which he was now objecting. But Lord Cranborne had not then before him the important alternative suggested by the hon. and learned Member for the Tower Hamlets (Mr. Ayrton)—namely, that the expenditure, which was really in the hands of the Secretary of State, should be submitted to that House in the shape of Estimates, and that, therefore, the check should be transferred practically from the Council to that House. He thought the constitutional objection that the Secretary of State ought not to have the power of dealing with the revenues of India would be entirely, or at least practically, met if that suggestion were carried out. But Lord Cranborne, when he said last year that the Council should have that power, seemed to assume that the Council was altogether free from those temptations to mis-spend money to which the Secretary of State was supposed to be so open. It was thought that the Secretary of State was ready to be drawn into every rash or extravagant scheme which might be brought before him, and that he required to have several Councillors to step forward and prevent him from committing indiscretions of that sort. Now, those who took that view assumed that the Councillors themselves were exposed to no temptations of the same description; but he held that the contrary was the case, and that with a body of men responsible only to their own consciences they had no guarantee whatever against all kinds of jobbery and maladministration. If the House had an opportunity of examining the Estimate every year with respect to the portion of the Indian revenues that was spent in England, this great advantage, as it appeared to him, would be secured—that the House would be induced to take a deeper interest than it took now in Indian affairs. The First Minister of the Crown once said—

> "We have heard over and over again that India never could command attention here, however great the magnitude of the subject. The explanation is simple, if humiliating: Englishmen have never yet had to pay for India. That is the reason why India never has produced any interest in this country."

It might be humiliating that they should take no interest in India because they did not pay for India; but it was far more humiliating when they considered that India paid for them in many respects, and that they did not even then take the slightest interest in her. He said that India paid for us; at least there were many items of a doubtful character for which many plausible reasons might be advanced why they should come out of the English Exchequer rather than the Indian. Take, for example, the expenditure on the Abyssinian War and the late Entertainment to the Sultan. Assuming that both that war and that entertainment were necessary, the matter ought to come before the House in this form—"Which of the two tax-payers is to pay for them, the English or the Indian?" How were such points settled at this moment? In the case of the Abyssinian War the question how much India was to pay was really decided in the English Treasury, which made up its mind that India should bear a certain portion of the expenditure and that England should bear the rest. As to the Ball to the Sultan, the question was no doubt decided by the fifteen Gentlemen who sat in the Council. On every occasion in which any expenditure was involved which might be referred to either of those two Exchequers the question ought to come before the House to be decided in this shape—"Shall this expenditure, which everybody admits ought to be incurred, be paid by England or by India?" He ventured to think, if that were done, that in nine cases out of ten India would gain very largely by that arrangement. If all that category of items, of which the portion of the Indian revenue expended in this country mainly consisted, came before the House as proposed by the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) in the form of an Estimate, they would have what was so desirable—namely, at least one night in the year that was devoted to a real and not to a sham debate on Indian affairs. The opinion the House took on that question had a very important bearing on every clause of the present Bill. The 1st clause related to the length of the tenure of office in the Council. If the House agreed with him in thinking that the veto should be taken away, and that the Council should be reduced to a consultative body, they might feel that they could very well reduce the term of Office down to seven or perhaps even five years. On the other hand, if they were really to make the Council the rulers of India, objectionable as, in his opinion, that would be, still he must admit, as a consequence of that arrangement, that they must have a more permanent body of men in that position. With regard to the admission of members of the Council into that House, there were, he was aware, many objections to it; and if the vetoing power was retained he should object to it himself. But if they were to alter the constitution of the Council he could see considerable advantage in having some of its members sitting in that House. As to any objection that might be made on the ground of their being placemen, he did not think it of much weight; because, as was proposed by the Bill, they would hold Office only for a certain number of years. There was no doubt that the people of India took the deepest interest in this matter, and would be very much pleased to see one or two members of the Council with seats in that House. He could not understand, however, how that was to be done if the Council should remain constituted as it was at present. But, whatever view the House might take on that point, he hoped that they would proceed to deal with the Bill, bearing in mind those two very important maxims, that they should do all they could to strengthen the powers of the Government in India and also to induce the people at home to take more interest than they did at present in that country.

MR. J. STUART MILL said, he agreed with the noble Lord that it was most important that India should be governed in India, and that there was a great tendency in the change of circumstances which had rendered communication with India so much easier to lead to over-interference on the part of the Home Government. But, after all, they could not altogether abdicate their control, though the best way in which that control could be exercised would be to send out men to represent us who could be relied upon to perform their duty well. Since there must be a controlling power here, the question was between placing it in the Secretary of State alone or in the Secretary of State and the Council. On that point he did not think the noble Lord had said anything which tended to show that it was better to place that control in the Secretary of State alone rather than in the Secretary of State and a Council which had an effective power. The noble Lord had admitted the absolute necessity of the Secretary of State being assisted by persons who had acquired a knowledge of India. About that there could be no difference of opinion between the noble Lord and himself. But if the Council did not possess some substantive power, if they were made a consultative body only, they never would have that degree of weight which they ought to possess; they would be a mere superfluous wheel in the machinery. If they had only the power of giving their opinions they would never be so powerful with the Secretary of State as his own subordinates in Office. If the House did not think that the Council as at present constituted was the best controlling body, they could try to improve it; and various modes of doing so had been suggested, some of which he thought were improvements. Perhaps it would be an improvement if a portion of them were allowed to sit in that House. He confessed he was surprised, however, when the noble Lord said that if the present powers of the Council were continued he would be against its Members being admitted to seats in that House; but if their powers were taken away then he thought it would be of advantage that they should have seats. Now, such an expression of opinion appeared to him at variance with the whole course of the noble Lord's argument, because he had contended that the Council were irresponsible, and that the Secretary of State was the only one who had any responsibility. But what responsibility had the Secretary of State? It was that he could be called to account in that House, and if he did not succeed in defending his measures he could be turned out of Office. But the same thing would happen to the Council. They could be turned out after a period of trial, because the proposal of this Bill was to make the duration of Office as a matter of course shorter. But of all the surprising things in the speech of the noble Lord that which had surprised him most was that the noble Lord should have brought forward the tendency of this country to throw all expenditure, when any excuse could be found, on the people of India, as a reason for asking the consent of England, not India, when such expenditure was in question. If there was one thing which might be held absolutely certain, it was that the majority of a body constituted like the Council would in such matters be on the side of India. The Court of Directors had always been so, and many a battle to his knowledge had been fought by them with the Board of Control, in order to prevent such expenditure from being thrown upon India; and they often succeeded, but, he was sorry to say, still oftener failed. Now, if the power of sanctioning expenditure were taken away from the Council, which represented India, and given to that House, which did not represent India; and which seldom troubled itself about India at all, but which did care about England and its burthens, and if the noble Lord believed that the House would be actuated in such matters by a generous and chivalrous spirit and would take the burden from India to throw it upon their own constituents, he must say that the noble Lord had a far higher opinion of the virtue of that House than his (Mr. Stuart Mill's) experience had taught him to have of that or perhaps any other public body in similar circumstances.

Colonel SYKES said, that nothing had surprised him more than the assertion of his noble Friend (Lord William Hay) that the Government was impeded by the power of the Council of India. Why, the Council were the mere agents of the Secretary of State, with the exception of the control of the finances of India, which his noble Friend would do away with. The power which the 41st clause of the India Act gave the Council of controlling the expenditure of India was the only power which they possessed. They could not see a despatch unless it were referred to them, by the Secretary of State. They were little more than automata, except in financial matters, and were on an entirely different footing from the Directors of the East India Company who had as much freedom of action as a Member of the House of Commons, and he spoke from nineteen years experience. The Secretary of State, much to his credit, upon his own authority, had restored to the Prince of Mysore the dominions which had been taken from his family, and that was a power which the Secretary of State, under the circumstances, ought to possess; but he ought not to have the sole control of £50,000,000 of revenue, or the power of guaranteeing £60,000,000 of money — he believed it was now £80,000,000 — for railways. That was a power he would give to no man, inasmuch as the House of Commons did not allow a Secretary of State to spend a £100 unless it had been placed at his disposal by a previous Vote of the House. Neither would he allow an individual to lend £500,000 for irrigation works, without the advice of those who had had experience of the necessities and advantages of such works in India.

Sir HENRY RAWLINSON said, he regretted that means had not been taken to furnish the House with reliable and authentic information with respect to the working of the Council of India. There was a vast number of points on which such information was needed before Parliament proceeded to legislate further in the proposed direction for that country. The very question involved in the financial power of the Council, for instance, was one which it was very important should receive elucidation. How had that power operated? Had the Council assisted or impeded the Secretary of State with reference to financial operations? How often had they exercised anything like a veto on financial measures? Did the Secretary of State over-rule their decisions in matters not connected with finance? So far as he had an opportunity of obtaining information, his opinion was that the Council were in reality a very great assistance to the Minister for India; that they were, in a word, an auxiliary, and not an obstructive body. But the subject was one on which adequate knowledge could be secured only by means of an inquiry before a Select Committee empowered to examine those who, from the position which they occupied, were most conversant with it. The Session was, however, now too far advanced, he was afraid, for the appointment of such a Committee, but he trusted the Secretary of State for India would throw some light, before the House proceeded further with his Bills, on the working of the present system.

SIR STAFFORD NORTHCOTE, in reply, said, that after what had fallen from one or two hon. Members whose opinions on Indian matters deserved the greatest consideration, he felt it to be his duty to make a few observations on the subject. The hon. Member who had just spoken seemed to think it very desirable that the present measure should be preceded by some kind of inquiry before a Select Committee. Undoubtedly in former times it was the practice to institute an inquiry into the mode in which the East India Company used to conduct the affairs of that country, and the terms on which their charter should be renewed at the expiration of the several periods for which it had been granted, and some might think that that formed a precedent for inquiry in the present case. The old and the new systems of government for India were not, however, exactly parallel. Under the former, Parliament delegated to a body extrinsic to itself and peculiarly constituted—for it was originally nothing more than a private company—certain functions of an Imperial character. It was therefore only reasonable and proper that Parliament should from time to time review the proceedings of that body. But the present Government of India was in the main neither more nor less than one of the branches of the Executive, and under those circumstances he did not think there was any standing occasion *primâ facie* for a review of its working beyond that which existed in the case of the Admiralty, the War Office, or any other public Department into whose affairs the House might, when it deemed fit, order inquiry to be instituted; while, upon the other hand, those who were responsible for the transaction of its business would very properly, in the event of setting about making any alteration in its Constitution, submit their proposals to the consideration of a Select Committee, or even move for a Select Committee to investigate the whole subject before proposing any such change. It was not, however, the opinion of the present Government, nor so far as he knew of their predecessors in Office, that the Constitution which had been adopted for India in 1858 had, upon the whole, worked ill. They were, on the contrary, satisfied with that Constitution, believing it to be as good a one as could well be devised. There were certain points it was true with respect to which they deemed it desirable that amendments should be introduced, and to those the attention of the House was invited in the Bill under discussion. They were points which in his opinion might very fairly be dealt with by the House itself; but if it were deemed right that they should be more closely investigated before a Select Committee he should not, had not the Session been so far advanced, offer any objection to that course being taken. He very much doubted at the same time whether a good case had been made out for any inquiry of the sort. It was by no means a difficult thing to give the House a general idea of the way in which the present Constitution worked without such an investigation. It was not true, as the hon. and gallant Member for Aberdeen (Colonel Sykes) seemed to imagine, that the Council were mere automata, doing the bidding of the Secretary of State. The hon. and gallant Gentleman, in putting forward that view, seemed to have lost sight of the phraseology of the Act under which the Council was constituted, and which rendered it incumbent on the Secretary of State to submit to them every despatch or Order which he might have occasion to send out to India, with the exception of the very few which might happen to pass through the Secret Committee. In the event, too, of any sudden emergency arising, the Secretary of State might proceed to act without consulting his Council; but then it was his duty to give his reasons for the course he proposed to take, and to lay those reasons before them. [Colonel SYKES: Such as he pleases himself to submit to them.] The words of the Act had reference to every Order which was about to be sent out to India. Every Member of the Council had full power to record his dissent from the policy about to be adopted, and each of those dissents might be moved for and laid before Parliament. The Secretary of State, indeed, might take no notice of communications from India; but when anything was going to be done the matter was always brought before the Council. So much was that the case that only two letters had, he believed, been sent out to India through the Secret Department

—the one written by his immediate predecessor in Office with reference to the Mysore question, the other by himself in connection with the Abyssinian Expedition. There might be one or two other cases in which letters had been written in the Secret Department, and usually, after the immediate occasion for secresy had passed away, had been transferred to the Political Department. But, as a matter of ordinary routine, almost everything went before the Council of India. The mode in which business was done was this—The Council was divided into a certain number of Committees—the Political Committee, the Finance Committee, the Military Committee, and so forth. Every letter which came from India, with the rarest exceptions, was first opened in the Department to which it belonged. It then, if of sufficient importance, was submitted for the opinion of the Secretary of State. Afterwards it came before the Committee to which it belonged. That Committee met every week. They fully considered and discussed the subject, and prepared for the consideration of the Secretary of State the answer which they thought ought to be sent. This answer, again, was reviewed by the Secretary of State, and when approved by him was brought before the Council, where the matter was once more fully discussed and voted upon. Thus, every question underwent a careful sifting, first before the Committee, and afterwards before the whole Council, the Secretary of State being privy to the whole of the proceedings, he being in constant communication with the members of the Committee, and being able to discuss freely with them and with the Council all the business which had to be transacted. If there was an objection to this system, it was that the system was somewhat cumbrous, and that business did not proceed quite so rapidly as one could wish. But, on the other hand, when you considered what the Council of India was meant to be and what it ought to be—namely, more in the nature of a Council of Review and Control than an Executive Council, the same objection would not apply with the same force as it would to a Department which was altogether executive. He agreed entirely with the hon. Member for Westminster (Mr. Stuart Mill) that the Executive Government of India must be conducted in India, and that, as far as possible, the hands of the Viceroy must be strengthened; and he thought that when the proposals in these Bills were considered it would be seen that their tendency was to strengthen the hands of the Executive in India. But you must have the power of review and control here, and the question was, how that power could best be exercised? His belief was—and it was strengthened by his experience of the working of the Council since he had been in Office that you exercised the power best by a Council constituted very much as the present Council of India was constituted. He believed that there you had the means of thoroughly discussing the questions which arose, and that the Secretary of State was thereby really put in possession of the merits of a case and enabled to exercise his discretion much better than in any other way. Possibly there were faults in this system as in all others; and one was that the members of the Council, being for the most part gentlemen who had served for many years in India, who had acquired much practical knowledge of details, were rather too prone to import their own knowledge into the discussion and into the regulation of matters decided in India. There was, perhaps, a tendency on the part of members of the Council to examine and criticize the acts of the Government of India a little more in detail than was desirable. At the same time, though that was a natural temptation to gentlemen who saw anything done with which they were practically acquainted, and who saw it done, perhaps, not exactly in the way in which they would have done it in India ten or twelve years ago, yet he was bound to say that the animating spirit of the Council of India was a desire to support the Government of India. He was not at all disposed to find fault with the Council of India for any tendency to meddle or interfere too much in petty details. He only said it was a temptation; but it was one which generally was very fairly resisted. As to the speech of the noble Lord, which was an extremely interesting one, he rather gathered from it this view, with which he agreed—namely, that the Executive Government of India should be in India; that the control should be exercised in England by the Secretary of State, using his Council simply as his advisers, the responsibility being concentrated as much as possible upon him, and he being responsible as much as possible to this House; that the control, in short, should not be that of the Council, but that of the Secretary of State informed by his Council, with the sanction of this House. The effect of such a system would be to throw a much greater amount of direct control into the hands of this House than existed at present. Now, with all respect to this House, he did not think that it would be as good a body to control the Indian Government as the Council of India. It was a great advantage to have a body independent of Parliament, which concentrated its attention on the affairs of this great dependency, which was adequately informed upon the affairs of India, and which had a direct interest in India, and the control of such a body was likely to be much more effectual than the loose control which must be exercised in this House. Perhaps there might be here twenty, or thirty, or fifty Gentlemen who understood a good deal about India; but they were always liable to be overborne by Gentlemen who knew little about it, whose ideas were crude, and who might do a good deal of mischief. Therefore he was entirely for maintaining the present Constitution of India, keeping the control in the hands of a body apart from this House, not influenced by political exigencies, and with no other object than the good government of India. It was desirable to shorten the tenure of office of the members of such a body in order that new blood might be more frequently infused into it, and newer ideas respecting India might be represented; but otherwise he should be jealous of interfering with the independence of the Council of India. He was much obliged to those hon. Members who wished to give more control to the Secretary of State, and who said they would rather trust him than the Council. But he did not desire to have for himself or his successors greater power than he now had. If the Secretary of State chose to exercise it, he now had quite as much power as was necessary. There was no doubt that upon matters not connected with expenditure he had the power of over-ruling the Council. Even in other matters, however, he had great moral power, and through Parliament and in other ways, could bring to bear so great a leverage and pressure upon the Council that he did not believe they would for a moment resist it. The hon. and gallant Gentleman the Member for Frome asked whether the Council had often over-ruled the Secretary of State. He did not think there were many cases in which a direct vote had been taken, and the Council had outvoted the Secretary of State. At the same time there were many cases in which, if it had not been for the Council, the Secretary of State would have incurred expenditure which, owing to them, had not been incurred. Therefore, the Council exercised considerable influence—and, on the whole, a very beneficial influence—in checking expenditure which he would otherwise have been inclined to incur. There were some cases in which they had stopped an expenditure which the Secretary of State would think advantageous; but, looking to the spirit in which the Council had always acted, the result of their influence had not been as much of mischief on the one side as of good on the other. They sometimes heard a good deal of praise bestowed on the Secretary of State, who was told that he was a fine fellow, while the Council, it was added, stopped him from doing a great deal of good. Now, this was hardly fair. You did not hear of the mischief which the Secretary of State would have done but for the influence of the Council; you only heard of the good which the Secretary of State would have done if it had not been for the Council. In thinking over this matter, the excuse given by Adam in the 3rd chapter of Genesis always occurred to him—"The woman whom thou gavest to be with me, she gave me of the tree, and I did eat." The Secretary of State was always tempted to say—"It is the Council that you put upon me that has caused this mischief." Now, it was really not the Council who should be blamed. If the Secretary of State were over-ruled upon any point which he thought of vital importance he ought to put it upon record and let the facts be known. He ought to take upon himself the responsibility which was properly his due, and should never shelter himself, if over-ruled by the Council, unless he was prepared to state in this House that he had been so over-ruled. The present system, therefore, worked as satisfactorily as you could expect it to work with a Council constituted for so peculiar a task as that which devolved upon it. If Parliament had before it the whole question *de novo*, he was by no means sure that there was not a great deal to be said for the old system, when there was a separate power and a separate company. However, that was all past, and we could not go back to it. Under the old system there were two powers — the India Company and the Government in this country —one balanced against the other, and the Executive in India was, in consequence, made more free and independent; and it was because a much greater force was brought to bear on the Governor General under the existing system of unity of action, and because a greater directness of control was exercised upon the Governor General through the rapidity of communication by the electric telegraph, that he wanted to strengthen the position of that functionary. That was the object of one of the Bills he had introduced.

Mr. KINNAIRD said, he was of opinion that it would have been right to have referred the Bill under consideration to a Select Committee in the first instance; and he believed that great evil was being done in consequence of the restraint exercised upon the Governor General by persons who could not know so well as he the circumstances arising in India.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Members of the Council of India to be in future elected for a Term of 12 Years).

Mr. AYRTON said, he hoped some modification would be made in this clause, which was open to great objection. The clause, while it enacted that new Members of the Council, after holding office for twelve years, should not be re-eligible, said nothing about the existing members of Council, who held office during good behaviour, so that, if new Councillors should be appointed under the present clause, there would exist a Council consisting of two classes of members, and the appointment of one class would condemn the existence of the other class, for both systems could not be admitted to be right. In the Act constituting the existing Council a proviso was introduced declaring that if Parliament should think fit to reduce the number of the Councillors, or alter the terms and conditions on which they held office, no Member of the Council who had not served ten years should be entitled to claim compensation. Therefore, Parliament then concluded that it would be a proper time at the end of ten years to reconsider the mode in which the Council should be appointed, and if a change should be made in the terms and conditions of appointments to the Council for the future, the Committee was bound to apply the new conditions to the members of the Council now existing, so that they might also be on the same footing. For what purpose was the Council formed? The Council was desirable to supply a link of connection between the Secretary of State and those who were engaged in administering affairs in India. For this purpose it was absolutely necessary that those forming the Council should have a fresh knowledge of everything that was going on in India, should have been recently in India, should know those engaged in affairs there, and be able to speak of the effect of measures which were being carried on. Another function of the Council was to prevent the Secretary of State from writing any inconsiderate despatch or sending out any indiscreet Order to India. That function could not be well and effectually performed unless the Councillors had a fresh knowledge of the immediate views with which the Government was administered. If ten years ago they had been enabled to consider this question with due regard to principle, they never could have arrived at the conclusion that the members of Council should hold their offices during good behaviour. If they were to have in the Council gentlemen of eighty years of age. who perhaps had been away from India for thirty or forty years, it was quite evident that the purposes for which the Council had been established could not be fulfilled. Persons at the age of eighty were as able to receive their salary and to enjoy honours as when they were in the vigour of life; but unfortunately there was no means provided by the Act of bringing the councillors to a test of their efficiency and capacity, because they were not bound to do more than they pleased. They might remain, in point of fact, as long as they liked, until they chose to present themselves to the Secretary of State as wholly unfit for any further services. No one up up to this time had been found incapable or inefficient for the performance of the duties of the Council. Was that a state of things they should encourage? The Secretary of State would be prepared after this year to get them to retire on pensions of £500 a year; but he denied that this was the proper mode of treating this question. They should show some regard for the revenues of India. Members of Council were in receipt of very large pensions from the Indian revenues already. They had been Directors of the East India Company, with £500 a year and unlimited eating at the India House, and now they were in receipt of £1,200 a year. What possible moral claim then could they have to receive pensions. They were perfectly free to examine this question; he therefore urged on the Secretary of State the necessity of putting the whole of his Council on one uniform footing—a footing more consistent with the purpose for which it was intended. What was a reasonable period during which a person should hold the office of Councillor without his position being subject to review? Having regard to the fact of there being fourteen Councillors—[Sir STAFFORD NORTHCOTE: Fifteen]—he thought there should be a change of at least two every year. This would run no risk of disturbing business or subverting the policy which regulated the course of affairs, while it would enable them to introduce into the Council men who had just returned from India. The Secretary of State for India proposed that one should retire after twelve years, but that appeared an extremely long period. It did not offer sufficient rapidity of change to ensure efficiency. He hoped the right hon. Baronet would listen to the appeals which had been made to him and re-consider his proposal. It was necessary to carry this clause much further than the Secretary of State proposed. The whole Council should remain subject to legislation, and the period for which the office of member of Council was held should be shortened very considerably below that which the right hon. Baronet proposed. But the right hon. Baronet no doubt stood in a delicate position with regard to his Council. In order to bring the question properly under the consideration of the Committee, he should move the Amendment of which he had given Notice. He had fixed seven years, but there should be the power of re-appointment. He begged to move the Amendment of which he had given Notice—

> "To leave out all after 'Council,' and insert 'shall continue in office until he shall retire in manner following, unless he shall by any other means previously cease to hold such office; the two members of the Council, one having been elected and the other appointed, who have been longest in office, shall retire on the first day of January in the year one thousand eight hundred and sixty-nine, and in every subsequent year, but any such member may be again elected or appointed a member of the said Council; and when two or more members shall have been elected or appointed on the same day, the Secretary of State shall determine the order of retirement of such as were appointed, and the said Council shall determine the order of retirement of such as were elected."

COLONEL SYKES said, he had an Amendment on the Paper limiting the term of service to five years; but he was willing to accept the proposal of the hon. and learned Member for the Tower Hamlets (Mr. Ayrton). The term of twelve years was decidedly too high. If a man of forty-five to fifty, after lengthened service in India, were appointed for twelve years his mental and physical faculties might fail in the interim. In the time of the East India Company there were twenty-four directors, six of whom were obliged to go out every year. They were not eligible for re-election until after the expiration of a year, and they were not re-elected if they had not maintained the reputation they had when first elected. The term of office therefore was four years. The Governor General and the Governors of Presidencies and their Councillors held their appointments only for five years. The same principle obtained in the Royal Service, and no officer could be appointed to high command, or to the Staff, for more than five years. Why therefore adopt a different principle for the Council of India? By the more rapid infusion of new blood and ability the effectiveness and reputation of the India Office would be enhanced.

MR. THOMSON HANKEY said, the speech of the hon. and gallant Member who had just sat down would lead the Committee to suppose that his Amendment was identical with that of the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) with the exception that the former proposed that the duration of Office should be five years, while the latter thought it should be seven years; but, as far as he understood them, the two propositions were totally distinct. The hon. and learned Member for the Tower Hamlets proposed that the present members of the Council should be removed, two every year, from the 1st of next January, whereas the hon. and gallant Member proposed that the existing members should hold Office for a further period of five years from that date. Then, with respect to the question of pensions, he was in doubt as to the effect of the Amendment of the hon. and learned Member for the Tower Hamlets. The members of the Council had now a reasonable right to a pension on retiring. [Mr. AYRTON: No!] He understood that the present members of the Council could not be displaced after ten years' service without being pensioned.

SIR STAFFORD NORTHCOTE said, the way the matter stood was this—In the Act there was a proviso that, in the event of Parliament making any change within ten years, none of the members of the Council were to be entitled to a pension.

MR. THOMSON HANKEY said, it was only a fair expectation of the present members of the Council that they would not be displaced without a pension. Under the proposed system, however, the members of the Council would be appointed for a fixed term of years, and would not be entitled to a pension. The term of service proposed was undoubtedly too long, and the effect would be that there would not be an introduction of sufficient new blood.

SIR EDWARD COLEBROOKE said, he was glad that the principle of a limited term of service—for which he contended in 1858—was now recognized not only by Members of the House but by Her Majesty's Government. Most of the Members of the Committee were, however, agreed that the term of service proposed by the right hon. Gentleman the Secretary of State was too long. He thought, at all events, the term should be reduced from twelve years to ten. According to the proposal before the Committee, the members of the Council were to be nominated by the Council or by the Secretary of State; but he thought it was unadvisable that the members should feel that their re-election depended upon the good-will of their colleagues or the judgement or caprice of the Secretary of State. Balancing the advantages and disadvantages of the two terms proposed, he felt bound to support the proposal of the Government; but he should be happy to support so much of the Amendment moved by the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) as did not refer to the re-eligibility of the retiring Councillors.

SIR HENRY RAWLINSON approved the principle of infusing fresh blood into the Council. It did however appear to him close practice that when there remained only about two months to the time when the Councillors originally appointed were entitled to claim their pensions this right should be altogether done away with. [MR. AYRTON: That is not proposed.] As he understood the Amendment it would certainly have the effect of abrogating the right which the present Councillors would have to a pension at the expiration of ten years' service, that period having very nearly expired. He could not help regarding that as hard. He might remind the Committee that though absence from India might be a disqualification for Members of the Council, age could not be regarded as such, their functions being purely consultative. Concurring as he did in the principle that an infusion of fresh blood was advisable, he was inclined to give a preference to the suggestion that the term should be reduced to ten years.

SIR STAFFORD NORTHCOTE said, it was perfectly clear that Parliament might alter the constitution of the Council, or, indeed, abolish it altogether, without the members being entitled to any legal claim for compensation, a provision to that effect having been inserted in the Act of 1858. Inasmuch, however, as two or three members who might retire by reason of infirmity next year would be entitled—morally, at all events—to a pension, he agreed in the opinion that it would be rather sharp practice now to deprive them of that right. Those members had performed their duties to the best of their ability, and it would be hard that they should be deprived of an advantage to which they might possibly have been looking forward for some years. The recognition of that principle would not interfere with the Amendment proposed by the hon. Member for the Tower Hamlets (Mr. Ayrton), because the cases to which he referred would be included in the words "unless he shall by any other means previously cease to hold such office." He doubted, however, whether the proposal made by the hon. Member for the Tower Hamlets was the best, because the hon. Gentleman proposed that the two senior members should retire every year, independently of those who resigned from other causes. As there would constantly be some member or members retiring in this way, it was extremely uncertain whether any member of the Council would be able to serve the full period, whatever the period they might fix upon might be, inasmuch as through the vacancies so caused, he would be called upon to retire before his allotted period of service had expired. Some of the present members would probably retire in a few years, and probably the average number of years' service would not amount to seven — it might be five, or even four. He thought that they should give a salary, and not a pension, and that a gentleman ought to know how many years he was likely to serve. The objections which had been urged against the re-election of the members of Council were certainly strong ones, and it was therefore proposed that there should be no re-election. Although he had placed the term of service at twelve years, he thought it might be reduced to ten, but not to a less term, because length of service undoubtedly increased a man's value. He attached great weight to the remark of the hon. Member for Westminster (Mr. Stuart Mill) some time ago, to the effect that care should be taken that the Council did not fall below the permanent and assistant Secretaries in experience of Indian affairs. It was highly important that new blood should be infused into the Council from time to time, but it was also important that the body should know of the past history of the Government. Whenever a new Secretary of State was appointed all the old complaints and grievances connected with his Office were re-produced, and unless his Department numbered among its officers one who could tell him how and why those matters were formerly disposed of, his time would be largely occupied by the consideration of frivolous cases. On the whole, he recommended his own proposal in preference to that of the hon. Member for the Tower Hamlets.

Mr. AYRTON asked whether the right hon. Gentleman proposed the present members should hold Office for life?

Sir STAFFORD NORTHCOTE said, he did not think any object would be gained by altering the position of the present members of the Council, because retirements would be tolerably frequent, and because the Councillors had been appointed on the presumption that they would act as long as they were able.

Colonel SYKES asked whether the old arrangement by which the directors of the India Company elected seven members of the Council and the Government nominated eight, would continue?

Sir STAFFORD NORTHCOTE said it would.

Lord WILLIAM HAY said, he would be willing to pension the present members of the Council, no matter what it cost, because he was sure the expenditure would be a cheap bargain in the interests of India. They would have a thoroughly efficient Council by getting rid of those who, in his opinion, were no longer fit for their work.

Mr. J. B. SMITH said, he was in favour of putting new blood in the Council, and suggested the expediency of occasionally appointing others than Indians, on the ground that such Councillors would look at questions from an English, and not exclusively from an Indian point of view. He thought ten years too long a term.

Mr. AYRTON said, that as the Secretary of State would not put an end to a system he admitted was bad, he proposed to take the sense of the House on the simple question whether all the members of the Council of India should not hold their office for the same term. He asked leave to withdraw his Amendment.

Lord WILLIAM HAY moved the omission of the following words—"shall after the passing of this Act be so elected or appointed."

Amendment proposed, in page 1, line 14, to leave out the words "shall after the passing of this Act, be so elected or appointed."—(*Lord William Hay.*)

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*:—Ayes 145; Noes 109: Majority 36.

Sir STAFFORD NORTHCOTE said, he thought the division which had just taken place might practically be accepted as an adoption of the principle of the clause recommended by the Government. He had no objection, however, to substitute the term of ten years for that of twelve, believing that this change would be acceptable to the majority of the Committee; and he should also be willing to accept the suggestion of the hon. Member for Taunton (Lord William Hay), that members, provided they had served or resided two years in India, should be eligible for re-election. If these Amendments were agreed to the clause might be adopted at once, and Progress could then be reported, as he understood the House was anxious to pass to other Business.

Clause as amended *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Thursday.*

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE (IRELAND) BILL—[Bill 71.]

(*The Earl of Mayo, Mr. Disraeli, Mr. Attorney General for Ireland.*)

CONSIDERATION.

Bill, as amended, *considered.*

Mr. BRADY said, he wished to explain that in taking the course he had taken on Thursday night, with reference to one of the two clauses which he had given notice of his intention to move in Committee on the Bill, he was acting in accordance with an arrangement he had entered into. The clause to which he referred had been drawn with the assistance of one of the most distinguished Members of that House, and he believed it to be a clause of great importance. Wishing, therefore, that it should be fully discussed, he had agreed with some of his hon. Friends not to bring it on after a certain hour on Thursday night. Under those circumstances, when he found that he could not bring it on before that hour, he thought the suggestion made by the right hon. Gentleman at the head of the Government was one he ought to accept. Unfortunately, his hon. Friend the Member for Kilkenny (Sir John Gray) moved a clause. His hon. Friend had since written him a letter on the subject, which letter was of a most satisfactory character. [" Read."] He did not think it necessary to read the letter. His hon. Friend made his Motion under a misunderstanding, being under the impression that he (Mr. Brady) had not accepted the proposition of the First Lord of the Treasury, who had placed him in the position in which those who supported him desired he should be. He wished the House to understand that he, at least, was in no way responsible for the disorderly scene which had taken place on Thursday night.

MR. O'BEIRNE said, he could not allow this Bill to pass through this its final stage without giving expression to his unqualified dissatisfaction at the manner in which it dealt with the interests of the Irish people. When the noble Earl (the Earl of Mayo) introduced the Bill some months since, he stated his objections to it. He stated that it was, so far as he could judge, framed upon no principle which had been previously accepted or adopted by the House. It proposed to increase the county representation by five Members to the injury of the urban representation as it stood. It left quite untouched the great question of the county franchise, and avoided the freemen so long objected to by Irish representatives. The Bill had now passed through Committee without any important Amendment, with the exception of the abandonment by the Government of their proposal for disfranchisement and re-distribution of seats—the borough franchise had been fixed at a figure above £4, the county franchise remained at £12, and the freemen, with all their objectionable characteristics, remain in the full possession of all the powers which they have so long misused. The right hon. Gentleman the Member for South Lancashire told the House on Thursday last that the claims made for the increase of the county constituencies were fair and ought to be considered. He told you that even in 1850, when the English figure of qualification was six times what it now is, this House agreed to a reduction to £8. He quoted the remarkable words of Sir Robert Peel, and he reminded the House that the £12 figure then fixed was arrived at as a compromise. He might have added to the authority he quoted many others almost of equal weight. He might have said that Mr. Hume considered that an £8 Irish rating was then equal to a £30 English rating; and he might have given the words of Sir James Graham, that, in a great nation of 8,000,000, to have an electoral body of less than 50,000 was an anomaly quite inconsistent with the safety of the State or the security of our institutions. But the right hon. Gentleman's arguments were unavailing, and the county franchise remained untouched. He much regretted this result, as he must entirely disagree with the remarks which fell from his hon. Friend the Member for Galway and his hon. Friend the Member for Nottingham. He did not believe there would be any danger to the Liberal cause in giving votes to the Irish tenant-farmers valued at £8. He believed them to be as independent and as well entitled to the franchise as the English tenants. The very impatient manner in which the subject of Irish Reform was received by the House on Thursday last left those who represented Irish opinions and Irish interests little to hope for. The Bill was in Committee for some few hours on Monday night on merely formal matters. It was resumed on Thursday, and it was with difficulty those hon. Members who were anxious to express their opinions upon a subject of such moment were able to do so. Be it so; but such a course, they might rest assured, will not be lost upon the Irish people. What had they done by this Bill? They gave to Irish voters an increase of 9,000. Scotland receives 50,000 voters; and England 570,000 voters by the English Bill. They were told that our representation was sufficient for our population of upwards of 5,000,000. If the proportion added to England's register was to be taken, they should be increased 50,000 at least—20 per cent. If the numbers on their own register were to be taken, they should be increased by one-fifth—40,000; and yet we receive only 9,000. Such a measure is a mere mockery. He protested against its being called a measure of reform of the Irish representation; it was only a stronger proof that the Parliament did not deal with Ireland as it dealt with England and Scotland. The House might rest satisfied that the estimate which the Irish people would form of this debate would be shown by the unanimous expression of their opinion at the approaching elections, and that they would tell that House and the Ministers that they would no longer submit to legislation so unequal in its character and so unjust to the best interests of their country.

Mr. BAGWELL said, he thought that a measure so small and so absurd had never before been brought before the House. In agreeing to it the Irish Liberal Members only relegated the question to a Parliament of more authority and vigour. But they certainly had hoped that a more extended county franchise would be at once adopted. He did not complain of hon. Members opposite, who had only acted in honest accordance with their principles; but he could not and would not say the same for Members on that (the Liberal) side. Irish Members had sat there night after night patiently endeavouring to make the other two Reform Bills worthy of England and of Scotland; but when they came to debate the question of their county franchise they found themselves deliberately, basely deserted by the men they had supported. What had this Reform Bill done for Ireland? Why, it had only reduced the franchise in towns from £8 to over £4. The county franchise it had left precisely as it stood before. He felt exactly as one might feel that found himself abandoned by his comrades in the face of danger. Of course, to those English and Scotch Members who had supported their Irish Friends these remarks did not apply; but whomsoever the cap fitted, he might wear it. In common with, he believed, all the Irish Liberal Members, he protested against the Bill; and if by saying "No" he could throw it out, he would willingly pronounce that word.

Sir COLMAN O'LOGHLEN said, he thought English Members had no just ground for complaining that too much of the time of the House had been occupied by this measure. He did not complain of the time occupied by the English Reform Bill or by the Scotch Reform Bill. The consideration of this Bill had only extended over two evenings. He wished to endorse the sentiments expressed by his hon. Friend the Member for Clonmel (Mr. Bagwell). Having analysed the two important divisions that took place on the last day this subject was under discussion, he found that a majority of the Irish Members had voted for extending the suffrage in the counties and abolishing the Dublin freeman franchise; but the Motions introduced to carry out those objects were lost in consequence of the apathy of the English and Scotch Liberal Members, who would not come down to the House to assist their Irish brethren in their endeavours to obtain what had been obtained for England and Scotland. This Bill could scarcely be called a Reform Bill at all. It was confined to a mere lowering of the borough franchise. He deeply regretted the course that had been taken in reference to the Motion of the hon. Member for Leitrim (Mr. Brady) with respect to the ballot. It was a Motion of very great importance, and deserved serious debate and consideration. It was unfortunate that that Motion was brought on at so late an hour, and that the suggestion of the First Minister of the Crown to postpone it to this stage was not accepted. The right hon. Gentleman the Member for Stroud (Mr. Horsman), the hon. Member for Birmingham (Mr. Bright), and the right hon. Member for Ashton (Mr. Milner Gibson) had been prepared to address the House upon the subject. The question of the ballot was now upon an entirely different footing from that on which it stood before the passing of the Reform Act, and he was anxious to have the opinion of the First Lord of the Treasury on the question. He desired that the right hon. Gentleman's opinion on the subject should be expressed before the election, because he had reason to believe that the right hon. Gentleman was not on principle opposed to the ballot. He had reason to think that the right hon. Gentleman believed the ballot would be a truly Conservative measure, and if left to his own views would have proposed it in the Reform Bill. He was led to believe that the right hon. Gentleman did not propose it because his party were not sufficiently educated for the purpose. He did not speak without authority, for in a work published some years ago, entitled *The Spirit of Whiggism,* the right hon. Gentleman thus spoke in reference to the extension of the franchise and the ballot—

> "The disposition of property in England throws the power of the country into the hands of the natural aristocracy. I do not believe that any system of suffrage or any method of election would direct that power into other quarters. It is the necessary consequence of our present social state. I believe that the wider the popular suffrage the more powerful would be the natural aristocracy. That seems to be the inevitable consequence; but I maintain this proposition on the clear understanding that such an extension should be founded on a fair and not on a factious basis. Here then arises the question of the ballot, into the merits of which I shall take another opportunity of entering, recording merely my opinion that in the present state of the Constitution even the ballot is in favour of the power of the natural aristocracy, and that if the ballot were to be contemporaneously introduced, with a fair and not a factious extension of suffrage, it would produce no change in the distribution of power affecting the natural aristocracy."

Now, the extension of suffrage made last year, according to the opinions of hon. Gentlemen on the other side, was made not on a factious but a fair basis, and therefore if the right hon. Gentleman's view was to be acted upon, the time was come when the ballot should be introduced into the Constitution of the country. It was for that reason he was anxious that the right hon. Gentleman should have had an opportunity–as he would have had if the debate had gone on—of expressing his opinion on the question. It would be very unfortunate for hon. Gentlemen opposite to go to the country without knowing the views of the right hon. Gentleman on the ballot; for in that case they might have to unsay next Session what they might state at the hustings this year, and he thought it was for the interest both of political parties and of morality that the right hon. Gentleman should have expressed his opinion. This subject he would not enlarge upon as he had risen merely to endorse the opinion of the hon. Member for Clonmel as to the nature of the Bill, and the manner in which they had been treated by Gentlemen on that side of the House; but in doing so he would not but express his regret that the debate on the ballot should not have proceeded, for the reasons he had stated.

Sir JOHN GRAY said, he wished to point out how unjustly the provisions of the present Bill would operate. They had given to England a rating franchise for the boroughs, whereas in Ireland they restricted it to houses of £4 rental. In England the county franchise was fixed at £12, and one of the best authorities in the House had shown that a £12 franchise in Ireland was practically equivalent to a £30 rental in England. One or two figures would enable the House to understand the real character of this Bill, which was called a Reform Bill for Ireland. ["Oh, oh!"] He perceived no argument in these extraordinary noises, and he thought that hon. Gentlemen would do better to use the English language. Take the county of Clare, and compare its present condition with its condition forty years ago. It had then 17,000 electors, and now only 5,300. The county of Mayo had 20,300 electors in 1828, and only 3,400 in 1868. The Bill would not add as many electors to the whole constituent body of Ireland as had been deducted in 1828 from the constituency of the one county of Clare. With respect to the ballot question, he would only say, that the observations of his hon. Friend near him (Mr. Brady) in the discussion the other night had been quite inaudible. Now that he understood from his hon. Friend that he had accepted the propositions of the right hon. Gentleman the First Minister, he regretted much that he should have interposed between his hon. Friend and the House.

Mr. ESMONDE said, all the friends of Reform must look upon this Bill as in no way a settlement of the question. He should feel guilty of a dereliction of duty both to himself and to his constituents, if he were to omit entering his protest against it. It must be perfectly understood that they would re-open the question on the very earliest opportunity. As regarded both the county franchise and the freemen's franchise, they would consider no settlement satisfactory, no matter what Government might be in Office, which did not deal with both these subjects.

Mr. REARDEN said, he rose to propose a clause, altering the qualification to one of the net annual rental value of £6 or upwards for counties, and £3 or upwards for boroughs, of lands, tenements, or hereditaments. He thought that after Irish Members had assisted in passing Reform Bills of a character so liberal for England and Scotland, they were entitled to a better return. The present Bill would make an addition of only 9,000 voters in a population of nearly 6,000,000. Were a measure so restricted proposed for England, it would be burned at the market cross of every town throughout the country. But if the House would accept the clause he now proposed it would in effect hold out the olive branch to Ireland and do something to establish friendly relations with that country.

Clause (Alteration of county and borough qualifications,)—(*Mr. Rearden,*)—*brought up*, and read the first time.

Mr. CRUM-EWING said, he only rose to correct the impression which might be derived from the statement of the hon. Member for Clonmel (Mr. Bagwell) regarding the part taken by the Scotch Members. No less than twenty-one Scotch Members voted in favour of the Motion for reducing the Irish county franchise to £8, and only seven on the other side.

Motion made, and Question, "That the said Clause be now read a second time," put, and *negatived.*

Mr. VANCE proposed a clause extending the residence of electors of the city of Dublin from seven to twelve miles. He remarked that, in the case of the English metropolis, the limit of residence had been extended to twenty-five miles, and as railway facilities induced many persons to live by the seaside or otherwise beyond the distance of seven miles from Dublin, he hoped a similar boon would be extended to the Irish metropolis.

Clause (Residence of Electors for City of Dublin extended to twelve miles,)—(*Mr. Vance,*)—*brought up*, and read the first time."

Motion made, and Question proposed, "That the said Clause be now read a second time."

The Earl of MAYO said, he thought there was much force in the argument of his hon. Friend. The circumstances of Dublin were very peculiar, and of late years a large proportion of the most respectable citizens had lived outside the town. The seven-mile limit at present excluded a number of persons from the enjoyment of the franchise, and, considering the concessions agreed to with regard to London and that the class who would benefit by this provision were much the same as in that case, he thought the clause was a reasonable one.

Mr. GLADSTONE: Sir, I should like to have a few words of explanation from the noble Earl as to the application of this principle to the cases of other large cities and towns, before we assent to the Motion made by the hon. Member for Armagh (Mr. Vance). He founded it in a great degree on the fact that Dublin is a metropolis, arguing that as the metropolis of the Empire had that privilege, something of the same kind should be conceded to the metropolis of Ireland. But the privilege was not granted to the metropolis of England on the ground of its being a metropolis; it was on account of peculiar conditions with respect to residence, and the fact of the metropolis being blocked in on all sides by Parliamentary boroughs of great extent, containing an enormous mass of population. That is a very different matter from laying down the principle that a particular town, because it is a metropolis, should have electoral rights different from those of other large towns containing an equal population. Edinburgh is also a metropolis, the citizens of which, in many cases, live at a considerable distance out of town, but no such privilege has been given to it. We have dealt also with the cases of Glasgow, Manchester and Salford, Liverpool, and Birmingham. No such privilege has been given to them, though in Liverpool, for example, numbers of the inhabitants reside for great part of the year at Southport and other places fifteen miles distant. With respect to the modern system of conveyance, several of these towns have a much larger number of railroads running into them than Dublin. I submit that if any change of this kind be sanctioned, it ought not to be merely on the ground of a place being a metropolis; but in reference to physical conditions affecting the residence of the voters, and ought to be extended to all large towns. I cannot conceive that an isolated Motion of this kind can either be accepted as a compliment to Ireland, or be a satisfactory mode of recognizing a principle.

Sir JOHN GRAY said, he had been a resident of Dublin for thirty years and upwards, and did not know that any large number of electors having their business in the city resided at any outside place. With the exception of Kingstown, which was within the seven-mile limit, there was no considerable place where persons went for sea residence. Bray was a small though growing town outside the limits of the county of Dublin, and nearly twelve miles from the city. The persons who would be brought in by the clause were not occasional residents, but occupants of villas, who lived outside of Dublin for the purpose of escaping the urban taxation, and did not contribute in any way to the municipal burdens of the city. It would admit, in short, a large agricultural population, having no direct connection with the place such as ought to belong to electors and who had already votes for the county. In behalf of the citizens of Dublin, he should oppose the clause.

Mr. VERNER said, he was surprised at the view taken by the hon. Member for Kilkenny (Sir John Gray) who himself had a villa residence outside Dublin, while his place of business was in the city. He thought there were good grounds for extending the limit of residence to twelve miles. He knew that many persons engaged during the day in business in Dublin resided at Bray.

Mr. PIM said, he was in favour of extending the privilege granted in the case of the City of London to towns likeManchester and Liverpool, and also to Dublin. He could not see why there should be a seven-mile limit excluding gentlemen who had an interest in that city though they lived in country houses.

Mr. ESMONDE said, he was surprised that the Government should support this clause. He had understood that it was agreed on all sides to accept the Bill in the condition in which it left the Committee. If this understanding were not adhered to there would be an opening up of many clauses besides this in the Bill.

Mr. MONSELL said, he thought it was a very suspicious measure to select one place in which to make a distinction, as was now proposed with reference to the city of Dublin, without any special circumstances connected with it. It looked very like a party and political move. ["Oh."] Hon. Gentlemen seemed to flinch from the imputation, and he did not wonder at it. He challenged any hon. Member to answer the argument of the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone), and to explain why this proposal should be adopted in Dublin and not adopted in the large towns of England.

Mr. VANCE said, he wished to state that he had had no consultation whatever with Her Majesty's Government, and that he was entirely responsible for the Amendment.

Sir ARTHUR GUINNESS said, that as a challenge had been thrown out for hon. Members on his side of the House to deny if they could that this Amendment had been made from party motives, he wished to remind the right hon. Gentleman (Mr. Monsell) that he and his Colleague (Mr. Pim) by no means sailed in the same boat on political questions, and that his hon. Colleague was going to vote for this Amendment. That plainly showed that the Amendment was not proposed from party motives.

Mr. Serjeant BARRY said, that the Amendment would favour an increase in the number of freemen voters, and this explained the proposal.

Mr. COGAN said, he hoped that the Government would re-consider the course they seemed disposed to take, and which would end in the whole question of Irish Reform being re-opened.

Mr. GREGORY said, that, believing that this was a clearly defined party proposal, he would move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Gregory.*)

Mr. DISRAELI said, he had been quite ignorant of this "party struggle" until the subject was introduced by his hon. Friend the Member for Armagh (Mr. Vance). Much might be said both for and against the Amendment. No doubt the precedent established last year in regard to the City of London, and which—although explained by the right hon. Member for South Lancashire—was one of very doubtful import, quite justified his hon. Friend in bringing forward this proposal. If his hon. Friend had, however, consulted him he should have said that upon the whole, and in the present state of the Irish Reform Bill, it would not be expedient to open this question. This would show what exaggerated statements had just been made, and how completely unfounded was the conclusion to which the hon. Member for Galway County (Mr. Gregory) had arrived when he hinted that this was some deep and sinister party move. He would say that, although his hon. Friend was quite justified in making this proposal, which was not only plausible, but very reasonable, and which was supported by both the Members for Dublin, still it was not expedient to press the Amendment to a division.

Motion, by leave, *withdrawn.*

Question again proposed, "That the said Clause be now read a second time."

Mr. VANCE said, he had made this Motion in the interest of his former constituents, but, as it did not meet with the general concurrence of the House, he would withdraw it.

Motion, by leave, *withdrawn.*

Clause *withdrawn.*

Sir FREDERICK HEYGATE said, he rose, according to Notice, to move the following clause:—

(Assimilation of franchise in boroughs, counties of cities, and counties of towns.)

"Every man shall be entitled to be registered as a voter, and when registered to vote at the Election of a Member or Members to serve in Parliament for any borough who is of full age and not subject to any legal incapacity, and who is seised of a freehold estate in such borough, or of any rent-charge arising out of any freehold estate in such borough of such value and subject to such conditions as would if in a city or town, being a county of a city or county of a town by itself, entitle such person to register his vote for such city or town, or who holds as lessee or assignee any lands or tenements in such borough for such term visions of the Registration Acts shall apply to of such value and subject to such provisions as would if such lands or tenements were situate in a city or town, being a county of a city or county of a town by itself, entitle such person to register his vote for such city or town; and all the provoters in boroughs on whom the franchise is hereby conferred in the same manner in all respects as far as is practicable as they now apply to such voters in cities and towns."

His object was to extend to the rest of the thirty-three boroughs of Ireland a franchise which was now peculiar to eleven of them. Considering they were now reducing the borough occupation franchise to about £4, the addition by his proposal of from 2,000 to 3,000 of the most respectable and independent class, who possessed property of considerable extent, to the Irish borough constituencies would be a valuable improvement, wholly unconnected with any party advantage.

Clause (Assimilation of franchise in boroughs, counties of cities, and counties of towns,)—(*Sir Frederick Heygate,*)—*brought up,* and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

Sir COLMAN O'LOGHLEN said, he hoped that the clause would meet the same fate as the last, and that the First Lord of the Treasury would recommend the hon. Mover to withdraw it. The franchise which it proposed to extend was properly a county franchise, and he objected on principle to its introduction into the Irish boroughs generally. At present, it was almost exclusively confined to cities or boroughs which were counties in themselves, and it had scarcely any existence in England.

Mr. VANCE supported the clause, which sought to extend a very valuable franchise that, though existing in but a few English boroughs, already prevailed in many Irish boroughs, and would act as a counterpoise to the dangerous lowering of the borough franchise proposed by the Bill.

Sir PATRICK O'BRIEN said, that one of the questions which agitated the public mind in Ireland was the land question, and yet when a proposition was made to enable landed proprietors to express their opinions the House refused to entertain it. But now the hon. Member for Londonderry (Sir Frederick Heygate) came forward to introduce a landlord element into constituencies, to enable landlords to make faggot votes and swamp the constituencies, which were at present pretty evenly balanced.

Mr. NEWDEGATE said, he had voted so often before for the maintenance of the distinction between borough and county franchise in England that he could not now support the clause of the hon. Baronet.

Mr. DISRAELI said, he rose only to protest against the imaginary compact which the hon. Member for Clare (Sir Colman O'Loghlen) had announced as having been come to on Thursday night. He understood the hon. and learned Gentleman to think that there had been an agreement on both sides that no new matter was to be introduced into the Irish Reform Bill, that the Committee was virtually closed, and that they were only to touch some points of detail which, for particular reasons, could not be dealt with conclusively on Thursday night. [Sir Colman O'Loghlen: Hear, hear!] He was glad that the hon. and learned Baronet acknowledged the justice of that statement of what he had said. But his (Mr. Disraeli's) impression was totally different. He thought that it was agreed on Thursday night that Progress should be reported, in order that the House on Report might have an opportunity of deciding upon many very important questions, and particularly upon the question of election by ballot, which was to have been brought forward by the hon. Member for Leitrim (Mr. Brady). But there were other questions also of great importance, of which due Notice had been given, and that Notice proved how utterly erroneous and unfounded was the statement of the hon. Member for Clare. He found from the Paper that the hon. Member for Ennis (Mr. Stacpoole) had given Notice that he would call the attention of the House to the propriety of lowering the borough franchise, while the hon. and learned Member for Dungarvan (Mr. Serjeant Barry) intended on Clause 4 to move to omit certain words which would entirely alter the character of the lodger franchise, and there was also the Notice of the hon. Baronet who had brought forward the present question. The House, therefore, ought to decide upon this question on its merits, and it appeared to be one well worth consideration. He believed if a decision was arrived at in favour of the proposition they would add greatly to the strength of the town constituency and improve the representation of Ireland.

MR. CARDWELL said, he was greatly disappointed when he heard that the right hon. Gentleman intended to support this clause. Whatever arguments might have induced the right hon. Gentleman to do so he was sure there was one to which he would lend no countenance—namely, the argument brought forward by the hon. Member for Armagh (Mr. Vance). That hon. Gentleman had said that they had reduced the borough franchise to so dangerous a level that this clause was intended to act as a counterpoise. Well, as the House had adopted the borough franchise for Ireland proposed by the Government themselves, Her Majesty's Ministers at least would give no countenance to such an argument. But what was the House really asked to do? They were asked to do in the case of Ireland what the hon. Member for North Warwickshire had reminded them they had repeatedly refused to do in the case of England. If there was one objection more deeply felt and more strongly urged than another to the proposals of the Government in 1859, it was that county voters should be removed from the counties of England, and transferred with the same franchise to the boroughs. They had rejected that proposal for England; they ought now to reject it for Ireland, for if bad for England it was far worse for Ireland, where there was not so large an infusion of the commercial element in the county constituency. The creation of rent-charge votes in small constituencies was very objectionable. If they agreed to this clause they would add another anomaly to those which already existed, and another argument in favour of re-opening the question of Irish Reform.

MR. SERJEANT BARRY said, he should oppose the clause on the ground that this franchise had been left where it was in 1832, both with regard to England and Ireland; and as it had not been extended by the late Reform Act in England, it ought not to be extended in Ireland. Such an attempt as that made by the hon. Baronet would have a very bad effect in Ireland; for it would furnish with a new argument that increasing class of persons who maintained that it was useless to look for justice to Parliament, when it was seen that the Government had taken good care not to suffer the power of the landlords to be threatened in the counties, and now endeavoured to give them new influence in the towns. He begged to move the adjournment of the debate.

MR. MURPHY seconded the Motion for an adjournment. He said the object of the clause brought forward by the hon. Baronet was to give county voters a vote also in the boroughs, a procedure that was manifestly unjust.

MR. GLADSTONE: Sir, this clause has been supported on two grounds. The hon. Member for Armagh supported it on a ground worthy of the attention of the House and the country—namely, that the propositions of the Government with regard to the borough franchise are of so dangerous a character that they require to be counteracted and neutralized, and he thinks he finds in this proposition of the hon. Baronet the remedy he wants. I confess I think it would have been much better if the hon. Gentleman had exposed this dangerous character of the propositions of the Government when they were made, and had not supported them in silence. But, whether he is happy or not in the choice of his opportunity, I wish to protest against the principle that we are to counteract by restrictive propositions the effects of those enlarging propositions which we have applied to the franchise. On that ground it appears to me it is totally impossible to defend the clause of the hon. Baronet, and I do not know whether the hon. Baronet will be obliged to the hon. Member for the character he has given to the clause as retroactive, and meant to restrain the effect of that exceedingly slight enlargement of the franchise which we have made by our so-called

Irish Reform Bill. But, putting aside the doctrines of the hon. Member for Armagh, I do not think it right to give a vote on this question without fairly warning hon. Gentlemen opposite of what appears to me to be the certain, although perhaps not the immediate upshot of a Motion such as this. The hon. Baronet opposite proposes to introduce into the whole of the boroughs of Ireland a county franchise, and, to give its full effect within these boroughs, to withdraw it from the counties. Now, does the hon. Baronet imagine that the House can take such a step as that, and, having taken that step, can stop there? My right hon. Friend the Member for Oxford (Mr. Cardwell) has stated, and stated truly, that in 1859 a similar proposition was made by the Government of that day. That proposal, however, differed from the proposal of the hon. Baronet, in that it was a complete proposal. While the county franchise was carried into the boroughs, the borough franchise was carried into the counties. And let hon. Gentlemen lay their account with this, that if they choose now to tamper with the subject, and carry in Ireland the county franchise into the boroughs—I know not what its bearings on parties may be; I see what is involved as a logical consequence in such a measure—it must inevitably be followed by its counterpart, the carrying of the borough franchise into counties. And when you have carried the county franchise into boroughs—and are congratulating yourselves or condoling with yourselves, as the case may be—you must be prepared to have the same change carried into England. I do not say whether it will be a good change or a bad change. But I think it my duty to say that it is a change for which you must be prepared. It is impossible to adopt proposals of this kind—involving in themselves certain principles of broad application—for your own immediate purposes, and then think you can stay their application within the limits to which they can be conveniently carried.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Serjeant Barry.*)

The House *divided*:—Ayes 156; Noes 198: Majority 42.

Question again proposed, "That the said Clause be now read a second time."

Mr. PIM rose to move the adjournment of the House, but there were calls for

Sir FREDERICK HEYGATE who said, he was not convinced by the arguments he had heard against his proposal, which he had made without any party motives. It had been said that a great difference existed between the county and the borough franchise in this—that the former was based on property, while the latter rested on occupation and residence. But it had been forgotten that great part of the English county franchise—all that resting on the Chandos Clause—depended on occupation. If, however, an assurance were given that the Bill should be now allowed to proceed, he would not allow his proposal to stand in the way, and would withdraw the clause.

Motion, by leave, *withdrawn.*

Clause *withdrawn.*

Amendments made.

Bill to be read the third time upon *Thursday.*

THE BANKRUPTCY ACT (1861) AMENDMENT BILL.—[Bill 145.]

(*Mr. Moffatt, Mr. Crawford, Mr. Ayrton, Mr. Charles Forster.*)

SECOND READING.

Order for Second Reading read.

Mr. MOFFATT, in moving that this Bill be now read a second time, said, that its object was to amend the present law of bankruptcy, It dealt exclusively with deeds of arrangement.

The ATTORNEY GENERAL said, he should offer no opposition to the second reading of the Bill, some portions of which would effect an improvement in the present law.

Motion *agreed to.*

Bill read a second time, and *committed* for *Friday.*

LUNATIC ASYLUMS (IRELAND) BILL.

On Motion of The Earl of Mayo, Bill to make provision for the Audit of Accounts of District Lunatic Asylums in Ireland, *ordered* to be brought in by The Earl of Mayo and Mr. Attorney General for Ireland.

Bill *presented,* and read the first time. [Bill 184.]

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, June 23, 1868.

MINUTES.]—Public Bills—*First Reading*—Boundary* (170); Courts of Chancery and Exchequer (Ireland) Fee Funds* (171); Uniformity of Public Worship* (173).

Second Reading—Voters in Disfranchised Boroughs* (153); Representation of the People (Scotland) (164); Municipal Rate (Edinburgh)* (167); Thames Embankment and Metropolis Improvement (Loans) Act Amendment (156).

Committee — Salmon Fisheries (Scotland) (142-172); Local Government Supplemental (No. 2)* (119).

Report — Local Government Supplemental (No. 2)* (119).

Third Reading—Poor Relief (162); Pier and Harbour Orders Confirmation, &c.* (120); Pier and Harbour Orders Confirmation (No. 2)* (139); Jurors' Affirmations (Scotland)* (104), and *passed.*

Withdrawn—Metropolitan Roads* (150).

ESTABLISHED CHURCH (IRELAND) BILL.—QUESTION.

Lord PENRHYN, seeing on the Notice Paper two Notices of Amendment that this Bill be read a second time that day six months, wished to ask the Lord Privy Seal, Whether he had any objection to state what were the intentions of Her Majesty's Government with respect to the Amendment of which the noble and learned Lord on the Woolsack had given Notice? It would be convenient for many noble Lords to know what course the Government proposed to take.

The Earl of MALMESBURY: In Answer to the Question of my noble Friend, I have to state that Her Majesty's Government are undoubtedly extremely anxious at once to follow the noble Earl (Earl Granville) who has given notice of the Motion for the second reading of the Suspensory Bill, inasmuch as it is a question of the very highest magnitude and importance, and one which should be dealt with by Her Majesty's Government as soon as possible. According to the forms of your Lordships' House, it would be—I will not say the right, but at all events, the usual practice—that Her Majesty's Government should follow the Mover of the second reading on such a question; and under that impression I have done my best to obtain that position for Her Majesty's Government. I have written to the noble Earl who has given Notice of his intention to move the Amendment—I will mention his name as he is not present, Earl Grey—stating my reasons for wishing that Her Majesty's Government should take the initiative in opposition to the Bill; but I am sorry to say with no effect. The noble Earl still perseveres in his intention of moving the Amendment; and that being the case I should think it unseemly if we were to test in any way the wishes of the House as to who should take precedence. I think it better that Her Majesty's Government should give way to the noble Earl; and therefore I conclude that on Thursday night he will proceed to move the Amendment to the Motion for the second reading.

POOR RELIEF BILL—(No 162.)

(*The Earl of Devon.*)

THIRD READING. BILL PASSED.

Bill read 3^a (according to Order).

The Earl of HARROWBY moved to add clause—

> "Where any Parent having resident with him a Child not earning Wages, above the Age of Six years and under the Age of Twelve Years, applies for Relief, the Guardians may make it a condition of out-door Relief that the Parent of such Child shall send him to School at the expense of the Guardians, provided there is a School of the religious denomination of the parent, or to which he does not object on religious grounds, situate within two miles of his residence."

His object in proposing this clause was to promote the education of the most neglected children in the country—those of paupers in the receipt of out-door relief. He admitted that some progress had been made in this direction by Mr. Denison's Act, passed a few years ago; and although what he now proposed would be no great step in advance, yet, considering the class of persons to whom it applied, it would be well to do what they could. Paupers receiving out-door relief were supplied with the mere means of living—they had no means of providing for the education of their children. There would be some difficulty in making it compulsory upon the Guardians to impose this condition upon giving out-door relief; for the short period during which this relief was frequently given would make such a condition illusory. The clause would, therefore, leave it optional with the Guardians to require that applicants for out-door relief should send their children to school at the expense of the parish. There would be no tampering with the religious faith of the parents; the schools would be filled;

the children would be kept out of the streets as long as the relief was received; and an immense advantage would be conferred in this way on some of the poorest of the population. He believed that at Birmingham the number of children who would be sent to school by a provision of this kind was 1,500 or 1,600, while the expense to the rates would be almost nothing. By implication the clause repealed one in Mr. Denison's Act, and, being optional, it could do no harm, and might do much good.

THE EARL OF DEVON said, that *primâ facie* a strong justification should be made out for accepting a clause which adopted a principle which had been distinctly negatived by the Legislature a few years since. He would say nothing about the policy of Mr. Denison's Act; but strong opinions were then expressed against the plan which the noble Earl now recommended. The whole history of Poor Law legislation, from the time of Queen Elizabeth downwards, showed that the destitution of the applicant had been the one recognized ground of justification for giving relief. It was true that able-bodied paupers were required to give certain labour; but he could nowhere find in any measure for the administration of the Poor Law the insertion of any other condition of relief except destitution. The possible operation of the clause would furnish their Lordships with additional ground for withholding their consent from it. He was not one who thought lightly of the discretion ordinarily exercised by Boards of Guardians; but he would shrink from intrusting them with the power to apply this clause. He could conceive that crotchety Guardians might, by annexing the prescribed condition to the relief, interpose, however unintentionally, various difficulties in the way of obtaining necessary relief by the really destitute. Another objection to the clause was, that Guardians might allow their wish to promote education to determine whether they should grant in-door or out-door relief. On these two grounds the operation of the clause was likely to be attended with dangerous results. If the condition was to be introduced as preliminary to the granting of out-door relief, why should not other conditions be imposed? The Guardians, for instance, might insist on an applicant for relief attending church. If once we went beyond the simple ground of destitution, well examined and ascertained, we got into difficulties we could not see the end of. To a certain extent too the clause recognized the principle of compulsory education, which involved many and various considerations, and ought not to be adopted in the shape of a small clause introduced on the third reading of a Poor Relief Bill. The Poor Relief Committee of 1864 devoted much time to the question of education, and resolved that to impose it as a condition was inconsistent with the principles on which the Poor Law was established. Therefore the objections founded on principle which he urged against the clause were supported by the authority of that Committee.

THE DUKE OF CLEVELAND supported the clause, which he pointed out was permissive, and not compulsory, so far as the Guardians were concerned. It must be remembered that at present children admitted into workhouses received education, and why should they not when their parents applied for out-door relief? He believed that re-consideration would weaken the force of the objections that had been raised to the clause.

LORD LYTTELTON was understood to oppose the clause, on the ground that, in operation, it would have an unfavourable effect on the labouring part of the population, by inducing some to seek out-door relief with the object of getting their children educated at the public cost.

THE EARL OF KIMBERLEY said, the proposition in the clause was virtually rejected by the Committee of 1864. There was, no doubt, something seductive in it; to those who wished to improve the education of the people, it seemed a very simple matter when you were relieving the poor to insist upon their children being sent to school. The objection was that the laws for the relief of the poor should be, as far as possible, carefully confined to the direct object of the relief of destitution. Everything seemed to him objectionable which tended to increase the scope and operation of the law. He could not admit that the education of children in a workhouse proved that they ought to be educated when their parents were relieved out of it. To go so far was to offer an inducement to persons to rely upon out-door relief, because by so doing they would get their children educated at the expense of the rates; and anything which tended to increase the desire for outdoor relief seemed to him objectionable. Poor men who struggled hard to maintain their families and send their children to school would not like to see worthless persons obtaining out-door relief because they would not work, and, at the same time, throwing the cost of the education of their children on the rates. He was a strong advocate for the education of the poor; but he did not wish to promote it in an indirect manner.

THE EARL OF HARROWBY said, his own experience told him that the clause would act satisfactorily; and, while it would give a fair and proper amount of out-door relief, would at the same time afford education to children whose parents had positively no means of educating them. Though very loth to divide the House, he must press the adoption of his clause.

After some observations from the MARQUESS of WESTMEATH who was understood to support the clause.

Amendment *negatived:* Amendments made; Bill *passed* and sent to the Commons.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL. [No. 164.]

(*The Lord Privy Seal*).

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF MALMESBURY: My Lords, in moving the second reading of this Bill, I need not descant on its importance. Your Lordships will see at once that it is part of a great system of the Reform of the Representation of the People of the United Kingdom, being the part of that system which applies to the representation of Scotland. My Lords, I think it would be for your Lordships' convenience if I were not to go at any length into the Bill this evening, because I shall propose that your Lordships take it into consideration in Committee on Tuesday next, and I presume that is the stage in which any of your Lordships who may propose to move Amendments will find it most convenient to do so. I shall, however, give your Lordships a brief sketch of what is proposed to be done by this Bill. In the boroughs a vote will be given to all householders who stand in the same position as the householders in this country to whom a vote is given under the English Bill—that is, who have paid their rates. With regard to the payment of rates, there is this difference between the English and the Scotch Bills, that the assessment is not made in the same manner. At first it was the intention of Her Majesty's Government to make the law in this respect identical in the two countries; but when the Scotch Members considered the proposition of the Government they unanimously gave it as their opinion that the law of assessment in Scotland ought not to be altered, and that therefore it would be better to arrive at the object in view by retaining the mode of assessment hitherto in operation in Scotland. In Scotland the valuation is by a system of county assessment, which secures the advantage of a more exact valuation than can be had by means of our more local system. But there are 100 parishes in Scotland which pay no poor rates at all. In those parishes the provision for the poor is managed by a voluntary arrangement. There has been no assessment in these parishes beyond the assessment of the county assessor. But under this Bill, while following up the present system of assessment in Scotland, it is provided that those 100 parishes shall be valued like others, and will have to pay poor rates, and that no one who is unable, from poverty, to pay those rates, and who is exempted on that account, will enjoy the franchise. Then, in the counties, there is the same provision with regard to the payment of rates as is made in the English Bill; but £14 is the figure fixed on as the qualification for the franchise, that being considered the equivalent in Scotland for a £12 rating qualification in England. So much for the franchises under the Bill, and the conditions under which those franchises are to be enjoyed. With respect to the re-distribution of seats, we propose a very moderate scheme. We propose that the Universities—of which there are four in Scotland—should return two Members—that is to say, that the Universities of Edinburgh and St. Andrew's should return one Member, and that another should be returned by the Universities of Glasgow and Aberdeen. We propose that the counties of Selkirk and Peebles, which are very small, should be united, and that a new district of burghs, consisting of Hawick, Galashiels, and Selkirk, should be created, and together return one Member. The town of Dundee and the counties of Lanark, Ayr, and Aberdeen will each return two Members to serve in Parliament in future; and certain counties named in the Schedule to the Bill, are to be divided. I do not know that I need say more at present with respect to the framework of this Bill, but if your Lordships have any Amendments to offer, either of principle or to any of the details of the Bill, I respectfully suggest that it would be better to do so in Committee; and if that proposal were assented to, I should propose that the Committee be taken upon this day week.

Moved, "That the Bill be now read 2ª."—(*The Lord Privy Seal*)

THE DUKE OF ARGYLL: My Lords, this Bill, dealing with one of the subjects most important to Scotland that could come under the consideration of this House, was only printed and distributed to Members of the House this morning. In "another place" the Bill was debated for weeks, and it is exceedingly difficult for anyone who has not given the closest attention to the debates to follow all the changes, and all the consequences of the changes, which were made during that time. The Government now move the second reading of the measure. Under ordinary circumstancs, I should take objection to the proposal, not deeming it a fitting course, either as regards the Scotch Members of your Lordships' House, or as regards the House at large, that they should be called upon to approach a Bill of this magnitude without a full opportunity of considering its details. But I understand that there are circumstances which make it not unimportant that this Bill should go through Parliament as quickly as possible, inasmuch as some of its provisions affect not only Scotland but several seats in England, which the noble Earl forgot to mention. It, therefore, may be convenient to discuss any proposition which hereafter has to be made, upon the Motion for going into Committee, instead of upon the Motion for the second reading; and on that understanding, I am willing to assent to the proposition of the noble Earl. In the meantime there will be sufficient interval to examine and form an opinion upon the the details of the measure.

On Question? *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

SALMON FISHERIES (SCOTLAND) BILL.

(*The Duke of Richmond.*)

(NO. 142.) COMMITTEE.

House in Committee (according to Order).

THE DUKE OF ARGYLL desired to call attention to one unforeseen result of recent legislation affecting the herring fishery trade. Various Bills had been passed for the protection of the salmon fisheries, which he need not say was a national object; but some years ago a Bill was passed on another subject, which indirectly had a most injurious effect upon the salmon fisheries. He alluded to the Bill which legalized trawling with herring nets. It had been represented to him, and indeed the fact had come under his own observation, that the restrictions upon trawling having been removed, trawlers now carried very large nets and approached close to the *embouchures* or mouths of salmon rivers, and, under the pretence of fishing for herrings, carried away fish of a much more valuable character. This was clearly contrary to the spirit of the law, and some of the earlier statutes, which now had been virtually repealed, were especially directed against such a practice. Until a clause was introduced into the present Bill, restoring the policy of those earlier Acts, the salmon fisheries of Scotland would be rendered totally insecure. He begged, therefore, to ask his noble Friend opposite what were the intentions of the Government with regard to this point?

THE DUKE OF RICHMOND said, the question was an exceedingly difficult one, especially as restrictions on trawling had heen recently removed. But he should be happy to facilitate the object which the noble Duke had in view upon a clause suitable for the purpose being prepared and submitted to him.

THE EARL OF MINTO complained of the stringency of the clauses of the Bill that related to the mills and other manufactures on the rivers. He believed that nothing was more demoralizing than to make stringent and irritating clauses which they had not police enough to enforce. He moved to omit the clause.

THE DUKE OF RICHMOND said, he had inserted the clauses because he found them in a Bill which in 1866 had been considered by a Select Committee, and which had passed their Lordship's House, though it was not proceeded with in the Lower. However, he admitted there was some weight in the noble Earl's objections, and if the noble Earl would withdraw his Amendment he would consider it before the Report.

Amendment (by Leave of the House) *withdrawn*.

Amendments made: The Report thereof to be received on *Thursday* the *2nd of July* next; and Bill to be *printed* as amended. (No. 172.)

THAMES EMBANKMENT AND METROPOLIS IMPROVEMENT (LOANS) ACT AMENDMENT BILL.

(*The Lord Clinton.*)

(NO. 156.) SECOND READING.

LORD CLINTON, in moving that the Bill be now read the second time, said: This is a Bill to extend the provisions of the Thames Embankment and Metropolis Improvement (Loans) Act of the year 1864, and to authorize the application of the London Coal and Wine duties to the Metropolis Improvement Fund. It also enables the Metropolitan Board of Works to borrow an additional sum for the completion of its Embankment works on the north and south side of the Thames, and the new approach to the Mansion House from Blackfriars. By several Acts of Parliament since the year 1861 the Metropolitan Board have been empowered to raise sums amounting in the whole to £2,480,000 for carrying out their works on the banks of the Thames; but, for various reasons, with which perhaps it would not now be necessary to trouble their Lordships, this sum has been insufficient for the purposes for which it was intended. The Board is therefore authorized to raise a further loan of £1,850,000, and the Bill enables the Treasury to guarantee this additional sum. As collateral security to the Government, the Board charge these loans upon the metropolitan rates and also upon the lands purchased for these improvements. It has been agreed with the present mortgagees that £185,000 a year will pay off the principal and interest of the existing debt by the year 1882, and as the amount of the Coal dues, which by an Act of the present Session have been extended to 1888, produce upwards of £210,000 a year, the security to the Treasury appears adequate, and it is not likely that any charge will fall upon the rates of the metropolis. I beg to move the second reading of the Bill.

Motion *agreed to:* Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

ESTABLISHED CHURCH IN IRELAND.

PETITION.

LORD LYTTELTON *presented* a Petition of Clergymen of the Church of England in favour of the Disestablishment of the Established Church in Ireland. He did not propose to go into the merits of the question to which the Petition related; but still he thought it of sufficient importance to call their Lordships' attention to it. The prayer of the Petition was for the disestablishment of the Church of Ireland, and it was certainly a subject worthy of attention that this Petition should be signed by such a number of beneficed clergymen, who were all residing and beneficed in England, with one exception. There was, indeed, one distinguished man who had otherwise taken an active part in this controversy—Dr. Maziere Brady, who was a beneficed clergyman in Ireland: but except him, all the subscribers to this Petition were resident and beneficed in England. It was obvious that it must have been a very painful and invidious task for them to put forward their opinions in favour of the disestablishment of the Church of Ireland. The signataries said that they felt that they placed themselves in an invidious position by petitioning to the effect they had, but they also felt that no other course was open to them if they wished for justice to Ireland. The number of signatures did not adequately represent the clergymen who held the opinions embodied in the Petition, which he might remark had not been made in any way the subject of a canvass. The Petition was signed by 261 clergymen who desired to show that they did not in any way agree with the sentiments expressed at the meeting held some little time since at St. James's Hall. Having looked through the list of names, he was unable to say how many of those who had signed the Petition belonged to the "High Church," the "Low Church," or the "Broad Church." Some, however, he was able to recognize as belonging to the High Church party, but his belief was that the majority might be regarded as Broad. Among others who had appended their signatures to the Petition were Professors Kingsley, Maurice, and Jowett; the Head masters of Winchester, Harrow, Rugby, Haileybury, and the City of London School; while there were also the names of many Rural Deans, and Fellows and Tutors of Oxford and Cambridge.

THE EARL OF LONGFORD said, he would remind the House that a great many Petitions had been presented lately by noble Lords against the proposed disestablishment of the Irish Church; and though the names appended to those Petitions did not perhaps stand so high as those whose signatures were presented by the noble Lord, they were yet much better able to judge of what was good for Ireland than any of those High, Low, or Broad Petitioners.

LORD REDESDALE: My Lords, it is impossible not to remember that the service to which the property of the Irish Church is devoted is a high and holy one, and not to regret that a Petition, asking that what has been devoted to God's service should be taken away and applied to other purposes, should have proceeded from the present Petitioners.

LORD LYTTELTON said, that they petitioned for no such thing.

LORD REDESDALE: It means that, or it means nothing; for it is impossible to separate the Petition from the Bill which will occupy your Lordships' attention on Thursday. Then I am justified in saying that it is simply a proposition to alienate what is devoted to God's service and apply it otherwise. [Lord LYTTELTON: No, no!] Then what is to be done with it? Is it desired that it should be applied to the support of the Roman Catholic Church, whose doctrines, in the opinions of those who signed this Petition, must be considered erroneous? The noble Lord has said that the signatures were nearly all those of beneficed clergymen in England. I must say that I think it ungenerous in them thus to come forward, and without regard to the feelings of their brethren connected with the Irish Church to say, that to maintain the Irish Church is an injustice legitimately offensive to the majority of the Irish people. How long has it been so? Forty years ago, when the Emancipation Act was passed, we were told that it was no offence to the Irish people, and that they did not desire its removal, and upon the strength of that assurance the Emancipation Act was passed. But now it appears that, for recent purposes, the Church has just been discovered to be a legitimate offence; but on the same ground, many other things may be described in the same manner—anything, in short, that is offensive to the religious opinions of the Roman Catholic hierarchy. My Lords, this is a question with respect to which a great number of people feel very deeply. I say for myself—and I say it with all possible earnestness and sincerity—that to deal with the property of the Church in the manner proposed "elsewhere" would be, in my opinion, an act of sacrilege. I should consider it to be not only impolitic, but sinful. Your Lordships must also consider that there are many persons who hold this opinion. I say that this is a question which requires very grave and delicate handling—much more so than I believe it has yet received from those who have taken it in hand; and we, who have to deliberate upon the question, should remember this—that supposing the attempt be successful, and a new Government were to come in and pass a Bill for the abolition of the Irish Church, and supposing also that the Sovereign were to hold the same opinion as I do, and were to say, "When you ask me to consent to this measure, I think you are asking me to do that which would be sinful and an act of sacrilege"—supposing this to be the case, I say that such a position would be one of the most delicate and dangerous character—that it cannot be lightly put aside—and we are under the necessity of reflecting seriously upon it before committing ourselves to such a possibility. Looking, too, at the Oath which the Sovereign has taken with regard to the maintenance of the Protestant religion and the Church as established by law it was difficult to say what difficulties and embarrassments might not ultimately arise. The question had been looked at as a way of pleasing the Roman Catholics by getting rid of the Protestant Church. But what was to be done with the Protestants? The proposal was nothing but to rob one class of people for the purpose of pleasing another. I believe the proposal to be most impolitic. It would work injustice in many cases. For example, a person may have gone over to Ireland very lately, and purchased property there, induced by the fact that there was an Established Church in the country, that there was a clergyman in the parish, and that the tithes would be devoted to the maintenance of the clergyman whose ministrations he expected to have the benefit of. Was it to be supposed that such a man would be content with the proposed change, or that the parishioners who would be deprived of the ministrations of the clergyman would be content? Sure I am you are about to raise in Ireland a far more bitter feeling than has hitherto existed; that, instead of peace you will introduce discord and dissension, and that the whole of these proceedings, whether regarded as a political move or otherwise, cannot fail to be most disastrous.

EARL GRANVILLE said, he did not think it was the wish of their Lordships that they should anticipate the debate which was fixed for Thursday next, and therefore he would not attempt to answer the argument of the noble Lord. He would content himself with pointing out that the noble Lord had most amply justified what his noble Friend (Lord Lyttelton) had stated—that the persons who had signed the Petition had exposed themselves to much obloquy, because they had the courage to protest against what they believed to be an injustice. He could not sit down, however, without entering his protest against the charge of sacrilege which the noble Lord, by inference, had brought against the Petitioners and those who supported the Bill.

THE BISHOP OF OXFORD desired to make one remark with respect to the Petition. He had only had time to go through 111 names out of the 261 signed to the Petition, and of the 111 he could say that eighty-seven were not incumbents at all.

THE DUKE OF ARGYLL said, he had understood his noble Friend who had presented the Petition to read the names not only of incumbents, but of persons who are not incumbents—for example, Professors, and the heads of some of the greatest educational establishments in the country.

THE BISHOP OF OXFORD wished to say that he had given to deans and others the benefit of being beneficed clergy; but there were some who could merely be regarded as clergymen unattached.

LORD LYTTELTON said, that the Petitioners had not described themselves as incumbents at all. All that the Petitioners stated was that it was the Petition of "the undersigned Clergy of the Church of England."

Petition to lie on the Table.

UNIFORMITY OF PUBLIC WORSHIP BILL. [H.L.]

A Bill for better enforcing Uniformity in the Performance of Public Worship in the United Church of England and Ireland—Was *presented* by The Earl of SHAFTESBURY; read 1ª (No. 173).

House adjourned at a quarter before Seven o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, June 23, 1868.

The House met at Two of the Clock.

MINUTES.]—PUBLIC BILLS—*Ordered*—New Zealand (Legislative Council)*.
First Reading—New Zealand (Legislative Council)* [185]; Poor Relief* [186].
Second Reading—Adulteration of Food or Drink Act Amendment* [161]; Military at Elections (Ireland) [95], *further adjourned*; Railways (Ireland) Act Amendment* [123].
Select Committee—Registration* [167] *nominated;* Petit Juries (Ireland) * [70] *nominated;* Married Women's Property* [89] *nominated;* Electric Telegraphs [82] *nominated.*
Committee—Public Schools (*re-comm.*) [135]—R.P.
Third Reading—Local Government Supplemental (No. 6)* [175], and *passed.*
Withdrawn—Ecclesiastical Titles [37].

ECCLESIASTICAL ESTABLISHMENT OF JAMAICA.—QUESTION.

MR. W. E. FORSTER said, he would now beg to ask the Under Secretary of State for the Colonies, If he can inform the House whether Sir J. P. Grant, the Governor of Jamaica, has acted in accordance with his Despatch to the Earl of Carnarvon of the 24th November 1866 (Parliamentary Paper, Affairs of Jamaica, July, 1867), in which he states that he has proposed to the Bishop of Kingston to fill up no vacancies occurring in the Ecclesiastical Establishment of Jamaica between the date of such Despatch and the close of the year 1869, when the Colonial Statutes affecting such Establishment expire; and, whether there has been any Correspondence between the Colonial Office and the Governor of Jamaica respecting the course to be taken upon the expiration of the Jamaica Clergy Acts; and, if so, whether he will lay such Correspondence upon the Table of the House?

MR. ADDERLEY said, in reply, that Sir J. P. Grant had acted in accordance with the views of the Home Government, that the Ecclesiastical Establishment of Jamaica should be reduced on account of its being considered excessive; and that consequently no vacancies would be filled up at present. Several vacancies had occurred since the Despatch alluded to had been received, but arrangements had been made to have the duties of these clergymen temporarily discharged in view of the revision of the whole system, which would take place in December 1869, when the present Jamaica Clergy Act expires. With regard to the latter part of the Question of the hon. Gentleman, he had to say that the Governor of Jamaica had expressed his belief that it was premature to advise at present what course should be taken upon the expiration of the Jamaica Clergy Acts, and the Colonial Office would wait for further communications before taking any step in the matter.

Mr. W. E. FORSTER said, he wished to know, If the total abolition of the Ecclesiastical Establishments of Jamaica will be proposed if it should be thought expedient?

Mr. ADDERLEY said, the total abolition of the Church Establishment in Jamaica was by no means contemplated either by the Governor of that Island or by Her Majesty's Government; but that nothing which had been done would preclude such a proposition as that being made if such a thing could ever be thought desirable by those concerned.

METROPOLIS—CLERKENWELL EXPLOSION.—QUESTION.

Mr. NEATE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he has received a statement of the amount of the sum raised by private subscription for the relief of the sufferers by the Clerkenwell Explosion, and of the past and proposed future application of such sum; and, whether he will lay such statement upon the Table of the House?

The CHANCELLOR of the EXCHEQUER said, in reply, that the Papers to which his hon. Friend referred had only just come into his hands, and he must have time to consider whether they were of such a nature that he could lay them on the table as public documents. He thought they were exceedingly indebted to the gentlemen who had undertaken the duties of the Relief Committee, and who had shown the greatest and most philanthropic assiduity and kindness in dealing with the cases of distress which had come under their notice; and there could be no doubt that the sufferings of those who had been the victims of the explosion had been very much alleviated by the exertions of the Committee. It would be necessary to propose to the House in the course of the present Session an Estimate of the damage done to the owners of property through the explosion, and he hoped that on that occasion he would be able to make a statement of what had been done by private subscription towards the relief of the sufferers.

PUBLIC SCHOOLS (*re-committed*) BILL.

(*Mr. Walpole, Sir Stafford Northcote, Mr. Secretary Gathorne Hardy.*)

[BILL 135.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Bill *considered* in Committee.

(In the Committee.)

Clause 5 (Power of Governing Bodies to alter their Constitutions).

Mr. NEWDEGATE moved, as an Amendment, in page 2, line 38, to leave out "sixty-nine," and insert "seventy," in order to prolong the powers of the existing governing bodies to the 1st of January, 1870, instead of to the 1st of January, 1869. The 1st of January, 1870, was the date fixed by the other House; and he thought that six months, during which the country would be disturbed by a General Election, was too short a term of existence for governing bodies against whom no complaint had been made.

Amendment proposed in page 2, line 38, to leave out the word "sixty-nine," and insert the word "seventy,"—(*Mr. Newdegate,*)—instead thereof.

Mr. POWELL said, the Select Committee on the Bill had not thought it desirable to continue the powers of the governing bodies for a long period, notwithstanding the arguments pressed on them by the hon. Gentleman. It was thought desirable that the period of suspense should be as short as possible. The only function of the existing bodies would be that of suggesting who should be their successors; and as there was power of prolonging their existence for another three months, he contended that nine months would allow them ample time to prepare a scheme. Some of them, indeed, were already engaged in the task. He hoped the House would sustain the decision of the Select Committee upstairs, so as to enable the schools to have at the earliest possible period a permanent governing body, which would carry out the reforms so much needed.

Mr. KARSLAKE supported the Amendment, thinking that his hon. Friend (Mr.

Newdegate) asked very little in demanding that the present governing bodies should discharge their duties for another year.

MR. NEATE said, that the mistake which was made throughout the Bill was in confounding the governing body of these schools, who knew little or nothing about them, with the Master and Fellows of the Colleges of the University, who really were the governing bodies of the Colleges. The recommendations of the Select Committee were unanimously made, and he hoped the Committee would reject the Amendment.

MR. NEWDEGATE protested against the hon. Member's assertion that the governing body of Rugby, of which he was a member, knew little about the School. The evidence taken before the House of Lords would show that this was a total, entire, and gross mistake. The governing bodies resided within a limited distance of the School, and met four or five times to consult about its affairs. But the object clearly was to get rid of their interference altogether.

MR. NEATE complained of the words "gross mis-statement" as un-Parliamentary. The evidence in regard to Rugby was that the regulations of the School were in practice delegated to the Head master; that the interposition of the governing body was unusual, and the present Head master said he could call to mind no instance of such interposition within his experience.

MR. NEWDEGATE said, the word he used was "mistake." He could assure the hon. and learned Gentleman that the functions of the governing body of Rugby were no sinecure.

MR. LIDDELL said, that the "governing body" of Eton had been the Provost, and he, in his desire to extend and improve the School, had obtained large dispensing powers from the visitor in regard to the interpretation of the statutes. The bursar was strongly in favour of running out the leases, and he therefore claimed for the governing body of Eton the desire of improving and extending the benefits of that School. He had much greater confidence in the present governing body than in the body of Commissioners proposed by the Bill. He would certainly support his hon. Friend's (Mr. Newdegate's) most reasonable and sensible proposition to give at least a little time to those governing bodies to look round them, undisturbed by those external influences which had been referred to, before that alteration of the statutes which appeared to be so much desired by the House.

MR. DARBY GRIFFITH described the legislation which had taken place in respect to our Universities and schools as hap-hazard. He thought that there was really only a nominal distinction between the present governing bodies and those which it was proposed to substitute for them. Another anomaly in regard to that Bill was that it was treated as a Government Bill, although, if any Government was really responsible for it, it was not the present, but the late Government. It was a mistake to deal in that way with a measure of that kind, which ought to be left to the free judgment of the House.

Question put, "That the word 'sixty-nine' stand part of the Clause."

The Committee *divided*:—Ayes 109; Noes 25: Majority 84.

Clause *agreed to.*

Clause 6 (Governing Body to make Statutes, under Restrictions).

MR. NEWDEGATE moved the omission of the word "new" in line 10; his object being, he said, to leave the existing governing bodies as unfettered in the right of making suggestions to the Commissioners as the bodies by whom they were to be succeeded would be.

Amendment proposed, in page 3, line 10, to leave out the word "new."—(*Mr. Newdegate.*)

MR. WALPOLE said, that alteration was, in point of fact, an attempt to renew the discussion which had already taken place on the Motion of his hon. Friend on another clause; and, if successful, would leave everything in a state of uncertainty.

Question put, "That the word 'new' stand part of the Clause."

The Committee *divided*:—Ayes 133; Noes 9: Majority 124.

MR. J. LOWTHER moved to leave out in page 3, line 28, the words of the 3rd section—

> "With respect to the privileges and number of boys who, under any Statute or Benefaction, may be entitled to any rights to education or maintenance."

The object of those words was to enable the choristers of Westminster Abbey to be introduced into Westminster School; and the authorities engaged in education at Westminster School were of opinion that such an arrangement would not work, for the hours at which the choristers were required to attend in the Abbey would preclude them from following the course of education in the School. If it were suggested that the choristers had a claim under statute to be provided with education, he could only say that such a claim was not supported by the Royal Commission. They had no more right than the Chapter tenants.

Mr. NEWDEGATE said, he thought that many Members who voted in the last division were not aware of the effect of the votes they gave, and therefore he wished to know whether, under the words introduced into the 5th clause, power would be preserved to the existing governing body to make recommendations with respect to boys on the foundation, for the 1st section of the present clause appeared to give that power only to the new governing body?

Mr. WALPOLE explained that the existing governing bodies were empowered to make statutes for the constitution of the new governing bodies, and the power was conferred on the new governing bodies, and on them alone, to make the statutes for the future regulation of the schools.

Mr. NEWDEGATE said, he was most anxious to have the matter properly cleared up; because he was at a loss to understand what the governing bodies of Rugby and Harrow had done that an Act should be passed incapacitating them even to recommend statutes with respect to the future constitution of the schools.

Mr. ACLAND said, he confessed he did not exactly understand this very complicated Bill. He wished to know whether the statutes referred to in Clause 6 were to be permanent or distinguishable from the other statutes and regulations to be passed at the end of next year.

Mr. WALPOLE said, the clause embodied that class of statutes which were likely to be permanent for the regulation of the schools.

Mr. BENTINCK, being responsible for the proposal made before the Committee with reference to the education of the choristers, was bound to say, in reply to the observations of his hon. Friend (Mr. J. Lowther), that the Committee had been unanimous on the subject, which his hon. Friend would find by referring to the Report of their proceedings. His hon. Friend did not seem to have informed himself as to the true facts of the case. He compared the choristers with the sons of tenants of the Chapter estate, but there was no analogy between them whatever. Under the statutes, as soon as a chorister had learnt the different parts of speech he was entitled to free education in the School, or to be placed under the master. The education now received by the choristers was given in a species of national school, to which parents were disinclined to send their sons, and was not by any means equal to what was provided for others maintained on the same principle. The provision in this clause was entirely permissive. There was no obligation on the governing body to introduce the choristers into Westminster School; but he did not see why they should not have the power, if they thought fit, to put these boys under the superintendence of the masters. The hon. Member was wrong in assuming that the masters at Westminster were opposed to this provision. The condition of these boys at Westminster was most unsatisfactory, and would be greatly improved by this provision being carried into effect. He opposed the Amendment.

Mr. J. STUART MILL earnestly hoped that the Committee would not adopt the Amendment proposed by the hon. Member for York. One of the most scandalous abuses connected with endowed schools was that the endowments intended for the education of children of parents who could not afford to pay for their education, had been in fact confiscated for the benefit of those who could afford to pay for it. Whether this was a case of the kind he did not know; but it appeared that the choristers and the sons of the tenants of the Dean and Chapter had some rights by virtue of the old endowment. The clause did not define their rights, or state whether such rights existed; it merely gave the governing body the power to consider whether such rights existed, and to take measures with respect to them. The subject had attracted the attention of the working classes themselves. To his own knowledge there had been formed in the North of England an association of the working classes to obtain a restoration of their rights—he would not say in Westminster School particularly—but in endowed schools generally. Unless means were taken to deal with this question by a measure of wider extent, the feeling amongst the working classes would grow much stronger, and the House might expect to hear a great deal more of it. It was not merely that there were rights, but the rights were known by the persons for whose benefit they were created. The House would do well to give to the authorities who were to make the new statutes the power of considering this matter amongst others.

SIR STAFFORD NORTHCOTE opposed the Amendment. The clause was merely permissive, and put it in the power of the governing authorities to make the best provision they could for these boys. When the matter was brought before the Public Schools Commission they were of opinion that it was not desirable to attempt to force these boys into the School but that some other provision should be made for them, by apprenticing them, or otherwise providing for them at the expense of the funds of the School. He hoped that the clause would be retained in the Bill.

MR. BERESFORD HOPE hoped that the hon. Member for York (Mr. J. Lowther) would not persist in pressing his Amendment.

MR. MARSH observed that the foundations at Westminster had always been open to competitive examination, and therefore could not be regarded as the exclusive right of any particular class.

MR. J. LOWTHER, in reply to the observation of the right hon. Gentleman (Sir Stafford Northcote) that the clause was permissive, stated that it was for that reason that he objected to it. The words of the clause were vague and unmeaning, and might contain a great deal more than appeared on the face of them. The proposition, if carried, would re-open a controversy that had lasted for many years, and would leave to the new governing body a *damnosa hœreditas*. An hon. Member had complained that he had not brought down the Latin statutes of that House; but the fact was that he had quoted from the Report of the Royal Commission.

MR. ACLAND concurred in the proposal for separating the seven schools mentioned in the Bill from the question of the general grammar schools of the country; but, at the same time, he entreated the Committee not to place the inhabitants of Westminster, Eton, and Winchester in a worse position for the sake of the higher education which it was desirable should be maintained in these schools. The House would not be acting justly towards the artizans and small farmers if some portions of the rich foundations of these schools were not made available for the education of their children.

MR. LOCKE begged to read the following extract from one of the statutes:—

> "The choristers shall go to our school that they may gain a proficiency in grammar, and remain there for at least two hours and be taught by the master."

That clearly showed that these boys should, to all intents and purposes, be placed in the same position as the scholars of the Westminster School. He did not see why these scholars should be entirely of the richer class. They were established for all classes—rich and poor. It would be unfair and unjust, and at variance with the foundations themselves, to appropriate these schools only to the rich. He should give his support, therefore, to that portion of the clause as it stood; but whether it was sufficiently definite he could not say.

Amendment *negatived.*

MR. ACLAND repeated his suggestion with regard to the propriety of making provision for the establishment of third-rate schools.

MR. WALPOLE said, he thought it was rather inconvenient in the middle of the discussion on this clause to raise such a question. If any proposition of the kind were made he was sure the Committee would consider it.

MR. KARSLAKE suggested that by referring to part of Clause 7, the hon. Gentleman would get an answer to his question.

MR. NEATE moved in page 3, sub-section 7, at end, to add—

> "And in the case of Eton and Winchester Colleges, with respect to future income and all other emoluments of the future provost and fellows and the future warden and fellows, and with respect to the number, emoluments, and advantages to be hereafter enjoyed by all the members of each foundation, or by those now entitled to any payment thereout, and subject thereto, for the establishment or foundation of some other College or School in connection with Eton and Winchester Colleges respectively, and subject to the same governing body as the College in each case."

MR. WALPOLE explained that he had himself prepared an Amendment in reference to the same point; but confessed, if it were at all necessary—which he doubted—that he would prefer his hon. and learned Friend's provision to the one he had prepared himself. The matter was complicated, and he should like to confer with the draftsman before he finally adopted it. He therefore proposed to postpone it on the understanding that it should be again brought before them on the Report.

Mr. WHITBREAD protested that nothing had been said with reference to the poor foundations. He was sure that when these schools were placed under the new governing bodies, large bodies of boarders and foundationers could not exist together, but the rich boarders would gradually eat up the foundationers. He hoped care would be taken to prevent such an evil.

Mr. NEATE said, he would withdraw his Amendment.

Mr. AYRTON was about to address the Committee, when

The CHAIRMAN reminded the hon. and learned Member that the Amendment had been withdrawn.

Mr. AYRTON said, that to put himself in Order he would re-move the clause, for the reason that he doubted whether the clause that had been put on the Paper by the right hon. Member for the University of Cambridge (Mr. Walpole) would cover the whole ground covered by the clause proposed by the hon. and learned Member for Oxford (Mr. Neate). The clause contemplated the continuance of the objectionable governing bodies of Eton and Winchester, whereas the proper manner of dealing with the subject would have been to consider how they could have been abolished. They were Colleges only in the sense of gathering together half-a-dozen idle, useless people, who are maintained at the public expense. In conclusion the hon. and learned Member re-moved the Amendment of the hon. and learned Member for Oxford.

Mr. WALPOLE said, he hoped the Amendment would not be pressed, on the ground that it would be difficult to deal with Eton and Winchester in the manner proposed in the same Bill that had reference to schools differing from those named in the proposed clause. If the Question was postponed to the time when the Report was brought up they would have an opportunity of having the clause better considered.

Amendment *negatived.*

Mr. J. STUART MILL said, he wished to impress upon the right hon. Member for the University of Cambridge (Mr. Walpole), who had charge of the Bill, the importance of the suggestion that had

been made by the hon. Member for North Devon (Mr. Acland). The schools whose case they were considering differed from schools generally, in that they were schools intended for the purpose of imparting the highest class of education ; and no one supposed that this either ought to, or need be given to the whole of the children of the working or lower middle classes. But, on the other hand, the *élite* of those classes had a right to claim that that sort of education should be afforded to them. To those who are most proficient in the lower grades of education, the next highest ought to be opened at the expense of the magnificent endowments for educational purposes in this country. As this was a matter of great importance, requiring to be carefully considered, not so much by the House as by the body the House was about to create, he hoped the Committee would not predetermine that no part of those great endowments should be appropriated to the purpose of providing the higher kinds of education for such persons as those to which he had referred.

Mr. WALPOLE said, that one of the great advantages which these schools had conferred upon the people of this country had been that they had furnished opportunities to the children of those classes to obtain the benefits of this higher education ; and some of the most distinguished men who had been educated at these schools had sprung from the middle classes. The regulations under the 12th clause indicated the intention of the Committee in that respect by giving facilities to other than boarders to attend the schools and participate in the education given therein.

Mr. ACLAND said, it would be easy to accomplish what was wished. It had been shown that the conduct of a perfect school for the upper, lower, and lower-middle class would cost £300 a year, and it was not much to ask that this should be paid out of the magnificent sum of £20,000 at the disposal of the country for educational purposes.

Mr. LIDDELL said, that, so far as Winchester College was concerned, any boy could obtain admission, no matter what his social position, provided he could pass a competitive examination.

Clause *agreed to.*

Clause 7 (Consolidation and Amendment of existing Statutes and Regulations).

Mr. NEWDEGATE said, the clause would give the new governing body and the Commissioners the power to consolidate and amend statutes enforced, whether by Act of Parliament, charter, or other instrument; and he wished to point out that, taken in conjunction with Clause 20, a very novel precedent would thereby be set, by which an unknown number of Acts of Parliament might be repealed by Order in Council, merely on condition that the scheme for doing so was laid before Parliament for a certain time, without the attention of Parliament being necessarily called to it. He also wished to remind the Committee that the Bill provided no compensation for the rights of which the lower, middle, and labouring classes were about to be deprived.

Clause *agreed to.*

Clauses 8 to 11 *agreed to.*

Clause 12 (General Power to make Regulations).

Sir HARRY VERNEY moved, in page 7, line 11, after "given," to insert "and whether it is desirable that the Head master should keep a boarding house."

Mr. NEATE said, he entirely agreed with the Amendment.

Mr. WALPOLE opposed the Amendment as being incongruous with the language and general structure of the clause.

Mr. ACLAND, having been in the Head master's house at Harrow, bore testimony to the advantage arising from Head masters keeping boarding houses.

Sir HARRY VERNEY said, he would withdraw his Amendment.

Clause *agreed to.*

Clause 13 (Appointment of Masters).

Colonel SYKES complained that the physical sciences are not more extensively taught in our public schools.

Clause *agreed to.*

Clause 14 (Scheme for Harrow and Rugby).

Mr. KARSLAKE rose to move the omission of the words relating to Harrow, in accordance with which the governing body of that School would be empowered to submit to the Commissioners a scheme for appropriating a suitable part of the revenues of the foundation to the promotion of education within the parish of Harrow, in the shape, if deemed expedient, of providing for the maintenance of a separate school. The hon. and learned Gentleman contended that it was contrary to law that the revenues which had been appropriated by John Lyon for the foundation of a grammar school should be diverted to a totally distinct purpose; and he entirely concurred with those who thought it desirable that those great foundations should be made as far as possible available for middle-class education; but then the combined effect of the 6th and 10th clauses would, in his opinion, do all that was necessary in that respect. Let everything be done to ameliorate those foundations and to extend their objects; but it was not right to take a school such as John Lyon founded and cut it into two, thereby departing from the intention of the founder. In making these observations, he believed that he expressed the opinions of the inhabitants of the locality. He had here a letter of the Vicar of Harrow, who coincided in the views of those who wished to see Harrow School modified to meet the requirements of the time, having a lower form, with power to the pupils of that form to rise to the higher ranks of the School, but who did not desire to see a lower school established separate from the present School. If once the House adopted the principle that they might entirely upset the intentions of the founders it would be impossible to say where they could stop. He entreated hon. Members to be merciful to Harrow School, which certainly had a fair claim to the sympathy of both sides of the House, having educated a great number of Members, and among them two Prime Ministers. The hon. and learned Gentleman concluded by moving in page 8, line 18, to leave out from commencement to line 41, relating to Harrow School, and make the formal alterations consequent on leaving out such part of clause.

Mr. GOSCHEN said, he believed the fact to be that, as regarded Harrow, no tradesman or farmer there had sent his son to that School for thirty years. The object of the clause was not to take away the educational privileges of the lower classes, of which they at present did not take advantage, but to give them a school better suited to their station in life, and which would be better adapted to their educational wants. Under the present law, the privileges of Harrow were considerably abused. Parents who were not connected with the locality went to Harrow and located themselves there solely with the view of getting a cheap high-class education for their sons, although they were perfectly able to pay in full for that education. The clause was designed to mitigate that evil, and by way of compensation to the lower classes it was proposed to establish another school for them. There was great difficulty in combining a day school with boarding, and the system was not found to be in accordance with the best interests of the school. The objection raised to the alteration proposed by the tradespeople of Harrow and Rugby was contained in the last words of the memorial referred to by the hon. and learned Member — it would tend to the depreciation of their property ; in other words, they were afraid their houses would not let so well if there was not this migration from London to obtain a gratuitous education.

MR. BERESFORD HOPE said, he had possessed the advantage of having been what John Lyon had termed a "foreigner" at Harrow, and he was inclined to think that the views of his hon. and learned Friend the Member for Colchester and those of his right hon. Friend the Member for London were not so incompatible. On the one side was the undoubted fact that John Lyon had intended his foundation primarily for the inhabitants of Harrow itself; and, on the other, the fact that those educational advantages were abused by reason of the cause just mentioned, Harrow having, in consequence of improved communication — and specially, thanks to the London and North Western Railway — for some time past laboured under what was the misfortune in one point of view and the advantage in another of having virtually become a suburb of London. Building operations had gone on extensively at Harrow; part of the advantage being the cheaper education which John Lyon's foundation afforded to residents. To call that a gratuitous education was an exaggeration ; for, although the Head master's fee was excused, the payment to the tutor continued ; but it was certainly cheaper, and it was taken advantage of by many who ought to blush for shame. Still there were poor gentlefolk—widows and others of very limited means—who in the exercise of the highest common sense, amounting almost to a Christian virtue, went to Harrow in order to send their children to the School. It was difficult to draw the line ; and each case must be dealt with for itself. Again, there was the case of the tradespeople, who looked to Lyon's foundation as a means of obtaining a commercial education, and, at the same time, to not losing the prestige of their connection with the old and famous School. He could not say that John Lyon would not have sympathized with their appeal. The promoters of the clause argued that the people who so went to live at Harrow were not its genuine inhabitants. But is it certain that Lyon himself would not have hailed the material improvement and enlargement of the town as a result of his foundation ? It is certain that he left the larger portion of his property to mend the roads between Harrow and London, and unfortunately only a driblet to the School itself. There was something to be said on this side of the case, and there was also something to be advanced on the other side, which had been brought forward by the hon. and learned Member for Colchester (Mr. Karslake). Looking at the matter in all its lights, he would not say that the present use of John Lyon's benefaction was such as he himself would have repudiated, though it was to be deplored that boys were sent to Harrow who could afford to pay the fees of the Head master but did not do so. Generally, then, he thought it was a case, not for an inflexible regulation such as the clause proposed, but for investing the Head master with wide discretionary powers. He was as anxious as anyone to see the lower "English" school well established; but he thought that it ought to be a subsidiary portion of the great foundation and not a smaller and independent one. This end would be attained by the Amendment of his hon. and learned Friend, and in a still more compendious way by that of the hon. Viscount the Member for Middlesex. For his own part, he thought the best way out of the difficulty would be to establish minor or commercial forms, and to give the Head master the absolute discretion of sending the town boys either to the higher or the lower forms, according to the facts of each application. He thought, moreover, that power should be given to the Head master to admit the sons of decayed gentlemen to the higher class education should he deem it prudent or desirable that such should be done. This would, of course, test the *bonâ fides* of each case; for the master could refuse the benefits of the cheaper classical education whenever the parent was clearly capable of paying the ordinary fees, while the meritorious poor boys could be let in. It would, at the same time, quite silence the sentimental grievance which, backed as it was by a clause for substantial advantages, might otherwise become troublesome. Moreover, the claim as it stood had the disadvantage of making the master of the proposed new school independent of the Head master of the old one. It required but little knowledge of human nature to see how likely this would be to create jealousy and disputation. On the whole, then, he would advise the promoters to withdraw the clause, and see if some arrangement could not be reached. The question could be brought up again on the Report.

MR. AYRTON said, that the real question was, whether the endowments should be allowed to be kept for the wealthier classes of society, or not, and whether children of the poor should be deprived of the education intended by the founder? Then came the question, how the clause affected a large class of persons who did not wish their sons to have a high classical education; but who were nevertheless reluctant to give up any privileges they had at present? He could not understand why the operation of the clause should be confined to Harrow and Rugby. If they were to finally dispose of the funds of the founders they ought to have regard to the rights of the boys in the district. It appeared to him that the clause was intended to restrict the advantages of the schools to the wealthier classes. The proper mode of treating the clause was to make it not special, but general, so that some part, at least, of the endowments might be made available for the benefit of all classes of society living in the neighbourhood of the schools.

MR. NEWDEGATE said, he was anxious that Rugby should be included in the Amendment of the hon. and learned Member for Colchester (Mr. Karslake). The founder of Rugby, Lawrence Sheriff, intended that all classes of persons in and around Rugby should participate in the benefits of the School, and by his will expressly provided against the separation of classes. The sons of the poor of Rugby had frequently risen to eminence in consequence of the education they had received at the School; and the inhabitants of that town joined in the prayers of the people of Harrow that their children might not be deprived of the advantages to be obtained at that School. The present system avoided the separation of classes; it encouraged the settlement in the town of retired officers and others, who sent their sons to the School and watched over its social welfare, and it enabled poor boys of talent to rise to a higher position. He hoped, therefore, that Rugby would be included in the Amendment, as the case was stronger even than that of Harrow.

MR. POLLARD-URQUHART said, he believed the inhabitants of these towns greatly prized the privileges they at present possessed, and thought the Committee should hesitate to curtail them.

SIR STAFFORD NORTHCOTE remarked, that if the clause were omitted the Commissioners, or the new governing body, would have ample powers, under previous clauses, to proceed in the way directed by it. The only object of the clause was to give them precise directions, instead of leaving the matter to their discretion. The Public School Commissioners recommended that, in consideration of the change of circumstances, the exclusive privileges enjoyed by the residents of Harrow and Rugby should be curtailed, and that, as some compensation, provision should be made for their benefit. Now, their recommendations had been embodied in the Bill with the intention of benefiting this class; but as it appeared that they not only were not grateful for it, but were inclined to oppose it, he thought the wisest course would be to abstain, on this as on other points, from giving precise directions, and to intrust the Commissioners and new governing bodies with wide powers. It would then be open to them to consult the inhabitants of these places, and ascertain what was the best and most acceptable scheme. A noble Lord opposite (Viscount Enfield) had suggested a lower, instead of a separate school, and this raised a very important question; but he doubted whether it could be so well considered by Parliament as by the Commissioners. He would suggest, therefore, that the early part of the clause should be withdrawn or negatived, retaining the proviso at the end for the preservation of the rights of persons now living.

MR. LABOUCHERE, as a representative of the county in which Harrow was situate, thought the suggestion just made by the right hon. Gentleman eminently satisfactory. The clause was introduced for the benefit of the tradesmen of Harrow, but they did not like it, and said they did not want it.

MR. SERJEANT GASELEE said, he was opposed to all restrictions.

Viscount ENFIELD said, that the proposal of the right hon. Gentleman (Sir Stafford Northcote) would be eminently satisfactory to the inhabitants of Harrow.

Mr. KARSLAKE said, that there was a decided objection on the part of the inhabitants of Harrow to the establishment of a new school. He had no objection to withdraw his Amendment in favour of the proposal of the right hon. Gentleman.

Clause, as amended, *added* to the Bill.

Clause 15 (Saving of Rights).

Mr. ACLAND said, he would be glad to hear from the right hon. Gentleman (Mr. Walpole) that the Commissioners would have power to establish subordinate schools.

Mr. WALPOLE said, he could not then give an off-hand opinion in answer to the question.

Clause *added* to the Bill.

Clause 16 (Appointment of Commissioners).

Mr. Serjeant GASELEE moved that the clause be postponed. There were certain Gentlemen who were upon every Commission, and a little change was wanted.

Mr. AYRTON wished to know whether the right hon. Gentleman was prepared to insert any other names?

Sir STAFFORD NORTHCOTE said, it might happen that one of the Gentlemen nominated might not like to serve; but it was not thought desirable at present to propose any additional names.

Mr. LABOUCHERE said, that the right hon. Member for Calne (Mr. Lowe) represented the views of a great number of persons on education, and it was desirable to have the right hon. Gentleman on the Commission.

Mr. LOWE said, he was much obliged to the hon. Gentleman for the compliment, but he would much rather be excused.

Mr. Serjeant GASELEE suggested that perhaps the right hon. Gentleman did not like the Gentlemen with whom he would be associated. Perhaps if the Committee put in the names of some of the same kidney he might accept.

Mr. WALPOLE said, he hoped the hon. and learned Member who moved the postponement of the clause (Mr. Serjeant Gaselee) would not press his Motion, because the Committee would not thereby get an inch nearer. If it were thought necessary to add other names it would be better to propose them; but it would be invidious and almost dangerous to discuss the names now proposed one after the other. There were Gentlemen on the Commission who represented science, as well as the public schools.

Mr. LABOUCHERE regretted that the right hon. Member for Calne declined to serve on the Commission, because he spoke real sound common sense on the subject of education, and would put an end to that system of teaching nothing but Latin and Greek, which made such ignoramuses of them all.

Mr. KARSLAKE suggested the name of the junior Member for Cambridge University (Mr. Beresford Hope) as an acquisition to the Commission.

Captain VIVIAN agreed that it would be desirable to postpone the clause until another day.

Mr. BROMLEY-DAVENPORT thought they were merely wasting time by that discussion.

Mr. POWELL supported the Commission proposed in the Bill, as being constituted in a wise and liberal spirit.

Mr. DARBY-GRIFFITH objected to the practice of leaving measures to be carried into effect by Commissioners.

Mr. WALPOLE said, that as no Notice had been given of any Amendment in that clause, it was hardly possible to discuss the propriety of any alteration in it without having some specific proposition brought before them. He thought the body of Commissioners proposed by the Bill would meet with the general concurrence of the House and the country. If, however, the composition of the Commission as proposed was not deemed satisfactory by any hon. Gentleman, it seemed to him that any Amendment had better be brought forward after Notice. He would venture to suggest that they should pass the clause, and if anybody had any name which it was thought desirable to add to the Commission it might be properly considered on the Report.

Mr. AYRTON said, it would place Members of that House in an invidious position if the duty of proposing names were thrown upon them. The duty properly devolved upon the right hon. Gentleman opposite of proposing names which might be deemed on the whole satisfactory. The first name contained in the clause was that of the Archbishop of York, who was chosen, he supposed, to preserve inviolable the Church of England character of the schools, which no doubt he would do with all the zeal and dignity that belonged to his character and his sacred calling. Then, the second name was that of the Marquess of Salisbury, a party man of such strong Conservatism that he would not associate with the present Government on account of its Liberal tendencies. If, however, the Government acted fairly they would have also added the name of some eminent Member of the other House who was known and admired for his Liberal views. The nomination of one Gentleman from each side of the House of Commons was a fair selection as far as that House was concerned; but it was the duty of the right hon. Gentleman himself to re-consider that matter, and to propose a name or names.

Mr. ACLAND thought that no substantial objection had been urged against the composition of the Commission, and hoped the Committee would support the Government in the proposal which they made.

Mr. GLADSTONE expressed his concurrence with the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) in the opinion that it was not desirable an individual Member of the House should take upon himself the responsibility of naming a Gentleman to be placed upon the Commission; because what they had to look at was not merely the qualities and characteristics of an individual considered alone but the manner in which he entered into the composition of the Bill as a whole. It was only the framers of the Bill who could, he thought, take the initiative in that respect with advantage. He therefore was opposed to any vague postponement of the clause, which could lead to no practical good, and which might have the effect, at this period of the Session, of preventing the passing of a measure which, it must be admitted, would on the whole accomplish a very great and important change. The Commission was not, so far as he could see, in any way open to the charge of having been constituted with anything like palpable unfairness; and he should, under these circumstances, give his support to the proposal of the Government. The political element seemed to be fairly balanced.

Mr. Serjeant GASELEE argued in favour of the postponement of the clause in order that the composition of the Commission might be more fully discussed. He should like to know how many of those Gentlemen whose names were proposed as members of it were remarkable for their Ritualistic tendencies. He did not see that the Noblemen and Gentlemen named in the Bill were more fit to perform the office of Commissioners than many others who could be named.

Question put, "That the Clause stand part of the Bill."

The Committee *divided:* — Ayes 140; Noes 2: Majority 138.

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

ARMY RESERVE.

MOTION FOR A COMMISSION.

Lord ELCHO rose to move the following Resolution—

> "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to appoint a Royal Commission to inquire into and report upon our Military Organization, in so far as it relates to the establishment of a sufficient and economical Army of Reserve, and the means it offers of speedy and efficient expansion to meet the requirements of war, more especially for home defence."

The noble Lord said that he offered no apology for bringing the subject before the House, because he considered it to be one of very great importance; but he hoped that the imperfect manner in which it would be brought forward would not prevent it from receiving from the House and the country that attention which it merited. At present all Europe was engaged in re-organizing its military power in the most efficient and economical manner. Prussia set the example; Austria was not slow to follow in the footsteps of her successful rival, examining the cause of the Prussian successes, and placing her army on a sounder footing: France, the jealous neighbour and rival of Prussia, had likewise endeavoured to trace this cause, and nearly the whole of the winter had been employed by the French Chamber in discussing the amendment of the military law. Whether those nations were thus engaged for defensive or for aggressive purposes he did not pretend to say. Unquestionably, if they looked at the language used in the French Chamber as to the necessity that France should maintain her legitimate influence in Europe, and should therefore have a large standing army, the impression left on one's mind was that the French people intended, as the phrase was, that no gun should be fired in Europe without the consent of the Tuileries. One could not help feeling that the re-organization of the French army might lead to aggressive tendencies on the part of that people. But England, too, had of late years been re-organizing her military forces. No one could pretend that in so doing we were actuated by any aggressive intentions. We were satisfied with our legitimate influence in Europe; we had no frontiers to rectify; and our re-organization was solely in the interests of peace and for national defence. No complaint then could be made by any other Power of our attempts at re-organization, and he believed that such a re-organization was much needed. Remembering that our Estimates were £15,000,000, and remembering on the other hand what we had to show for that expenditure, he was inclined to think that our military machine was not as efficient as it might be or as economical as it ought to be. In this belief he asked for a Royal Commission, because he maintained that whatever might be the industry and ability of the right hon. Gentlemen or noble Lords who had held, or might in future hold, Office as Secretary of State for War, it was not possible that they, with their multifarious Parliamentary and departmental duties, could take this machine to pieces, oil it, change some of its parts, and put it properly together again. He did not believe that we required any new laws, but simply proper, judicious, courageous changes in existing laws and our existing system. These changes, however, were such that possibly no Minister might have the courage to propose, and no Parliament the courage to adopt them, unless fortified by the opinion of a Royal Commission of independent and able men, and it was on this ground that he proposed the appointment of such a body. Having premised thus much, he would now state in detail the grounds on which he made this Motion, taking the standard of foreign armies as that by which to judge our own military organization. The main ground lay in the amount of our Estimates, and the small number of men we had to show for the money. In the debate in the French Chamber it was stated that at the present day Russia was capable of bringing into the field 1,600,000 men; Austria, 1,200,000; and Italy, 900,000. Passing by these Powers, however, he would take the standard of other Powers nearer home. In France, as all knew, the system was one of conscription. At the age of twenty every male became liable to serve, but only a certain proportion of the whole population was taken. The males arriving at maturity annually in France were 230,000 out of a population of 39,000,000. The number taken in France depended upon the annual contingent fixed by the Government—a contingent which since 1818 had varied from 40,000 in time of peace to 140,000 during the Crimean war. This had given a minimum force of 400,000 men, and a maximum of somewhere about 600,000 men, with a reserve of 200,000. Probably there ought to be rather more; but out of the thirty-seven communes of France there was one which did not produce the number required, and it was not made up from the other districts. This was under the old system. The new one would give 800,000 men in the First Class and Reserve, and 400,000 National Garde Mobile, making altogether 1,200,000 men. Now, what was the cost of the French army? M. Jules Simon calculated that 400,000 soldiers in France cost 360,000,000f., equal to £14,400,000. As to Prussia, she showed more than any other nation in the world the power that was obtained by successful military organization resting upon a national basis. The Prussian system called on every man of twenty to serve, unless he were exempted for some cause, and the exemptions were not numerous. The result of this system was that though, after Jena, Prussia was bound down by the Peace of Tilsit to have no more than 42,000 men, when war broke out in 1813 she appeared in the field with an army of 132,000 men and 200 guns, while after the battle of Dresden she had 250,000 men and 400 guns. This was with a population of 5,000,000; and in 1866, with a population of 20,000,000, within three weeks of the breaking out of war, Prussia appeared in the field with 400,000 men in their first line, and 900 guns, with reserves which, taken with the first line, amounted altogether to 717,000 men. What was now the position of Prussia, or rather of Northern Germany, as a military power? Her forces were so organized that 1,360,000 men could be brought into the field; and the proportion of young men who came to maturity at twenty in Prussia was much greater than in France. In this country we had a population of about 30,000,000. The number of men voted this year by Parliament was 203,157, and the reserves numbered 329,000, making a total of 532,157. Deducting from a total of £15,455,400, the cost of the army serving in India, and the cost of the Indian depot in England, and taking the cost of transport for the army from the Navy Estimates, and of stores for the Navy from the Army Estimates, and deducting also, from the total named £1,250,000 for pensions, so as to give a fair standard of comparison with foreign armies, he arrived at the conclusion that the 128,000 men in our regular army cost £11,310,400, while in France the estimated cost of 400,000 men was £14,000,000; and in Prussia, according to Colonel Reilly, 217,000 men cost £6,545,944. The House would readily perceive the great difference there was between the English and the foreign Estimates. It appeared that, man for man, our soldiers cost—a Regular £90, a Militiaman £11 10*s*., a Yeomanry soldier £6 or £7, and a Volunteer £3 10*s*. This calculation was based on the Estimate of £15,455,400 for the whole army; and, making the deductions and allowances he had enumerated, he arrived at £11,310,400 as the cost of our 128,000 Regulars. Coming to organization, every one knew that in France that was complete. The army was composed of great divisions, each complete in itself. The Invalides was being converted into an arsenal in the centre of Paris, with equipment for 200,000 men; and such was the power of contraction and expansion that 100,000 men could be summoned to the ranks and sent back again in a fortnight. There were, therefore, complete efficiency, and complete power of expansion; but the power of expansion and contraction was greater in Prussia than in any other country. Within three weeks of the breaking out of the war in 1866 Prussia put on the field 400,000 men and 900 guns, ready in every respect; and these men as we knew, marched from Berlin to the gates of Vienna. That efficiency in time of war was, after all, the result of steady preparation and organization in time of peace. But the Prussians in time of peace practised war, for being at Cologne with Lord Clyde in 1863, he found the operations of war going on. They saw about 50,000 or 60,000 men under arms, and divided into two bodies, each body being in itself complete with the general and staff ready for a campaign. The manœuvres of the troops extended over a fortnight, and they did not know on the one day where they were to meet the next morning. On one occasion he was near a regiment when the bugle sounded to stop work for the day, and he inquired, "Where are you going to sleep?" from an officer, who pointed to the ground, and said, "There." In war material, transport, commissariat, medical department, and stores of every description, each division was complete, and each had the same officers and staff in time of peace that it would command in time of war. He remembered reading accounts of the campaign in 1866, in which occurred the names of the officers he had seen at Cologne in 1863. Colonel Reilly, from whose book he had drawn much information, described Prussian organization in these terms—

> "The Prussian army rests upon a system where the whole nation is accustomed to arms, and moderately disciplined, and where, in time of peace, all means are taken to instruct the staff, and keep up the departments forming the machinery of the army complete in all details; and opportunities are given to all of gaining such knowledge of their professional duties that when war comes the army and its departments can be expanded with confidence in their efficiency."

Was our state of preparation, as regards military organization, at all comparable with that of Prussia or France? Was our organization such that when war came, "the army and its departments can be expanded with confidence in their efficiency?" Unquestionably, in England there had been very great improvement in the state of our military organization. Before the Crimean War we had a small available army, but we had no Militia and no Volunteers, and but twelve guns equipped. It was really astonishing that the nation should have been allowed to fall asleep as it were, and to remain in the defenceless condition it was. Now, we were armed, but were we sufficiently organized? He did not pretend to say that much had not been done, and that we were not in an improved position; but would anyone say that our military organization was satisfactory, that our departmental and staff arrangements were all that could be desired; and that our transport, commissariat, medical stores, and camp equipage were sufficient for the army, including the Reserves? Much had been said lately as to the organization of our Volunteers, which was described by a high military authority as a sham; but he contended that it was not more a sham than the organization of our Militia or Yeomanry, because the organization of the army was supposed to be sufficient, as regarded staff and departmental arrangements, for the Militia and the Yeomanry as well as the Volunteers. To give the House an idea how utterly inadequate the staff alone was, although it was larger in proportion than that of any other army for the purpose it pretended to serve, he might mention that the staff requisite for the Volunteers alone would number 700. This was the calculation made by Colonel Erskine before he left the War Office; and would any man pretend to say that the staff of the army was sufficient for all that was required if we were suddenly called upon to put ourselves in a state of defence? Would any one say that the commissariat, transport, camp equipage, and other departments, which were quite as essential as men to the army, were capable of immediate and ready expansion within three weeks or a month? Whenever war came it would come suddenly, and the advantage would be with nations that were so prepared. Would anyone say that within a month our staff and departmental arrangements could be put in all respects upon such a footing as it would be necessary to guarantee in case of war? It was on these grounds he asked for—

> "A Royal Commission to inquire into and report upon our Military Organization, in so far as it relates to the establishment of a sufficient and economical Army of Reserve, and the means it offers of a speedy and efficient expansion to meet the requirements of war, more especially for home defence."

He wanted to know whether it was the opinion of his right hon. Friend that our present system offered the means of such an expansion. He (Lord Elcho) did not believe any answer on this subject could be satisfactory which was not preceded by a searching inquiry. But to return to the question of the men. He confessed himself he did not trust our system of recruiting which was at present in force; still less did he trust to our Reserve system. He asked whether this latter system worked as well as the House would wish —as they would all wish? He was inclined to think that a good deal more was required. Now, he distrusted our system of recruiting, because he did not think it would bear the strain of the requirements which war would bring. What had occurred when the Crimean War broke out? We were then 27,000,000 or 28,000,000 of people. Our present system of recruiting was in force; and yet the Secretary of State for War was obliged to come down to the House of Commons with what he called a "Foreign Enlistment Bill." We, with our 28,000,000 of people were so remarkably organized, or rather disorganized, that we had to go to the people of other countries and ask them to fight our battles. Parliament felt then as it felt now that such a thing was not creditable to this country. What was the result of that Bill? Two foreign legions were proposed. One, the Italian, failed; the other, the German, made very excellent soldiers. We were at that time obliged to ask the Militia regiments for extraordinary service. A Militia regiment—that commanded by the right hon. and gallant Gentlemen the Member for North Lancashire (Colonel Wilson-Patten)—did duty in Malta and Gibraltar. More than that, we had to avail ourselves of the services of a regiment from one of the colonies; and Lord Hardinge, though most unwillingly, allowed Colonel Somerset who had sold out to come in again because he brought with him three regiments. But let the House look at what was the state of our army at the close of the Crimean War, notwithstanding all those adventitious aids. On the 1st of April, 1856, the numbers stood thus — voted, 219,308; serving, 180,464; deficiency, 38,844. He would now call attention to our systems of organization. When we were at war abroad he believed that England had never brought more than 45,000 men in line; and we had from the Commission on Recruiting the belief expressed that the utmost possible force of regular troops we could have in line at home was 40,000. Compare that with the state of things in the time of Elizabeth. At that period, with a population of 3,000,000, no fewer than 177,000 men could have been put in the field, all thoroughly organized, and with so complete a transport that they carried even the necessary horseshoes and nails. Our system of recruiting which had failed in war had failed in peace also; because the Royal Commission appointed on this subject a year or two ago made sundry recomendations, which resulted in the scheme of his right hon. and gallant Friend the Member for Huntingdon (General Peel), by which an increase of 2*d*. a day was given to both the army and the Militia. Concurrently with that increase there had been an increase in the recruiting for the army and the Militia. [Sir JOHN PAKINGTON:

Hear!] His right hon. Friend cheered him; but he did not think he could be prepared to assert that the whole of that good result was due to the Government. Unquestionably the increase of pay had had its effect; but concurrently with the increase in recruiting there had been a period of distress and stagnation of trade. The class from which recruits came was affected by that state of circumstances, and, therefore, one could not say how much of the increase in the recruiting was due to the increase of 2*d.* in the pay, and how much to the stagnation in trade. His right hon. and gallant Friend the Member for Huntingdon before he left Office proposed what he called a scheme of Army Reserve, and that proposal was being carried out by his successor in Office, the present Secretary of State for War. He observed that the right hon. and gallant General (General Peel) shook his head; and no doubt he would be able to show in what respects his scheme was not being carried out. The impression entertained by himself and others was, however, that the present Secretary for War was endeavouring to give effect to the plan of his right hon. and gallant Friend the Member for Huntingdon. He was not going to enter into details on this subject; but he believed he was correct in stating that the intention of his right hon. and gallant Friend was to have in reserve 50,000 men, who, in case of emergency, should be at the disposal of the Commander-in-Chief. His right hon. and gallant Friend did not, perhaps, think that a sufficient Army of Reserve; but when he entered Office he found none at all, because the system of Reserve attempted by Lord Herbert had proved a signal failure. The Army of Reserve under that system had become a standing joke. But how, at the present moment, stood our Army of Reserve, which was to have amounted to 50,000? It consisted of two branches—of men who had retired from the army without having completed their full term of service and of men who had served in the Militia. At the present moment we had of the former 2,900 and of the latter 2,006, giving a total of 4,906 for our whole Army of Reserve. He thought it very questionable whether this system of a Militia Army of Reserve would work as well as they all wished it might work. The Militia Army of Reserve depended entirely on the feeling with regard to it existing in the Militia. He had been told on the previous day by a Militia officer the impression abroad was that in bringing this Motion before the House he wished to set aside the Militia and to bring the Volunteers more prominently forward. He presumed, therefore, that such an impression existed somewhere, but he must say for himself that he regarded the Militia as the backbone of our military system. He thought that every effort ought to be made to strengthen the Militia and bind it up with the army and the Volunteers. But, unquestionably there did exist on the part of the Militia a feeling that of late years the public laid less stress on the value of their assistance, and that they received less consideration than they deserved. As one of the public he must say he did not believe that to be the case. The difference of feeling arose from this, that the Militia were drilled at Aldershot or in the country away from London and other large towns, and did not therefore appear so prominently before the public, and that consequently they could not draw a comparison of the nature of their services as they could if they were brought together in large bodies like the Volunteers, who were collected in large towns, and who came prominently before the public. So far, therefore, as the Militia were concerned they were under a false impression with reference to the opinion of the public. He spoke not as a Volunteer, but as one of the public, when he said that the Militia were the backbone of our military system. ["Hear!"] The cheers of hon. Members indicated that such was the feeling of the House of Commons. The Militia officer to whom he had just alluded, and who had been introduced to him as a gentleman who had given great attention to the question, assured him as the result of communications with his brother officers that the Militia Reserve system was not looked upon favourably by Militia officers. It appeared that out of three regiments of Militia which had just completed their drill—the 1st Surrey, the Oxfordshire, and the Hampshire—only eight men offered themselves for the Army of Reserve. These belonged to the 1st Surrey, and only three of them were attested. The Oxfordshire regiment did not produce a single recruit, neither did the Hampshire; and the reason assigned for this remarkable circumstance was that the men did not like to serve without their officers; the men asked were their officers going too, and when they found such was not the case, they determined to stop where they were. In the course of conversation the other day respecting the present Motion, Lord Norreys, who commanded a Berkshire battalion, expressed an opinion that this Act would not work, and, having been requested to do so, put his views upon paper in the following shape:—

> "I do not think the Militia has prestige enough to attract desirable men as officers. I also think that the Army Reserve Act will increase the difficulty of getting subalterns; as it is most unpopular among the officers, who feel slighted at being required to command men liable for active service themselves, and not being allowed to accompany them. I consider that it has increased the feeling among them that they are but drill sergeants for the army. To improve the efficiency of the force I think it will be necessary to give it prestige; and, believing as I do that but few men will be induced to join the Army Reserve individually—though if asked by regiments to volunteer on the same terms to serve with their officers they would do so—I would suggest that instead of asking a percentage of men of each regiment to volunteer on these terms, the same percentage of regiments selected from those most efficient should be asked to volunteer on the same terms, to serve under their officers with the regular army in case of war; that these regiments should be very strictly inspected every year; that all members of the permanent staff not thoroughly efficient be draughted; that all officers be required to satisfy the inspecting officer of their thorough knowledge of their duties; and that their annual period of training be extended to fifty-six days, it being clearly understood that no Militia officer serving in the field has any claim to any army appointment when his regiment returns to a disembodied state. An *esprit de corps* would in my opinion be thus established that would attract desirable men as officers to the Militia, and give the force a prestige it has not got. I fear that if many men were to join the Army Reserve on the terms now offered many of the best officers and those taking the greatest pains with and interest in their companies will leave the Militia, and I am sure that it will be impossible, by increasing the pay of Militia officers, to replace the gentlemen of the respective counties, who are invariably the best officers, and who work very hard not for the pay, but for the interest of their regiments. Little is known to those who have not experienced it of the drudgery that company officers of Militia regiments go through, and of the personal attention they give to every detail affecting their men, and there is no denying that they have not sufficient encouragement."

A gentleman, with means of knowledge, to whom he read this letter yesterday said that, as far as he knew, it expressed the opinions of the Militia officers. The system here proposed, if adopted, would not only make the Militia feeders, but actually second battalions of the regular army. He asked this same gentleman whether there was any other plan which suggested itself to his mind for giving prestige and efficiency to the Militia; and he replied that what was wanted was some sufficient inducement to the officers to work hard and learn their duty. There was no reason, for instance, why honorary army rank should not be given to all Militia officers who would undertake to attach themselves to a regiment of the Line for three months, and obtain a certificate of competency, which rank they should be allowed to retain on retiring after ten years' service. This honorary rank, while it would not derogate in any way from the status of the Regulars, would materially enhance the position of Militia officers in their own estimation. Upon the whole, therefore, looking at the question as it affected the army, at the present number of departures and re-enlistments, and at the poor state of the existing Reserve there was abundant ground, he contended, for the issue of a Commission. But, again, there was another branch of the service — the Volunteers. Upon the Volunteer Vote it had been his duty to call the attention of the Secretary of State for War to the fact that committees of officers representing the force from all parts of the kingdom had come to the conclusion that the Parliamentary Capitation Grant was insufficient to keep up the force at its present strength. His right hon. Friend, in reply, said he had consulted other officers, who seemed to be of a different opinion, and the hon. Member for Devonshire expressed his opinion that he thought it sufficient. But surely where so strong an opinion was entertained and expressed upon one side and on the other, it would not be prudent to risk the falling away of so valuable a force merely for want of inquiring which opinion was right and which was wrong. The precedent of an inquiry was set in 1863, and there had been something like a pledge that the matter should be further investigated. Last year he had put before the House his view that the only sure foundation for the Militia was to rest it upon the ancient usage of the country —namely, liability to service for home defence, and, if such a Commission as he recommended were appointed, that question, he hoped, would not fail to receive attention. But he did not ask the House to go into that matter now. He had, in fact, to offer his apologies for the length to which his remarks had extended. But, believing that our military organization was not in a satisfactory state, either as regarded its present condition or its power of expansion in case of need, he felt compelled to bring the subject before the House. He asked for inquiry, because inquiry ought to precede and would be necessary to justify the action which eventually might have to be taken upon this head. In the opinion of many who had studied the subject such inquiry was wanted, and, if granted, would meet with the sanction and approval of the country. There was a very strong and a growing feeling that, for the enormous expenditure of £15,000,000 annually, we had not our money's worth. Could it be alleged that inquiries such as he proposed were uncommon in this country? Why, in the debate in the French Chambers, M. Thiers, speaking upon the Army Bill, said—

> "Why do you bring in the Bill at once? Why do you not, preparatory to legislating on this question, institute one of those grand inquiries which they issue in England under similar circumstances?"

He hoped the Secretary of State would recommend Her Majesty to issue one of these "grand inquiries;" and, in any event, that the right hon. Gentleman would not pledge the Government against a further consideration of the matter, but would keep in his own hands, at least while he retained Office, the power of issuing such a Commission. The time for inquiry was singularly favourable. The Government could not take action practically in the matter, for they could not elaborate any scheme with the certainty of being able to lay it themselves before the next Parliament; and if a change of Government followed the dissolution time must be lost before the new Minister for War could settle into his place. His object therefore in the present Motion was that the interval preceding the assembling for business purposes of the new Parliament should be occupied in an inquiry conducted by able and independent men, so that time which would otherwise be lost might be turned to account, and valuable information collected and placed at the disposal of whoever might be the Secretary for War. Time pressed; while England considered what was to be done other countries were at work. He therefore hoped his right hon. Friend would recommend Her Majesty to appoint the Commission he asked for, on the principle that the machine of war was made effective only by careful preparation in time of peace. It was not by resting satisfied with a system of recruiting which the Commission described as "a hand to mouth policy" that Prussia paved the way to Sadowa, or that France was preparing for a second Jena.

Motion made, and Question proposed,

> "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to appoint a Royal Commission to inquire into and report upon our Military Organization, in so far as it relates to the establishment of a sufficient and economical Army of Reserve, and the means it offers of speedy and efficient expansion to meet the requirements of war, more especially for home defence."—(*Lord Elcho.*)

GENERAL PEEL said, no more important question could be introduced to the House than that brought forward in the very able speech of his noble Friend. He quite agreed that no time could be more appropriate than the present for the consideration of the matter; because we were not suffering from one of those hot or cold fits which generally regulated our military operations — now through panic, driving the country into extravagances, and then, from a false feeling of security, leading to the neglect of the commonest measures of defence. Now was the time to consider the whole question dispassionately, because the present policy of the Foreign Office—which he hoped would be the policy of the future—to a great extent secured us immunity from foreign quarrels. But when Continental Powers were arming themselves to the teeth the security arising from non-intervention was not to be trusted in alone. The question of an Army Reserve was referred to the Royal Commission of two years ago, which sat under circumstances much resembling those of to-day, for no immediate cause for action had then arisen. The Commissioners, reporting on that subject, said—

> "We find that it opens up a very large question, the decision of which rests rather with statesmen and Cabinets than with a Commission such as that of which we are members."

That was his opinion also. He strongly deprecated the growing tendency to transfer responsibility from Ministers to Royal Commissions. The Report went on—

> "The military history of this country, even up to the date of the last great war in which we were engaged, shows that it has been our practice during periods of peace to reduce all our military establishments to the lowest possible point which the relief of our troops serving in the colonies would admit. Our arsenals were dismantled, and nothing but the most ordinary work performed in them. In fact, it may be said that we were content to exist from hand to mouth with no forecast of the future. No preparations for a state of

> war were thought of, and the consequence has been that when war occurred everything had to be done in a hurry at the most lavish expense. Men were enrolled and sent half-trained into the field, *matériel* manufactured, transport provided, and accommodation for the sick and wounded devised and organized. Hitherto we have had time, owing to the procrastinated character of war, to extricate ourselves from the consequences of our remissness, and by much expenditure and incredible exertion we have escaped its lamentable effects. Recent events however have taught us that we must not rely in future on having time for preparation. Wars will be sudden in their commencement and short in their duration, and woe to that country which is unprepared to defend itself against any contingency that may arise or combination that may be formed against it."

Remarking that at present the army was barely sufficient for the protection of "our Indian territories and our extended colonial possessions," the Commissioners proceeded to say—

> "Under these circumstances we must look more to our army. We think its present strength is barely sufficient for a period of peace, and the question is how we can most readily and speedily increase it through the means of a Reserve force, consisting of men who have already received their training in its ranks, but may have fallen back into the ordinary duties and callings of civil life?"

He was Secretary of State for War at the time that Report was presented. But previously his attention and that of his Royal Highness the Commander-in-Chief had been called to the necessity of a Reserve, to raise the army from a state of peace to a state of war. They not only agreed to place their own views on paper, in order to be enabled to compare them, but they asked distinguished officers to send in their views of the Army of Reserve; and they found that the belief was general of the necessity of having a Reserve which would enable them to raise the army in time of peace to what was required of it in time of war. He could not place the case of our necessities better before the House than by reading an extract from a very admirable letter addressed to him by his Royal Highness on the subject, as follows:—

> "During peace it should be our object to keep up our cadres of regiments, battalions, and batteries, though the actual rank and file may be of diminished strength, provided we have the certainty that our organization is such that it is capable of easy and certain expansion. At present we have no such certainty; and, indeed, we may fairly say that our expansion means are *nil*. How, then, is this force to be created? I am anxious that we should have the means of bringing up every regiment, battalion, and battery to a war footing, by the formation of some Reserve force of 40,000 men. This would, as far as my estimate goes, give 1,000 men per battalion of infantry, 600 or 700 men for each regiment of cavalry, and an average of 270 men for each battery of artillery exclusive of those in India, leaving a further margin for the other accessories for an army to take the field. What we must endeavour to ascertain is how this force could be obtained at once and with the least amount of cost to the State."

After suggesting several methods by which a Reserve force could be augmented by men discharged, or on furlough from the regular army, his Royal Highness went on to say—

> "These methods would not, however, at once give anything like the number of men required by my calculation, and I therefore think that, in the first instance, at least, a strong appeal ought to be made to the Militia, calling upon every regiment to give a quota of men according to their proportionate strength, who, while continuing to serve in the Militia during peace, are ready to join the army at once in war, not alone for the purpose of home defence, but also with a view to make up the strength of regiments, battalions, and batteries serving abroad."

Without that Reserve he thought our military organization the worst in the world. He would never have consented to reduce establishments to the lowest figure without an Army Reserve enabling us at once to raise them to a war footing. Confining himself to the regiments of the Line, he found we had 141 battalions with establishments varying from 950 to 600, and our present effective strength amounted to about 109,990 men; 31,000 men would therefore be required to make up the strength of each battalion to 1,000. Of the 141 battalions 48 were at present in England, and of these the establishments of no less than 34 were reduced to 600, and consequently able to produce in the field only about 400 perfectly efficient men each. He had said our military organization was defective, and for this reason—In the Militia officers were scarce; in the Line they were superabundant. In the Militia establishments were, as a rule, much larger than those of the Line, and, of course, the great thing would be to have the power to transfer men from the Militia to the Line as necessity required it. In May last, seven regiments of Militia were quartered at Aldershot, and he found from a memorandum, kindly furnished him by Sir James Scarlett, that the field state when the seven regiments of Militia were on two days brigaded with seven regiments of the Line was in effect this—The seven regiments of Militia, on the 18th of May, had in the field 108 officers and 4,022 men; on the 20th of May, they had 110 officers and 4,165 men; on the 18th, the seven regiments of the Line had 159 officers and 2,771 men; and on the 20th, 154 officers and 2,690 men. The average number of men to each Militia regiment would be 600, and they would have 16 officers, including the staff, while the regiments of the Line would, on the average, each consist of 400 men and 24 officers. What, therefore, they should endeavour to do was to obtain a transfer of men from the Militia to the Line. In the Line there was one officer to 17 men; whereas in the Militia, where neither officers nor men were in the state of efficiency of the men of the Line, there was one officer only to 37 men. Now, the plan which he proposed was, he must say, different in many respects from that which was now to be carried out. What he proposed was, that the first Army of Reserve should be attached to the Militia, whereas the second Army of Reserve should be attached to the Pensioners. He did not know whether his plan was the better of the two, but it certainly was simpler. He had implored the officers of the Militia to encourage the formation of this Army of Reserve. In taking men from the Militia to form this Army of Reserve he had contemplated filling their places, but men had been enlisted before the transfer to the Army of Reserve had been effected. He did not wish by his plan to interfere with the men as long as they were with the Militia. What he wanted was to know they were there, and to be able to lay his hand on them whenever they might be required. But the new regulation was, that the men should be drilled fifty-six days in the year with regiments of the Line. The officers did not like that, and the men thought it was an inducement for them to enlist in the army in time of peace. His object and intention had been to attach the first Reserve entirely to the Militia, and in the body so created he believed we should have found a very valuable auxiliary force. He objected to the present plan on several grounds. Suppose a man had served in the first class Reserve during his first period of service, he had then a right to go into the second class of Reserve; but to be entitled to a pension he would be obliged to enlist during the second period for a term of twenty-two years. He could not help thinking that the Militia had been treated very unfairly in this matter. In the first place he objected to this Reserve being called a Militia Reserve. It was a Militia Army Reserve; and the men who withdrew from the Militia and entered the Reserve were entitled to the same advantages as those who entered the Reserve from the Line, inasmuch as both were subjected to the same liabilities. But this was not the case, especially with regard to pension; and he could not help thinking that with the one class as with the other two years should be permitted to count as one. Those who entered from the Militia should, as well as those who entered from the Line, be exempted from service on juries, and the performance of duties of a similar character. He did not attribute the slightest blame to his right hon. Friend; but it certainly was unfortunate that these instructions should have been issued at a time when some of the Militia regiments had completed their training, and when the expiration of the training in other cases was close at hand. But the great question they had to consider was how to provide the Militia with officers. This could not be done unless some greater inducements than now existed were offered. He had before warned the House, and he now warned them again, not to allow the Army of Reserve to be attached to the Pensioners. If they did they would soon have applications made for an increase in the number of staff officers, and it would be better that the money required for that purpose should be expended in encouraging officers to join the Militia. If that were done it would not be difficult to induce them to join the Army of Reserve.

GENERAL DUNNE contended that it was fallacious to institute a comparison, as was often done, between the army of this country and those on the Continent. In France and in Prussia, for instance, every man was liable to serve; but the system in practice there could not be carried out here, because it was not popular. Recruits were now enlisted by the Pensioners, and at the head-quarters of the regiments, but a good deal of jealousy existed between the two, the Pensioners believing, and with some reason, that recruiting through them was not received with so much favour as recruiting at head-quarters. He believed that a much larger number of men would enlist from the Militia into the Army of Reserve if they knew that they were not liable to removal from the country except in time of war. During the last war they had recruiting for the Line and for the Militia going on at the same time; and now, while moving a large body from the Militia into the Line, they would have all the men who remained in the Militia besides. He therefore thought the plan would be largely successful. There ought to be some stronger inducement held out to officers to enter the Militia. Commissions might advantageously be given to subaltern officers in the Militia, as was done during the war. Such men would be worth a dozen of those who passed through some foolish competitive examination. There was, he believed, no difficulty as to captains and field officers. Compared with the staff at the end of the last war, the present staff of the British Army was larger and was much greater than was necessary. The Militia force in Ireland might be said not to exist. It had been the policy of the Government not to call it out for the last three years. The Irish Militia was on paper, and there was a Vote every year for the staff and the training; but at the end of every Session they were obliged to provide for the application of the sum so voted to some other purpose. They neither drilled the Irish Militia nor allowed them to recruit; but he believed many of them would be ready to accept the offer made by the gallant General (General Peel) when he was Secretary of State for War. Some means ought, therefore, to be taken to recruit the Militia in Ireland. The noble Lord said they ought to transfer regiments from the Militia to the Line; but that was utterly impossible — it was absurd. They must proceed in another way — by offering inducements to the Militia. The noble Lord proposed a Commission; that, however, was not necessary on the score of information. Every military man knew perfectly well the state of the recruiting service, and that the Militia was not as efficient as it ought to be. The Volunteer force was a most useful one, and tended to keep up the military spirit in the country. But to put them on an equality with the Line was quite out of the question. He hoped the Volunteer movement would succeed; but to suppose that they would supply the army with recruits was chimerical.

Sir HARRY VERNEY said, he was glad to observe the attention which the House was paying to this subject. He had listened with great pleasure to the speech of his right hon. and gallant Friend (General Peel), from which they had gained so much information. The question was how they would stand if they were suddenly engaged in war. Suppose three of the great military Powers combined against England, and several attacks were made on different parts of the coast at once. Suppose some 25,000 men landed, what infinite mischief would they do in a short time. To furnish an army capable of resisting such attacks, he recommended that a few regiments should be embodied for short service. They would get a very superior class of men, who might be drilled and become perfectly good soldiers in four or five years. A large body of these would pass through the army rapidly, and they would naturally be the Army of Reserve. There was a spirit of adventure in the English people which, if properly directed, would make us one of the first military countries in the world. A great deal of good might also be effected by having the youth of the country properly drilled at school. In the short service regiments which he had suggested, men should not be allowed to remain for a longer period than was necessary to perfect them in drill and to make them good soldiers.

Colonel WILSON PATTEN said, it had been suggested that there was some reluctance on the part of Militia officers to allow their men to enter the Army of Reserve; but he thought that was a mistaken supposition, because there was a general feeling among those officers that it was their first duty to do all they could to induce their men to join that force. When his own regiment a few days ago was asked to join the Army of Reserve, 149 men stepped out of the ranks at once to signify their willingness to do so, and he had no doubt that a great many more were also prepared to join. The fact that 2,000 of the Militia had joined the Army of Reserve within a week showed, as he believed, that the movement, instead of being a failure, was a great success; and he thought that by the means which had been adopted a most efficient Army of Reserve would be formed.

Mr. HAYTER said, there could be no doubt that we stood in need of an efficient Army of Reserve. The recruiting, however, for the regular army had been most successful of late years, seeing that the deficiency of 5,000 in the force in 1865 had been reduced to 900 in the present year. The question of an Army of Reserve was one not of military, but of Imperial policy, and together with the question of our colonial policy, it should be considered by Parliament itself rather than by a Military Commission. It was impossible that we could go on providing 50,000 men for our colonies besides our Indian force. He was glad to hear that the last regiment was about to be withdrawn from New Zealand, and that Sir Henry Storks had expressed an opinion that the troops might be withdrawn from the Cape. The amount of men we kept in Canada was simply an object of attack for the United States. In the event of a change in our colonial military system being adopted the question of the Army of Reserve would be placed upon an entirely new footing, because the men for the regular army might then be enlisted for five years only, and might then pass into the Army of Reserve. He was thankful to the right hon. and gallant General (General Peel) for his expressions of opinion; and the House and the country would be obligedto the noble Lord (Lord Elcho) for introducing the subject.

Mr. BATHURST said, he objected to the period of the annual service of the Militia being extended from one month to two months. It was difficult to find men of position and means who would sacrifice even one month to hard work, and it would be impossible to induce them to sacrifice two months for that purpose.

Major JERVIS said, that the whole of the Reserved force had been placed under the command of one general officer; but unfortunately that officer found himself in this position, that the troops he had to command were also under the command of every Lord Lieutenant of every county in the country. It was impossible that one man should be able to command the Militia, the Yeomanry, the Volunteers, and what was more especially called the Army of Reserve, while he found himself so hampered in his command. Let them take, as an illustration, what had occurred at Windsor the other day. Some 25,000 Volunteers had to be brought to Windsor, and they were supposed to be under the control of the officer who had the command of the Reserve forces. But that officer had no more to do with them than he (Major Jervis) had. When general officers went down to take the command of brigades and divisions they did not know what to do, and 25,000 men had been brought together without the slightest attention being paid to the commissariat for the time being. Did they call that placing an officer in command of the reserve forces of the kingdom? Until they gave the officer in command the full authority to which he was entitled it was idle to talk of having appointed a general officer to take charge of the Reserve. The Reserve forces might be divided into two bodies—the one whose duty it would be to fill up the gaps in the service in the time of foreign war, the other to act in case of invasion. The two things were totally distinct. For the first duty they must have men ready to go to any part of the globe; but until they paid them as much as they would earn in any other calling it was idle to talk of having such men at all. It was a mere question of wages. Then, with regard to the other portion of the reserves, there must be a proper organization of the Militia, the Yeomanry, and the Volunteers. When a regiment had a first-rate colonel they would follow him anywhere; but when the men did not like their officers they would not follow. Consequently, if a war broke out there would be a force which, when wanted, they would not have at command. Now, he wished the Secretary of State to look the matter full in the face, and to consider how he could get the Militia, Yeomanry, and Volunteers—which, if officered properly, would be one of the finest armies in the world—properly organized, for last Saturday had proved that at present the Volunteers were little better than an undisciplined rabble. Until they put the officer in command of the Reserve forces in the position which he ought to hold, they were only misleading the country by saying that they had a Reserve upon which they could rely.

Sir JOHN PAKINGTON said, he quite agreed with those Gentlemen who had recognized the great importance of the subject which his noble Friend had brought before the House, and he admitted that his noble Friend, entertaining the views which he did, was entitled to great credit for the steps he had taken and the able statement he had laid before the House. But, though the Notice of his noble Friend referred entirely to the formation of an Army of Reserve, he had entered into statements with regard to the cost of the British Army which it was impossible to pass over without notice. It was much to be lamented that—inadvertently he was sure, on the part of his noble Friend, but constantly on the part of speakers in that House and writers in the public Press—the cost of the British Army was stated to be upwards of £15,000,000. Now, that was not true; and it was most undesirable that exaggerated statements of that kind should become current in the country. His noble Friend had begun his speech with the broad statement that £15,000,000 was the cost of the British Army, and had concluded with the same statement. It was true that in the intervening portions of his speech his noble Friend, in deference to some disclaimers on his part, had alluded to certain deductions from that expenditure; but it was so important that no delusion should prevail on that subject that he hoped the House would allow him to state what the figures really were. No doubt, the gross amount in the first column of the Estimates was £15,400,000, but from that they must deduct, not merely £500,000 for re-payments into the Exchequer, but £1,568,000 hard cash which went to defray the expenses of the army. Then came upwards of £2,087,000 for the cost of the non-Effective force. Then there were large deductions on account of what the War Office did for the navy in various ways, the result being that from the total of £15,400,000 they must begin by deducting upwards of £4,000,000. His noble Friend very properly deducted the cost of the Army Reserves, which was another £1,500,000; so that, in point of fact, the actual cost of the effective standing army to the British taxpayer, instead of being £15,400,000, was only £9,900,000. He had endeavoured, when moving the Estimates, to do away with any misapprehension which might have existed; but after what had passed that night he had thought proper to revert to the subject. He now came to the remaining part of the speech of his noble Friend, and he wanted to know what his noble Friend's real motive was? The House must have observed that the Motion brought forward by his noble Friend that night was entirely different from the Notice which he had given some months ago. His noble Friend then gave Notice that he would move for a Royal Commission to inquire into the state of our Reserve Forces. That Notice had stood for a considerable time on the Paper; but after the Easter holidays he renewed his Motion in an altered form. His noble Friend's first Notice was the same as that which he had brought forward that night, but with this very important and significant addition—

> "And to consider, keeping these objects in view, whether it may be necessary or desirable to enforce the ballot for the Militia; and if so, in what way this may be done so as to effect the desired end, and at the same time press most lightly on the country."

Now, he could not help thinking that, although his noble Friend had suppressed that part of his original Notice, the real object he had in view was conscription in some shape or other. He could not resist the conviction that his noble Friend believed that our voluntary system was not sufficient for the defence of the country, and that something like a compulsory system was required. Now, he would ask his noble Friend and the House whether the present state of the defences of the country was such as to make it desirable to hold out to the public for a single moment, that the Government or the House of Commons were of opinion that the voluntary system had so far broken down that the defence of the country could not be maintained without having recourse to conscription? He believed such a course to be wholly unnecessary and uncalled for, and that the history of the country and the spirit of the people had proved it to be so. If ever there was a moment when it was eminently unnecessary, eminently uncalled for, eminently impolitic to make the public mind entertain such an idea, it was the present, when it was impossible to deny the fact, whatever the reason might be, that the voluntary system was more successful than it had ever been before. He doubted whether our regular forces and Reserves had ever been more efficient or the ranks better filled than they now were under the voluntary system. His noble Friend had dwelt long upon the Prussian system, and asked whether we were in as good a position as Prussia was. Did he think it desirable that we should adopt the Prussian system? For military purposes that system was no doubt most effective; and no army in Europe was more perfect than that of Prussia. But every citizen there was bound to devote a portion of his life to service as a soldier. The Prussian people were accustomed to that system; but what would be said of any Government or Parliament in this country which tried to introduce it? Then look at the position of Prussia, surrounded by three of the greatest military Powers in the world—France, Austria, and Russia, while she herself was a great nation, anxious to maintain her position and conscious that she could do so only by means of a powerful army. Was Prussia an example to England in this particular? In his opinion, there was nothing which rendered it desirable to assimilate our system to that of Prussia. He quite agreed with the right hon. and gallant Gentleman (General Peel) that the state of Europe at this moment, and for some few years past, had been such as to make it desirable that the English Government should take all reasonable precautions to insure this country against the possible contingencies of war. On the other hand, England had no aggressive policy; her sole object was to preserve her independence. Our position with regard to Reserve forces was this—First, we had that noble Volunteer force, in the formation of which no one had taken a more distinguished part than his noble Friend. He had heard with regard to the Volunteers the remarks, not complimentary, but frank and straightforward, of his hon. and gallant Friend (Major Jervis). From all he had heard, with all his admiration for the Volunteer force, he believed that the occurrences of Saturday showed that that force had not reached perfection in its discipline. Far be it from him to disparage the Volunteers; but it was clear that if they were to be again reviewed by Her Majesty, or brought together from any circumstances in bodies of more than 20,000, they should be so trained as to act with honour to themselves, and their conduct should be as creditable after the review as before. He understood his hon. and gallant Friend to say that they were left on Saturday without any commander. [Major JERVIS: I said without any commissariat.] As to commissariat, he believed the Volunteers took pretty good care of their own; and as to the commander, the officer who was at the head of the Reserve forces considered himself responsible for bringing them on the ground, and there they were under the command of a general officer of great experience. At all events, before they were collected in such large bodies again, it would be desirable that some new arrangements should be made. However, it was a noble force; and when his noble Friend said in his Resolution that he wished to have an Army of Reserve, "and the means it offers of speedy and efficient expansion to meet the requirements of war, more especially for home defence," he would appeal to him, above all men, to say whether the whole history of this Volunteer force did not prove its power of expansion and the military character of the English people? That great force was called into existence almost by magic. At the commencement of this century we had a Volunteer army of 500,000 men; and so now, if we were threatened by invasion, the Volunteer force, which was now something under 200,000, would soon increase to 500,000. We had got the nucleus, we had got regiments, we had got officers, and the force might be expanded to almost any extent which the necessities of the country required. With regard to the ballot, we did not want new laws on that subject. True, the ballot was suspended on account of the facility with which our ranks were filled. But if necessary Her Majesty had any day the power, by Order in Council, of putting the ballot in force again. It was therefore unnecessary to have a Royal Commission or to institute any inquiry under the idea that compulsory service had become necessary in this country. The next item in our Reserve was that fine old constitutional force, the Militia, which, he could not help thinking, did not always command the respect and good feeling to which it was entitled. In his opinion this House could do nothing wiser and more prudent, with a view to increase its means of defence, than give every possible support and encouragement to the Militia. The paucity of officers was, indeed, a subject of regret. Setting aside the Irish Militia, there should be in England 3,053 Militia officers, and in Scotland 432. In 1867 there were present—in England, 1,625 officers, in Scotland 234; altogether 1,859; and there were absent 263. Thus there were shown to be 1,363 vacancies in the officers of the Militia force. These vacancies seriously impaired the efficiency of the force; and he was most anxious to take any course which could be suggested with a view to increase the number of officers. No doubt the majority of these vacancies were in the lower ranks; but still the efficiency of this fine force suffered materially. The Militia in training last year numbered 64,219 compared with 70,913 this year. The quota having been reduced, it had been necessary to make up the reduced quota before attempting to make up the full quota; only 20,000 men were wanted to make up the full quota of the English and Scotch Militia; recruiting proceeded satisfactorily, 7,000 men having been enlisted last year; and so ready were the peasants of the country to enlist that he had every hope that within a comparatively short space of time the full strength of the Militia would be arrived at. Taking the number at 70,000 for England and Scotland, or 20,000 below what it ought to be, and at 20,000 for Ireland, or 10,000 below what it ought to be, reckoning 14,000 Pensioners and 16,185 Yeomanry and Cavalry, and putting down Mr. Sidney Herbert's Army of Reserve at 3,000, our actual Reserve force amounted to 311,000, without any of those additions that would result from the plan of the right hon. and gallant Member (General Peel). It would not answer any practical purpose to enter into a controversy respecting the regulations, for if there was any difference between those of the right hon. and gallant General and those he had issued, it was rather the result of misunderstanding than of intentional divergence; and it was quite premature on the part of his noble Friend to suggest that the plan had failed, for, as far as he was able to judge, it was successful. He admitted that the regulations were promulgated later than he could have desired, the delay being occasioned by the fortunate transfer of the command of the Reserve force to General Lindsay, whose opinion he wished to have; and it was owing to this circumstance that the regulations were not issued until, in some cases, the period of training was drawing to a close. The number enrolled as yet might be small; but he was confident that in the future they might expect to enrol the proportion of one-fourth contemplated by the right hon. and gallant General. In speaking of the first class of the Army Reserve he imagined his noble Friend meant those who had the option of commuting their service on joining the Reserve. The regulations were being promulgated, and he should be glad if that portion of the plan contributed any large number to the Reserved force, but he was not sanguine it would do so. With regard to the second class, those who joined the Reserve under certain conditions after the first period of their service—he had heard of a considerable number doing so already, and he was sanguine that from that source the Reserve force would receive great accessions of strength. Under these circumstances, and after these explanations, he had to ask the House whether his noble Friend had made out a case for a Royal Commission? The ulterior object seemed to be to persuade the country of the necessity for something like conscription, but that was wholly uncalled for; for the ranks of the Militia and of the regular army were readily recruited by the voluntary system, which it was hoped would be rendered still more efficient by measures recently adopted. As there was fair and reasonable hope that the strength of the army would be maintained, and that of the Militia made up, there was no necessity for further inquiry of the nature proposed, and if the noble Lord divided the House, he should be obliged to oppose the Motion.

Colonel NORTH, as an old soldier, thought the remarks that had been made with reference to the events of Saturday last pressed rather hardly on the Volunteer force. He saw battalion after battalion move off the field in a manner that would have done credit to a disciplined force, although many of the men left home at two or three o'clock in the morning, and had been under arms four or five hours in a burning sun; and it would probably be found that the irregularities were caused by small corps that were not attached to battalions, or were not under proper command. He thought a plan might be adopted to bring together all these corps that were either in themselves small or were under officers who had had no experience: and he was sure they would do better, with more practice, under the command of General Lindsay, animated as they were by the desire to discharge their duty; but you could not make a soldier in a day. He must say it excited his own admiration on Saturday to see the manner in which battalion after battalion left the field.

Mr. ACLAND said, he desired to confirm what had just fallen from the hon. and gallant Member (Colonel North). He had heard the strongest opinions expressed in reference to the disaster of Saturday last by Volunteer officers, and he had been requested to express on their behalf the most earnest desire that the matter should be seriously investigated. It might, perhaps, turn out that the report—which was only a report as yet—was true, that the disaster—for he could call it nothing else—was wholly occasioned by the fact that some of the Volunteer officers did not remain with their men, and left them to find their way to the station as they could. He had more than once seen bodies of 2,000 or 3,000 Volunteers maintain a perfect discipline under circumstances of great trial, when the officers remained at their post; and he believed that the private habits of the great majority of the men were such that, if properly commanded, they would endure great privations rather than disgrace themselves and their uniform. He hoped the matter would be investigated and the facts ascertained. As a Volunteer, he was anxious that the truth should be stated with reference to the Volunteers; but he did not think it was necessary to call them "an undisciplined rabble," unless it was clear that they deserved such an appellation. The Volunteers were perfectly willing to be taught by military men; but there was not the slightest use in having them lectured by the men whose service had consisted in marching round barrack yards and seeing rations served out three times a day. Volunteers were merely civilians, and they knew it; but if the military authorities wished to make them efficient as Volunteers, that was not to be done by putting them through the goose step and things of that sort. Neither Volunteers nor Militiamen could be expected to do what was accomplished by men who were at drill 365 days in the year. Again, there was no use in having the Volunteers disciplined by worn-out soldiers. Young military officers, with a career before them, ought to be sent to instruct the Volunteers. As for the review of Saturday, he did not see why the noble Lord (Lord Elcho) and the men whom he commanded should have been kept in a meadow for three hours. Who had organized that review? The Volunteers had gone down to do honour to their Queen; and it was not very surprising that after nearly twenty-four hours of hunger and thirst some of them should have run after a little water. With regard to another branch of the Question before the House, he thought the heads of the army ought to consider whether it might not be well to adopt the Continental system of gentlemen cadets in the case of young gentlemen who could not go on at Chelsea.

Colonel WILLIAMS was understood to ask whether the Militia was up to the number stated in the reduced Vote?

Sir JOHN PAKINGTON replied to the hon. and gallant Member for Great Marlow (Colonel Williams) in the affirmative.

Mr. LIDDELL, as a member of a country corps of Volunteers, wished to express an opinion that a lesson might be learnt from the occurrence of Saturday. That occurrence was attributable to the fault of the officers. It also proved that the men attended to their officers in matters of discipline, and were prepared to do what their officers told them. This country had got a magnificent force of Volunteers, for which we were grateful; but there was still a great defect in the Volunteer organization. He believed that would not be remedied till in that House or elsewhere persons spoke out distinctly on the subject. The Volunteer force was not sufficiently officered. Any number of men were got to come forward and serve in the ranks; but there was not a sufficient number of men of education found to come forward and officer the corps. That was the difficulty under which the Volunteers laboured. He extremely regretted the disaster—he would add national disgrace—["No, no!"]—of what occurred last Saturday. It was to a certain extent a disgrace. He repeated that it was all owing to the want of officers who had the respect of their corps, and he hoped that what had happened would induce the gentlemen of England to come forward and take the command of this noble body of men.

Colonel FANE fully concurred in what had been said as to the necessity of holding out additional inducements to the officers of the Militia and Volunteers. He had the honour to command a regiment of Militia, and it went through its period of training not less creditably than other corps; but he had not one single officer whom he could rely upon to perform such a needful operation as paying a company. Unless something were done in the direction indicated by the Motion of the noble Lord, the day would come when the commanding officer, the major, and the adjutant would be the only persons left to represent a regiment of Militia.

Lord ELCHO said, he would avail himself of the privilege of a reply which the courtesy of the House conferred to refer to one or two points alluded to in the debate. It was with a good deal of pain and surprise that he heard what occurred on Saturday night described by the hon. Member, who defended the Volunteers, as a "great disaster," and by another hon. Member as a "national disgrace." Now, it only showed, when a hare was once started, how apt men were to run riot after it. He absolutely and entirely denied that what occurred on Saturday night could be, or ought to be, so characterized. He would assume that what had been said about an "undisciplined rabble" applied to the whole of the force at Windsor. That consisted of 26,000 men. The total Volunteer force amounted to over 150,000. Were they going to tar them all with the same brush for the misdeeds of only a portion? But was the misconduct general? Since the debate began he asked a gallant Colonel of Volunteers, the hon. Member for Abingdon (Colonel Lindsay), "What station did you go by?" "Windsor," was his reply. "Did you see anything wrong — any signs of insubordination?" "No," said the hon. and gallant Gentleman, "every man was out of the station by eleven o'clock." It was his misfortune to travel — not by the Great Western — to leave London last and to come back last. He went to Datchet station, and the South-Western exactly took two hours and twenty minutes to convey him there from Waterloo. After the review was over, they were inspected, and left the ground about nine o'clock, arriving within a certain distance of the bridge at ten. There he found a scene of the greatest confusion, and there the regiment which he commanded was kept from ten till two o'clock, when it was at length embarked in the railway, and arrived in London at, he thought, a quarter-past four. He could only speak as to what he saw. He saw more than one regiment standing there in perfect formation, and behaving with perfect order and discipline —very far, indeed, from being an "undisciplined rabble." In justice to his own men he ought to state that not a single man left the ranks on that occasion; they stayed there patiently from ten o'clock till two in the morning. Undoubtedly there were a certain number of men who had left their ranks—stragglers from different corps. But what was the cause of that? He did not attribute it to the men, but to the fact that a certain number of the officers were not with their regiments. That was the point. But though there was a failure here, the other station, as he had shown, was cleared at an early hour; and of those at Datchet a very large portion maintained their ranks unbroken, and kept perfect discipline. Therefore, he repudiated on the part of the Volunteer force, and he hoped the country would accept that repudiation as the truth, the idea that what occurred at Datchet pontoon bridge showed that they were an "undisciplined rabble," and not to be trusted. But what was it caused this jamb at the bridge? He had told them that he himself took two hours and twenty minutes to come twenty miles by the South-Western. The Volunteers had nothing to do with the arrangements for conveyance either to Windsor or back. They were entirely, he believed, organized by the War Office and the railway company. ["No!"] Well, he believed, the General who commanded the Reserve was under the War Office, and it was entirely to that Department that the control belonged. The Horse Guards had nothing to do with it; they commanded while the force was in the field, but their command ceased as soon as the review was at an end. The trains came up promiscuously to take away the Volunteers, and it was not known till the train came in whether it was one to take up men for St. Helen's near Liverpool, for Dover—for there was a Dover corps there—or one of the metropolitan regiments. He was confirmed in that statement by the orders which came across the bridge. "What is wanted?" "A metropolitan corps," and a metropolitan corps was accordingly marched across. But it sometimes happened that a mistake occurred—that a St. Helen's corps got into a metropolitan train, or *vice versâ*, with this additional element of confusion thrown in, that stragglers from other regiments who had left their ranks from the cause which he had stated, and other stragglers who were ferried across by boats plying for hire upon the river, also got into the trains and had to be turned out. And then the delay was very naturally caused, which led to some corps being delayed upon the bank till the advanced hour that he had already mentioned. But, he again said, do not let the House or the public run away with the idea that the whole Volunteer force was to blame, or that it behaved as an undisciplined rabble. Such misconduct as there might have been affected only a small portion of that portion of the force which was at Windsor upon Saturday last. He could point to the services of the last nine years, to meetings of 20,000 to 30,000 Volunteers, who had been conveyed to Portsmouth, to Dover, to Brighton, who had been gathered together at Edinburgh, and would be gathered again there on the 4th of next month—he could point to all those things to show that the Volunteer force was not undisciplined. He asked hon. and gallant Gentlemen connected with the regular service, if officers of the army who ought to be at their places did not remain there would they maintain in the different regiments the perfect discipline which they now saw exhibited? The feeling of the Volunteer force was very strong upon the question, and it was their earnest desire and intention to bring home to those officers who neglected their duty upon that occasion the consequences of that neglect. The noble Lord expressed his perfect satisfaction with the tone of the debate, which had convinced him still more strongly of the absolute necessity, sooner or later, of an inquiry such as his Motion advocated. The late and the present Secretary for War both objected to the proposed Commission; but their grounds for doing so formed in reality the strongest reasons in favour of that proposal. He did not shrink from the question of personal liability to service for home defence, and had freely expressed his opinion upon it, but it formed no part of his present proposals; it was not, however, as suggested, a Prussian or French theory, but one based upon our history in all former times, and expressly referred to in the Preamble of an Act passed in the reign of George III. Great stress had been laid upon the numerical strength of the different services at present. He admitted that they were well up to the mark. But army organization meant something more than the mere enrolment of a number of men, however large; it meant the same number of men worked up and banded together by proper and efficient military departments, and this it had been the object of his Motion to insure. His conviction was that a satisfactory state of things could be brought about by instituting a searching inquiry such as he had suggested; but, as the Secretary of State for War and his predecessor had both objected to the course he proposed, he would not press for a division.

Motion, by leave, *withdrawn.*

KNIGHTS OF WINDSOR.

MOTION FOR AN ADDRESS.

MR. BENTINCK said, he hoped the hon. and learned Baronet (Sir Colman O'Loghlen), whose Notice of Motion stood next on the Paper, would not proceed with it, as the House was anxious to go on with the more important Business of the evening.

SIR COLMAN O'LOGHLEN said, he was in the hands of the House, but he would undertake to be very short in what he had to say. The Motion had been for some time on the Paper, and he regretted that the matter had not been settled by the Government after the correspondence that took place with regard to it last year, and the promise of the Secretary of the Admiralty that it should be seen to. He desired that an end should be put to the system under which Knights of Windsor not members of the Church of England were required to attend Divine service in St. George's Cathedral twice every day. It was very hard that a religious question should be mixed up with rewards to indigent officers who had seen distinguished service, and that men should be required to attend religious services to which they conscientiously objected, and especially as under the regulations of the Queen's service no soldier was required to do so when military duty did not interfere. The Knights of Windsor were originally established by Edward III. with a view to assist valiant but poor soldiers, and the duties imposed on them were to attend the service of God, to pray for the prosperity of the Sovereign, and to attend high mass; but fifty years afterwards the canons of Windsor appropriated the money for their support to other purposes, and the Knights obtained no sort of redress until Henry VIII. ordered by his will that £600 a year be set apart for them; but, although he made the order, and required that masses should be said until the end of the world, His Majesty did not provide for the payment of the £600 a year. The plan, however, was carried out by Edward VI. and Queen Elizabeth. Her Majesty made provision for thirteen Knights, and ordered that they should lose their place if they married. She also required them to attend daily service in St. George's; and generally her regulations remain in force to this day. The Naval Knights, provided for by the will of Samuel Travers, were subject to the same rules; they were required to remain single, and to lead a virtuous, studious, devout life, and to be removed if they gave occasion for scandal. It happened that at present the Knights included one Roman Catholic, besides other Dissenters. The Roman Catholic Knight, however, was not particularly anxious to be relieved from attending the Church service, so it was not on his account that he introduced the matter; he asked for relief of all Dissenters on the general principle that considerations of religion should not enter into the granting of reward for distinguished services. Believing as he did that it was a hardship that Knights differing in their religious opinions from the doctrines of the Established Church should be called upon to perform these duties, he moved that an Address should be presented to Her Majesty praying that she would be graciously pleased to alter the regulations in this respect.

MR. EYKYN seconded the Motion.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, humbly representing that, in the opinion of this House, it should not be obligatory on any Naval or Military Knight of Windsor, not being a member of the United Church of England and Ireland, to attend Divine Service in Saint George's Chapel, Windsor, daily or at all, and praying that Her Majesty may be graciously pleased to direct such alterations to be made in the Statutes regulating the Naval and Military Knights of Windsor as shall exempt from attending Divine Service in Saint George's Chapel, Windsor, all Naval and Military Knights of Windsor who shall not be members of the United Church of England and Ireland."—(*Sir Colman O'Loghlen.*)

MR. LABOUCHERE said, he objected not only to Catholics but to Protestants being obliged to attend Divine service. These poor old gentlemen were many of them above seventy years of age, and they received some £40 and others £100 a year, and a small house in Windsor. They were obliged to attend Divine service twice every Sunday, and every third month to attend every day, unless they could obtain leave of absence. He could not think that there was any necessity for this. He should, of course, regret their not attending; but their attendance ought in no case to be compulsory. The Knights ought to be allowed, if they pleased, to attend the parish church or any other place of worship, an indulgence which was extended to Her Majesty's subjects at Windsor, though denied to these old and meritorious officers. He moved as an Amendment to leave out the words "not being a member of the United Church of England and Ireland."

COLONEL FRENCH seconded the Amendment, and in doing so declared that he looked upon it, not as a religious, but as a physical question. It was really a very serious matter, and one that was very painful to many Knights who had received wounds in the service of their country, that they should be compelled to attend in a large hall, theoretically for the benefit of their souls, but in reality only to have their sufferings increased from the draughts which constantly existed. He looked upon the rule in that respect as a great hardship.

Amendment proposed, to leave out the words "not being a member of the United Church of England and Ireland."—(*Mr. Labouchere.*)

COLONEL NORTH contended that no hardship really existed. He doubted whether the House of Commons could interfere with a Royal Charity. If the Motion were to be made at all it should be for an Address to the Crown. The Governor, in writing to him on the subject, stated that the Roman Catholic Knight to whom the hon. and learned Baronet had referred objected to any change being made in the present regulations, as did also the two Knights who were Dissenters. There was, moreover, no foundation for the statement that fines were ever inflicted. The desire for a change certainly did not emanate from the Knights themselves, and it should be remembered that these distinguished soldiers, though old, were by no means in every case infirm. One of these officers, in writing to him on the subject, attributed the Motion of the hon. and learned Baronet to the instigation of some "grumbling old Knight," and this writer denied, as did the Governor, the existence of any discontent or any practice of levying fines. Occasionally some of the Knights prayed by proxy; and those who performed this service for their comrades would, upon the authority of his correspondent, be happy to include the hon. and learned Baronet in their prayers if he would relieve them from the payment of the borough rates, from which they derived no advantage. He should oppose the Motion, no only because he believed that no grievance really existed, but because he deprecated Parliamentary interference in matters which, relating as they did to a Royal Charity, solely concerned Her Majesty.

MR. GATHORNE HARDY trusted the House would not accede to the Motion or to the Amendment, for these military Knights were, in fact, connected with the Order of the Garter, and, as the beadsmen in the case of the cathedrals, were in reality part of the religious body connected with the Church. He had received letters from the governors of both the naval and military Knights, stating that nobody had objected to any of these duties.

The Roman Catholic Knight who was appointed by the right hon. Member for Morpeth (Sir George Grey) acquiesced in the conditions, and entertained no objection to them; and the same was the case with a Knight who was a Presbyterian. Moreover, the Knights resided within the precincts of the Palace; and St. George's was not a public, but a Royal chapel. The Crown had a dispensing power with regard to these statutes, and he thought the House would feel that the adoption of this Motion would be to interfere unduly with the exercise of the rights of the Crown, especially as no grievance had been established. Hon. Members all knew how anxious the Queen was that no undue stress should be laid on any person's conscience; and if any necessity for an alteration of the statutes existed, the matter might safely be left to Her Majesty. As a proof of the connection of this body with the ecclesiastical establishment of St. George's Chapel, he might mention that one of the suspended canonries had been applied to increasing the pay of the Knights; and that in 1861, on account of the canons having an undue share of the property, part of it was transferred to the Knights, owing, he believed, to the exertions of his hon. and gallant Friend (Colonel North). He trusted that under these circumstances the House would leave the question in the hands of the Crown.

SIR COLMAN O'LOGHLEN declined to withdraw the Motion. He accepted the Amendment of the hon. Member for Middlesex (Mr. Labouchere) and disclaimed any intention of infringing the Queen's Prerogative, his Motion being simply for a humble Address to Her Majesty.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Another Amendment proposed, to leave out the words "who shall not be members of the United Church of England and Ireland."—(*Mr. Labouchere.*)

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Main Question, as amended, put.

The House *divided:*—Ayes 39; Noes 83: Majority 44.

ELECTRIC TELEGRAPHS BILL.

(*Mr. Chancellor of the Exchequer, Mr. Stephen Cave, Mr. Sclater-Booth.*)

[BILL 82.] SELECT COMMITTEE NOMINATED.

THE CHANCELLOR OF THE EXCHEQUER moved to nominate the Select Committee on the Electric Telegraphs Bill.

MR. AYRTON said, he regretted the absence of his hon. Friend the Member for York (Mr. Leeman). There appeared to be no Member connected with the telegraph companies on the Committee, nor any one to watch over the public interest in regard to a free system of telegraphy. He should move some additional names to-morrow.

Motion *agreed to.*

THE CHANCELLOR OF THE EXCHEQUER said, he rose to move the Instructions of which he had given Notice.

Motion made, and Question proposed,

"That it be an Instruction to the Select Committee on the Electric Telegraphs Bill to inquire,—

"1. Whether it is desirable that the transmission of messages for the public should become a legal monopoly in the Post Office:

"2. Whether it should be left to the discretion of the Postmaster General to make special agreements for the transmission of messages or news at reduced rates:

"3. What securities should be taken for insuring the secrecy of messages transmitted through the Post Office:

"4. What arrangements should be made for the working of submarine cables to foreign countries; and,

"5. To hear such Telegraph and Railway Companies and Proprietors as shall by petition, on or before the 26th instant, have prayed to be heard by themselves, their counsel or agents against such of the matters referred to the Committee as affect their particular interests?"—(*Mr. Chancellor of the Exchequer.*)

MR. BOUVERIE said, it was desirable that the functions of the Committee should not be so much narrowed; but that they should investigate whether the interests of the public would be subserved by the transfer of these telegraphs entirely to the public. That was a great question, and it was not one between the telegraph companies on the one hand, who did not wish to sell, and the Government on the other, who desired to acquire the telegraphs. A much larger question than that recognized by the Instructions had to be considered—whether it was expedient that this monopoly should be given to the Executive Government. It admitted of much being said on both sides; and although it was assumed by the Government that but one answer could be given, there were different opinions, both in that House and out of it, and a wish for further information. The presumption in this country was in favour of private enterprize, and was not in favour of any undertakings in the nature of a Government monopoly. The *onus probandi*, as in other analogous cases, was upon those who maintained that the Government ought to have possession of this great system; and he doubted whether the Instructions were such as to enable the truth to be brought out in the fullest manner before the Committee. There was a great difficulty in getting out the truth before a Committee, unless there were hostile interests at work in the Committee, whose business it was to exert themselves to bring out the truth by conflict. If, on the other hand, the Committee were to be left to fish out the truth for themselves, they would be unable to get it. ["Divide."] He did not propose to divide the House, but the matter was most important, and one in which the public interests were deeply concerned. He should move, instead of limiting the powers of the Committee, as was done by the last clause, to leave out the words "such of the matters referred to the Committee as affect their particular interests," and insert the words "the Preamble and Clauses of the Bill." The effect would be that the parties interested in opposing the transfer would have liberty to state their objections at large to the transfer, and to bring up all the objections that might be entertained on the part of the public, as well as of those particular interests.

Amendment proposed, in last paragraph,

To leave out the words "such of the matters referred to the Committee as affect their particular interests," in order to insert the words "the Preamble and Clauses of the Bill," — (*Mr. Bouverie,*)

—instead thereof.

The CHANCELLOR of the EXCHEQUER said, he hoped the House would not assent to this Amendment. The first four paragraphs provided for information on the part of the public into those matters which it was thought should be inquired into. He consented on the second reading to move the 5th Instruction, which was less restrictive than it originally stood. The words of this Instruction were in the hands of the opponents of the Bill the

whole evening; and the hon. Member for York (Mr. Leeman), who moved the rejection of the Bill, was in consultation with and represented all the parties concerned. The Government were informed by the representatives of these parties that he was acting for them; and the Instruction received the fullest assent of the opponents of the Bill. He believed that the interests of the companies were fully protected, because they would be heard on all matters affecting them, and an inquiry into the general question of policy would be sufficiently provided by the first four paragraphs of the Instructions.

Mr. CHILDERS said, that the words of the 5th Instruction now proposed to be omitted were the subject of consultation, and were those in framing which the greatest care was taken. If the House were to appoint a Committee to inquire into a public question and were then to pay counsel to appear before the Committee, the whole of their legislation would soon become a matter for counsel to be heard on one side and on the other. The Members of the Select Committee were perfectly capable of dealing with the public interests without employing counsel to appear before them to get out the truth, although the latter should be heard on behalf of private interests.

Mr. AYRTON said, that the Committee would have power to consider the Preamble of the Bill, and that the Amendment of his right hon. Friend (Mr. Bouverie) would not be of advantage to the parties.

The CHANCELLOR of the EXCHEQUER said, as he understood the matter, the parties would be allowed to be heard against the Preamble of the Bill, using arguments with regard to their particular interests.

Mr. GOSCHEN said, he concurred in what had fallen from the hon. and learned Member for Tower Hamlets.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

MILITARY AT ELECTIONS (IRELAND) BILL—[Bill 95.]

(*Mr. Serjeant Barry, Major Gavin, Mr. Esmonde.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [12th May], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*The Earl of Mayo.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

Colonel STUART KNOX said, as that was a Bill for the promotion of anarchy and bloodshed in Ireland, he begged to move that that debate be adjourned till the 10th of August.

The Earl of MAYO suggested that an arrangement should be made as to the time which should be fixed for discussing the measure if it was to be proceeded with.

Mr. SYNAN, concurring with the remark of the noble Lord, moved that the debate should be adjourned till that day week.

Mr. CHICHESTER FORTESCUE said, he was quite of an opposite opinion to that of the hon. and gallant Member who said that was a Bill for the promotion of anarchy and bloodshed in Ireland. He thought that a change in the law on that subject was necessary, particularly as a General Election was approaching, and it was very desirable that they should have some convenient time fixed for the discussion of that measure. In his opinion the military had been too lightly used at elections in Ireland.

Mr. Serjeant BARRY said, this Bill was on the Paper but twice before; and on one occasion, upon the suggestion of the noble Lord, it was postponed. On the last occasion it came on at one o'clock; and if, the debate having been adjourned, it came on so late as this, it was not his fault.

Colonel STUART KNOX said, he was surprised at the remark of the right hon. Gentleman opposite (Mr. Chichester Fortescue) that troops were never required at Irish elections; because, while the right hon. Gentleman was in Office the Government of which he had been a Member sent troops to every election in Ireland, even whether they were required or not.

Mr. CHICHESTER FORTESCUE explained that he had not said that troops were never required, but that they ought not be be lightly used.

The Earl of MAYO said, he hoped the right hon. Gentleman (Mr. Chichester Fortescue) would specify any occasion on which the troops had been lightly used, because that had certainly not been done since he (the Earl of Mayo) had the holding the Office of Chief Secretary. The statement of the right hon. Gentleman that night astonished him excessively, because the course taken with regard to the military at the last General Election was this—On one day there were about 10,000 men—policemen and military—employed in keeping the peace at the General Election in Ireland, and he believed that the last Government followed in that respect the example set by former Governments, and supplied those troops on the requisition of the magistrates for the preservation of the public peace.

Mr. CHICHESTER FORTESCUE disclaimed any idea of making special reference to anything that had occurred since the noble Earl had held Office. He had only spoken generally of the system; and if his noble Friend thought this system perfect, all he could say was that he did not agree with him.

Debate *adjourned further* till *Tuesday* next.

ECCLESIASTICAL TITLES BILL—[Bill 37.]

(*Mr. Mac Evoy, Sir Joseph M'Kenna, Mr. Leader.*

SECOND READING. ADJOURNED DEBATE.

Order for resuming Adjourned Debate on Second Reading [16th June] read.

Mr. Mac EVOY said, that as the Government had refused to give him an opportunity for the discussion of this Bill, and as he saw no reasonable chance of bringing it on at a convenient time during the present Session, he felt bound to move that the Order for its second reading be discharged.

Order *discharged.*

Bill *withdrawn.*

NEW ZEALAND (LEGISLATIVE COUNCIL) BILL.

On Motion of Mr. Adderley, Bill to make provision for the appointment of Members of the Legislative Council of New Zealand; and to remove doubts in respect of past appointments, *ordered* to be brought in by Mr. Adderley and Mr. Sclater-Booth.

Bill *presented,* and read the first time. [Bill 185.]

PETIT JURIES (IRELAND) BILL.

Select Committee on Petit Juries (Ireland) Bill *nominated* as follows:—Mr. Attorney General for Ireland, Sir Colman O'Loghlen, Lord Claud J. Hamilton, The O'Conor Don, Sir Frederick

Heygate, Mr. **Kavanagh**, Mr. **O'Reilly**, Mr. **Garth**, Mr. **Huddleston**, Mr. **Pim**, Mr. **Monsell**, Mr. **Cogan**, Mr. **Edward Cooper**, General **Dunne**, and Mr. **Headlam**:—Five to be the quorum.

House adjourned at a quarter before Two o'clock.

HOUSE OF COMMONS,

Wednesday, June 24, 1868.

MINUTES.]—**Public Bills**—*Ordered*— University Elections (Voting Papers)* Consular Marriages*.

First Reading—Municipal Elections (Scotland)* [189]; University Elections (Voting Papers)* [187]; Consular Marriages* [188].

Second Reading — Sea Fisheries (Ireland) [101]; Larceny and Embezzlement* [157]; Assignees of Marine Policies* [147].

Committee—Railways (Ireland) Acts Amendment* [123].

Report — Railways (Ireland) Acts Amendment* [123].

Withdrawn — Elementary Education [64]; Railway and Joint Stock Companies Accounts* [53].

ELEMENTARY EDUCATION BILL.

(*Mr. Henry Austin Bruce, Mr. William Edward Forster, Mr. Algernon Egerton.*)

[BILL 64.] SECOND READING.

Order for Second Reading read.

Mr. BRUCE said, that as Her Majesty's Government had, in consequence of the pressure of public Business, found it expedient to withdraw a measure which dealt only fragmentarily with the education question, the House would not be surprised at his withdrawing one which, as he conceived, dealt with the whole subject of elementary education. He was anxious, however, to offer some observations on the matter. The Government had, to a certain extent, fulfilled the undertaking entered into at the beginning of the Session, the President of the Council having introduced a measure which might have been fairly accepted as an instalment, and which foreshadowed a more comprehensive scheme. Some, indeed, of its proposals might have been carried into effect by a mere alteration of the Minutes of Council—such as the recognition of secular schools, the increased building grants, and the changes affecting the smaller country schools; but other portions of the Bill could not have been so dealt with, and clearly indicated the belief of the Government that a larger measure would hereafter be necessary. The Bill proposed the appointment of a Minister of Education, whose duty it would be to initiate elementary education where it was defective, and also an educational Census, the object evidently being that if large deficiencies were proved to exist in any part of the country Parliament should be asked for powers to supply them. Thus the measure proceeded, as far as it went, in right direction, and its ultimate objects might be assumed to be very large. He listened to the speech of the noble Duke the President of the Council in introducing it; and that speech showed a deep impression of the importance of the subject, admitted the existence of deficiencies, and pointed to further action at no distant day. The noble Lord the Vice President of the Council appeared, however, to view the matter in a very different light. He seemed to think that so much had already been done that what remained might fairly be left to the action of the present Minutes of Council and to the voluntary system. The noble Lord maintained that 10-11ths of the children who ought to be at school were already there, and that the schools at at present unassisted by the State might easily be put in a different position. This obviously signified the lowering of those conditions which secured efficiency, and which had raised the standard of education. He hoped, however, the House would pause before lowering the standard of education for the sake of admitting a certain number of country schools. The noble Lord stated that there were in England and Wales 2,670,000 children receiving education. He could not, however, suppose that those figures had been furnished by the gentlemen of greatest experience and responsibility in the Privy Council Office. The noble Lord argued, moreover, that six years sufficed for the education of children of the working classes. Now, vast numbers of children went to school at three years of age, or even earlier; and did the noble Lord mean to say that between three and nine years of age a child could receive an education satisfying the just requirements of the people? Why, in ninety-nine cases out of 100 a child leaving school when nine years old would have no firm hold of the little knowledge it had acquired, but would speedily forget it. In Prussia, which had set us so worthy an example, public education commenced at five, earlier ages being unnoticed, and continued till fourteen or fifteen, thus giving a term of nine years. That was sufficient to prove that it was at least reasonable to doubt the wisdom of confining the period of education to six years. Now, he made a statement on a former occasion the greater portion of which consisted of statistics collected by the education societies of some of our largest towns, which he believed to be perfectly correct and reliable ; but the noble Lord's remark upon them was that "no sane man could give credence to the reports of those societies." The noble Lord appeared to have read the attack on the report of the Manchester Education Aid Society, but not the Report itself. It was true that it had been pointed out that while it appeared from the Report of the Society for 1866 that 59 per cent of the population of Manchester who ought to be at school were really there, no notice had been taken of the numbers of children who might have been or might hereafter be at school. This defect had been admitted, and a more exhaustive inquiry was accordingly made last year which avoided the errors of the preceding Report, and presented results on which perfect reliance might be placed. The noble Lord had represented the Committee as consisting of paid officers, anxious to make startling statements in order to obtain subscriptions ; but it really consisted of earnest and estimable friends of education well known and respected in their own district. Dr. John Watts, whose name nobody acquainted with the history of education could pronounce without respect, thus spoke of the inquiry—

> "They (the Committee) came to the conclusion to take a definite district in Manchester ; to canvass that district thoroughly, so as to get at all the facts with regard to education, and to put them into a shape that would bear the closest investigation. That report, which referred to a population of 92,000, or about one-fourth of the population of the borough, he begged now to hand in. All the sheets were in his possession, and he could refer to every house throughout that 92,000 inhabitants, so that the Report would bear the strictest investigation. The canvassers (who were all ex-police inspectors or relieving officers, familiar with statistical inquiries) were simply instructed to study the headings of the sheets, and to see that all the questions were answered."

One of the two wards thus inquired into was St. Michael's, the population being 42,007, and the total number of children between three and fourteen years of age being 12,037. Now, of these 934 were or had been at school, 2,580 having attended less than a year, 2,409 less than two years, and only 370 having attended the six years which satisfied the noble Lord. In New Cross ward, the population being 50,510, and the number of children being 12,623, 9,549 were or had been at school, 2,623 of these having attended less than a year, 2,123 less than two years, and 480 six years. Of this population of 92,517 7,855 were children between three and six, of whom 51 per cent had never been to a day school ; 8,733 were between six and ten, 12 per cent of them never having been to such a school ; and 8,051 were between ten and fourteen, 8·3 per cent being in the same position. Thus, of 24,639 children between three and fourteen years of age, 76·6 per cent had been to school for a short period, and 8·3 per cent had reached fourteen years without seeing the inside of a day school. The saddest fact, however, was that, as the result of all educational efforts — Sunday schools, night schools, and literary institutes included — 24·8 per cent of the youthful population were unable to read, and 58·4 per cent unable to write. He quoted last year a statement based on the Report of some Factory Inspectors, and in reference to that statement *The Times* remarked that if such a state of things existed it was not only very shameful, but showed the necessity of great exertions ; but that its accuracy was open to doubt. Now, he would read the official Report on which that statement rested—

> "Between the 1st of September and the 1st of December, 1866, 7,948 children and young persons, under sixteen years of age, were educationally tested *vivâ voce* by the certifying surgeons of nineteen principal cotton works in Lancashire, Yorkshire, and Cheshire ; and 2,178 children and young persons were equally tested in the earthenware, colliery, and iron districts of North Staffordshire. Of the 7,948, 63 per cent could read ; and of the 2,178, 26 per cent could read."

Thus in one case 37, and in the other 74 per cent were unable to read. In the large borough which he represented (Merthyr Tydvil) 814 children between 11 and 16 years of age were examined between the 1st of January and the 1st of March last, the examination being very rudimentary; and the result was that 45 per cent could read and 36 per cent could write, while 30½ per cent could add three or four figures mentally, thus leaving 55 per cent who could not read, 64 per cent who could not write, and 69½ per cent who could not cipher. The noble Lord had obtained a Return showing the population, acreage, and rateable value of each parish, together with the accommodation provided by schools assisted by the State, and the average attendance. None of the columns, however, were cast up, and he was at a loss to understand the object of the Return consisting of a mass of unadded columns and undigested figures. He had himself obtained another Return which gave the net result of the noble Lord's Return, and to these results he would beg the attention of the House. The figures were favourable to our national system, the population of 1861 being given, while the school attendance was that for 1867. The population of England and Wales was 21,000,000, and the average attendance in schools aided by the State was 941,000, or 1 in 22 of the population. In Prussia, he might remark, it was one in 6¼. To show the inequality of different parts of the kingdom, he might mention that in Wiltshire the average attendance was 1 in 16, while in Cornwall it was 1 in 34. In Middlesex it was 1 in 27, and in the metropolis 1 in 24. In Newcastle-on-Tyne it was 1 in 24, in Birmingham 1 in 23, in Sheffield 1 in 26, in Devonport 1 in 32. These large towns were the most unfavourable instances, while in Manchester the proportion was 1 in 17½, in Bradford 1 in 15, and in Salford 1 in 14. Thus, in Salford, the attendance was 1 in 14, and in Devonport 1 in 32. It was evident from these figures that at present education was made to depend, not on the needs of the population, but upon the amount of voluntary spirit that might exist in a locality. Few would contend that the education of the country ought to rest on such a basis. The defect of the present system was that there were no means of compelling any district to perform its duty. His Bill was framed with a desire to interfere as little as possible with what had been done—not to interfere at all where the district was doing its duty; but where the contrary was the case, it armed the State, after due inquiry had been made, with the power of compelling the district to perform its duties. With regard to the religious difficulty, and leaving the Roman Catholics out of the question, it might be considered that, as far as Protestant denominations were concerned, the matter was one in which the people themselves took little interest. What they wanted was good education, and they turned a deaf ear to the theological difficulties with which certain persons delighted to encumber the discussion of a national system. These difficulties were raised not by the people themselves but by the managers of schools, many of whom seemed to attach more importance to the denomination of the school than to the instruction of the children. His right hon. Friend the Member for Calne (Mr. Lowe) and others maintained that the only logical basis of national education was the secular system. It was the wish, however, of the immense majority of the people that their children should receive an unsectarian religious education. Let the nation have, therefore, a good universal system of secular education provided by the State, leaving it to the locality to decide what the religious character of the teaching should be. The Report of the Commissioners of 1859 laid great stress upon the utter indifference of parents as to the denominational character of the education imparted so that it was religious, and the Report of the last Inquiry on Education conducted by the Schools Inquiry Commission contained the following remarks:—

> "We do not apprehend that there can be any real doubt that the great majority of parents would decidedly desire that their children should be religiously brought up. We are told 'that when boys are sent as boarders the parents generally stipulate that they shall attend church, or some other place of worship;' 'that very few express the least wish for a purely secular system;' 'that the vast majority would be unwilling to see the subject of religion, and especially the reading of the Bible, excluded from the schools.' And this evidence is confirmed by too many slighter indications from other sources to leave any doubt on our minds that, on the whole, the parents not only desire that their children should be taught religious truths, but that they should learn it where they learn other things—that is, at school."

He should be sorry to enforce a general system of education by means of secular schools alone, but it should be left to the parents themselves to decide what the character of the schools, with respect to religious instruction, should be; and this was the policy of the Bill with respect to all new schools created under its provisions. The next difficulty was the appeal to the pockets of the ratepayers. It was said that the rates were so high that it was impossible to impose any more; but he denied that the resources of this country would be weakened by a rate for schools. Every pound sterling spent in education would return twenty-fold to the country by the diminution of pauperism and crime, and the increased productive power of an educated people. In every country in the world where national education flourished, local provision was made for it. This was the case in Germany, Switzerland, France, and the United States. In Scotland there was a general desire that the school rate should be extended to those districts in which it was not now leviable. In Canada an educational rating system had been voluntarily adopted. He was, however, prepared to continue, in addition to a local rate, the present aid from the State, enlarged if necessary. The expense of education per head in large schools in towns was very slight. A most experienced London clergyman, the Rev. Mr. Fowle, of Hoxton, had informed him that he maintained a most efficient school of 500 children at 22*s.* a head per annum ; 17*s.* of which was supplied by Government aid and the children's pence, and only 5*s.* from private benevolence. In the country districts it would be a little more ; but in the poorer parts of the country he saw no reason why special and larger assistance might not be given by the State. In conclusion, he hoped that this important subject would be taken up early in the next Session of Parliament, and that the Government would not shrink from proposing a sound and effective system of national education. It was not his intention to proceed with the Bill this Session, and he accordingly begged to move that the Order be discharged.

MR. DIXON said, he very much regretted that it had been necessary to withdraw the Bill, which was of a much more complete character than the measure of the Government. The great importance of the subject was being more and more recognized by those in whom the wisdom of Parliament had decided that the greatest portion of political power should be vested. The working classes were beginning to consider in what manner they should use that power in regard to education as the very first question. There was no doubt that the principle of local rating for educational purposes would receive their most cordial support. There was some diversity of opinion about the value of statistics on this subject; for there might be a large number of children at school in a given locality, while the education received might be of a very defective character. Following the example of Manchester, the people of Birmingham had instituted a searching investigation into the education enjoyed by nearly 1,000 young persons between the ages of thirteen and twenty-one who were employed by the manufacturers of that town. The results of the investigation, which was conducted by Mr. Long, under the direction of the Rev. Canon Gover, Principal of the Training College at Saltley, were startling. It was found that of these young persons, who fairly represented the average of the working classes of that town, only 56 per cent could read, only 46 per cent could write, and only 20 per cent could be described as being in possession of any amount of general information. Great pains were taken to employ impartial agents to conduct this inquiry, and the results might be relied upon. This investigation had been carried on at the instigation of the Birmingham Education Society, a society formed for the promotion of education where the instruction of the children had been neglected on account of the poverty of the parents, and 5,000 children were now being educated at Birmingham out of the funds of the society. The work was, however, so great that, although meeting after meeting had been held, it was doubtful whether the association could continue to provide the means for educating these children. The statistics of the Manchester and Birmingham Societies had proved most conclusively the lamentable state of ignorance which prevailed at present, and he deeply regretted that the Vice President of the Council—the very man who of all others should be well-informed on the subject, and whose opinion naturally was of great weight in the country—should have been so rash as to impugn them. It appeared that the noble Lord had never read the Report of the Birmingham Society. Although the noble Lord seemed to wish it to be inferred that his remarks had no reference to that Society, yet it was impossible for any impartial reader of what the noble Lord said to come to any other conclusion than that he was referring to the Society in question. The Education Society of Birmingham comprised most of the educationists of the town, headed by leading clergymen and Dissenting ministers, and supported by many of the principal inhabitants. The statistics collected by them were entitled to quite as much confidence as those of the noble Lord himself. Instead of speaking as he had done, the noble Lord ought rather to have expressed his great respect not only for the Birmingham Education Society, but also for the Manchester Aid Society, and to have admitted that the results of their labours were entitled to weight in this House. The blow which he had dealt at these Societies was not deserved, because they were offsprings of that voluntary system, which was advocated by the noble Lord. But it was well known that that system had failed in the large towns. It was because towns like Manchester and Birmingham had tried so earnestly and with such partial success to supply their educational deficiencies that men who were not originally in favour of rating or compulsory education were being driven to the conclusion that in these districts voluntaryism was inadequate to the great and growing task, and must be supplemented by the rates of the town and assisted by Government aid. When a local rate was established it would be necessary to pass a measure of compulsory attendance, so that there should be no residuum left; for it would be unfair to ask the town to rate itself unless there were also given the power to make that rate effective by providing that all the children should go to school. He believed that in Birmingham and other large towns a great deal would be heard about education at the coming election, and he trusted that Parliament would not be satisfied to allow sectarian jealousies and religious bigotries to stand, as they had stood too long, in the way of the education of the children of this country.

Mr. GREENE said, he was quite as much in favour of popular education as hon. Gentlemen opposite. He certainly heard with surprise that the districts which returned leading Members to Parliament were in such a state of utter darkness with respect to elementary education. He believed that the Government Bill was in the main founded on a right principle, and that it would be necessary to have a different system for the manufacturing districts to that which they had for the agricultural districts. In the country districts, where education was attended to by the proprietors of the soil and by the clergy, it might require some supplementary aid, but it would not require to be compulsory. He held in his hands a statement referring to nine parishes in his part of the country, containing a population of 4,947, and it appeared that of the children over ten and under fifteen there were not twenty who could not read and write. There was great misrepresentation abroad as to the state of the agricultural districts; and hon. Members opposite no doubt believed that

every other part of the country was as dark and as uneducated as that to which the hon. Member for Birmingham (Mr. Dixon) had referred. [Mr. Dixon: No, I hope not.] Why could not the manufacturers do as much for their working people as the landowners and employers in the country had done for theirs? With regard to secular education, he believed that the day in which education without religion was established would be a dark day for England. In the town he represented, where there were schools for the children of the gentry, the tradesmen, and the poor, it would be unfair to apply the principle of rating, because the funds were already supplied voluntarily or by endowment. In order to show that in the agricultural districts education was not neglected, he would ask, where did the majority of the police and railway porters, who were required to be able to read and write, come from? The country districts. He hoped that in the coming Parliament—that astonishing Parliament, from which he did not expect any more enlightenment than from the present one—the subject would be approached in a spirit of fairness. It did not follow that the legislation which was suitable for the districts that were in the dark and heathenish condition described would be fitting for the rest of the country. He agreed that the condition of things described as existing in the manufacturing districts was a disgrace to those who had made large fortunes out of their working people; but he would not admit that either a system of rating or compulsory education was required in the country districts, where the landowners had done their duty in regard to education.

Mr. SAMUELSON said, he had not heard any one complain of the peculiar darkness of the agricultural districts; and he could not therefore understand the protest of the hon. Member who had just addressed the House. Where due provision was made for the education of the children in the agricultural districts it was not proposed to force upon them either a system of rating or compulsory education. He was glad the right hon. Gentleman (Mr. Bruce) had withdrawn his Bill, because it either went too far or not far enough. In his opinion, it did not go far enough. He thought there were two conditions on which they might fairly insist—first, that no locality should be called upon to make an educational rate without having power to enforce the attendance of the children at the schools; and next, that no child below a certain age—say ten or eleven—should be allowed to go to work in any factory unless it could produce proof of its having received some amount of elementary instruction.

MR. JACOB BRIGHT said, he believed the hon. Member for Bury (Mr. Greene) would find that the educational condition of the agricultural districts generally, was very different from that which appeared to prevail in his own neighbourhood. It was a very general impression that the efforts on behalf of education which were made in the agricultural districts came rather from the clergymen than the owners of the soil; and as it was well known that the resources of the clergy were somewhat crippled, their efforts must be proportionately small. He believed, at the same time, that there were no towns in the country more destitute of educational means than the large towns of Lancashire; and that a larger proportion of their people were either imperfectly educated or not educated at all than in other large towns in England. He was sorry to say this; but all that he cared for in this matter was the truth. The explanation was not difficult. The manufacturing towns of Lancashire were of very rapid growth, and they contained a vast proportion of people depending on weekly wages, and education had not kept pace with the increase of their population. If there was this educational destitution, it might naturally have been expected that there would be efforts to remove it. There had been such efforts, and for the last twenty years educational societies of great influence had existed in Manchester; each with its plan, every one doing the best it could to enlighten public opinion on this question, and engage the attention of the Legislature. Six months ago an Educational Conference of a very influential kind was held in Manchester, at which many Members of Parliament, many ministers of religion, and gentlemen from all parts of the country were present. The opinion not only of that Conference, but of the whole of the great constituency of Manchester, so far as he could ascertain it, was in favour of the Bill of the right hon. Member for Merthyr Tydvil (Mr. Bruce). It was desired that each locality should possess the power of rating itself; and this, he understood, was the principal feature of the Bill. No doubt most communities throughout the country felt themselves heavily enough rated already; but there was a general belief in Lancashire that they would effect great good if they rated themselves for educational purposes, and that they would be recouped, because there would be lighter prison charges, and the general property of the country would be made more valuable, in consequence of the diminution of the poor rates. If there was a sacrifice to be made, the people were ready to make that sacrifice. The noble Lord the Vice President of the Council had spoken disparagingly of societies which he said obtained subscriptions from silly women. There were, no doubt, in this as in most countries silly persons; but if their silliness exhibited itself in the form of contributing towards the promotion of popular education he hoped the number of such people would increase. He was surprised that the noble Lord should attempt to discourage societies of this kind. Scarcely a great measure had been passed by that House—Free Trade, household suffrage, the removal of the newspaper stamp duties—which had not been helped forward by the assistance of voluntary societies. He hoped they would continue and increase, and he was sure that not only the noble Lord but future Vice Presidents of the Committee of Council would encourage their proceedings and acknowledge their usefulness.

MAJOR PARKER said, he would not have risen on that occasion had not the right hon. Member for Merthyr (Mr. Bruce) thought fit to lecture the farmers of England for their presumed neglect of duty in the matter of education, and for showing an unwillingness to accept the principle of a compulsory education rate. The farmers of England were quite prepared to bear, with every other portion of the community, their fair share of any burdens which the Legislature in its wisdom might impose upon them; and they would certainly never be found backward in supporting any movement that would be really beneficial to the poorer classes. But they would expect that, in respect to general taxation, the scales would be held evenly between the different interests of the country. It ought not to be forgotten that at that period, when the farmers were supposed to be best able to contribute to any educational funds—harvest time—70 per cent was levied on one of the most important productions of the soil.

MR. HUBBARD said, he hailed with the greatest satisfaction the declaration made by the right hon. Gentleman the Member for Merthyr (Mr. Bruce), that in the opinion of the parents of England the great object was to give their children a religious education. He entirely concurred in that opinion; and if that point were kept steadily in view the House would not be likely to run astray into the legislation which that Bill proposed. The right hon. Gentleman had explained the deficiency in the educational means that existed in this country, or, as he would rather say, the deficiency in the education accepted—because it was one thing to take a horse to the water and another to make him drink. They had been favoured with many figures and comparisons on that matter ; but he believed they were not yet in possession of those statistics which would enable them correctly to estimate the educational power of this country. The inquiries instituted, not only by the Government but by the National Society, promised to remove the deficiency, and in another Session they might hope to possess this information. He was, however, willing to take it for granted that they did require greater educational means. Still the right hon. Gentleman might, he thought, be a little merciful to this country for producing no more satisfactory Returns than it did. Why, he asked, had the schools throughout England and Wales, conducted on the voluntary system, with subsidies from the Government, not made a greater progress ? The introduction of the Conscience Clause had proved a sensible means of diminishing the grants given by the State for the assistance of these schools. That unfortunate invention required what was repugnant to the feelings of school founders, and the grants had in consequence fallen from £144,000 to £18,000. He could not admit that the voluntary system had had a fair trial ; and what were they to substitute for that system ? The right hon. Gentleman said his Bill would not supersede the existing means of education, but would supplement them by a rate. Now, a Bill for the abolition of compulsory church rates, with the principle of which he entirely agreed, would shortly become law. Why were compulsory church rates to be abolished ? Because neither the mode of applying them nor the matter to which they were applied was one of universal agreement. [Mr. Bruce : Universal interest.] Universal interest and universal agreement came to much the same thing. It was impossible that henceforth they could raise rates for any but national objects—objects so national that the whole nation agreed in their propriety and in the mode of attaining them. Now, in regard to an education rate, there was no such general agreement. Some persons still contended that education given to the labouring classes was a disadvantage to them rather than otherwise. A far greater number, agreeing in the advantage of educating those classes, disagreed as to what education was, and as to the mode in which it ought to be administered. The great body of Churchmen held that education was the training of children as immortal beings, both for time and eternity, while other persons regarded education as a mere question of imparting secular knowledge. He entirely dissented from that second estimate of education, which, he maintained, had never been recognized in this country. The right hon. Gentleman wished to induce them to make grants for purely secular schools. That was at once revolutionizing their system. He did not say he opposed that; for he believed that education, whether taken solely in its secular features or in connection with religion, must be good in itself ; that to subject children to training, discipline, and control must have a good effect on them ; and he considered that the State was justified in assisting education, even though conducted only on the secular system. But the voluntary system owed its success mainly to the religious element which had hitherto been inseparable from it ; and if they trampled on that element they would destroy the whole stimulus to voluntary effort, and extinguish that principle of religious education which now so happily overspread the whole country. Again, the rating system would involve them in the necessity of compelling parents to send their children to school. Now, whatever might be done in Prussia, in this country it would be impossible to impose an absolute personal compulsion of that kind. Could they go to an English labourer with ten children and say to him, "Your eldest boy shall go to school, and you shall pay 2*d.* a week for his instruction ?" The man might reply, "My boy drives the farmer's team and gets 2*s.* a week, which pays my rent, and I can't send him to school." Would they put the man in gaol and starve his family because he would not do so ? If the employment of a boy under a certain age by the farmer could be made contingent on his education, he should be very glad indeed; but he feared a limit must be put on the principle of compulsory attendance. In his opinion, the proper housing of the agricultural poor was far more important to their moral and material welfare than reading, writing, and ciphering. These without moral training might prove mischievous. In numberless small lollypop shops halfpenny papers were sold in tens of thousands to our juvenile population, in which horrors were portrayed by pictures and described in language calculated not only to destroy the happiness of those who read them, but to incite them to every kind of vice and dishonesty. No wise legislator, therefore, ought to be satisfied with encouraging mere secular instruction unaccompanied by religious teaching among the labouring classes. He did not think they would ever have an education rate; but he would not grudge the money if the Education Department cost them twice as much as it did. They spent infinitely more upon gaols, reformatories, and police, and for the repression of vice, than upon the education which ought to keep their youthful population from becoming vicious. It was to be regretted that a spirit of ill-judged economy should have been introduced into the Education Department. He trusted that the Government would adopt a liberal policy; that they would increase their grants; that they would give that which was even more precious than grants—namely, a sympathizing welcome to those who endeavoured to promote the work of education; and that, under their fostering influence, the present system of voluntary education might be found taking deeper root, and spreading its branches wider than it had hitherto done throughout the country.

MR. FAWCETT said, he wished to point out certain shortcomings in the Bill before them. Compulsory attendance and compulsory rates must be inseparably associated; because, without the former, the latter would not be accepted by the country, nor would the educational deficiencies of the country be really supplied. He thought that no one could deny that there was a great educational deficiency in this country; for, comparing the population of both nations, there was not one-third of the number of children at school in England that there were in Prussia. Prussia was not now over-educated, and it could not be doubted that if England was equal to that country in education, her people would be happier, better, and wealthier. That in some of our wealthiest districts not more than half the labouring population had even the first rudiments of education was not due to an inadequate supply of schools, so much as to the fact that they had no power to enforce the attendance of the children. In Wiltshire one out of every sixteen of the population was at school; but in no district of England was the state of education more lamentable and deficient, and that, although there was a school in almost every village in the county, and although the clergy there showed the most extraordinary zeal in the cause of education. Speaking from his own experience of one village in particular, he could state that the boys of the labouring class left school to go into the fields when eight years old, and there was hardly a lad of that class who could read well enough to take an interest in an English newspaper. By combining compulsory rates with compulsory attendance they would be able to convince the people that the rate was only a temporary infliction, which would be removed by the diminution of the general rates, and by increased prosperity resulting from education. It might be said that the whole instinct of the nation was against compulsion in matters of education; but it should not be forgotten that we had already adopted that principle in the case of almost every industry except the agricultural, and if his right hon. Friend the Member for Merthyr Tydvil (Mr. Bruce) were to extend the scope of his Bill so as to make the attendance of children at school compulsory, he believed he would be supported by the great majority of the people throughout the country. When a parent neglected to give his child an education he was neglecting his first duty, and in such a case it was the duty of the State to become the child's protector.

LORD ROBERT MONTAGU said, that as he had understood that the Bill was to be withdrawn, he had come down to the House without any expectation that he would be called upon to address it. Nor would he now trespass on the time of the House, had not the right hon. Gentleman the Member for Merthyr Tydvil thought proper to attack with some acrimony a speech which he had made about three weeks ago. At that time the debate lasted many hours, and the right hon. Gentleman took part in it. Yet instead of impugning his position at that time, he took three months' consideration before he thought fit to do so. And to what did this long premeditated attack amount? Did he attempt to show that a single position or a single figure was erroneous? Did he dispute the basis on which he had proceeded, or the conclusion at which he had arrived? By no means. The right hon. Gentleman in carping at the estimates of educational destitution which he had then laid before the House had commented merely upon the circumstance that they had not been furnished by Mr. Lingen. This was no argument against the estimates. It was only a question of authority. He could assure him he had received them from persons on whose authority he could place at least equal reliance. Those estimates spoke for themselves. He had fully stated the ground on which he had proceeded, and showed the means by which he had arrived at the results. The right hon. Gentleman had had ample time to consider them, for they had been fully published in the *Times* newspaper; yet he had failed to pick a flaw in them or to detect a single fallacy. He had taken the number of children in England and Wales of school age—that was to say, between 3 and 15 years old—as amounting in 1868 to 6,849,128; the number between 3 and 12 in 1861 was 4,250,294; the number according to the Prussian standard of school age—that was to say, between 6 and 14—would be 3,562,730; and the number according to the French standard of 6 years — namely, between 7 and 13, would be only 2,667,737. But then the right hon. Gentleman had found fault with him because he had fixed the average length of the period during which a child might be expected to attend school in this country at six years. That was a point, however, which he must settle with the Commissioners, from whose Report it would be found that that was the average time time for which the attendance of a child at school was to be expected, and the duration of schooling for the labouring class with which everyone ought to be satisfied. It had been said that he had spoken disparagingly of the Manchester Aid Society. It was true that he did not place much reliance upon the statistics they had given, nor did he believe the case they had got up. They, in the first place, had, in their Estimate, supposed that the children of the labouring classes should all enter school at three years old and remain at school nine years, and that anything short of this was educational destitution. Yet, if they were at all cognizant of educational matters, they must know that the children of the labouring classes very seldom went to school until they were six years old, and that they seldom remained beyond ten years old. As many as 46 per cent did not go to school until they were nearly seven. They never, he believed, remained at school until they were twelve. It was therefore ridiculous to estimate the time which they spent at school as extending from the age of three to twelve; and the statistics which were intended to prove educational destitution on such an assumption were utterly fallacious. The Manchester Aid Society, nevertheless, by their own statistics, proved that the average duration of the attendance at school of all the children in that city was four-and-a-half years. They not only proceeded in their calculation on the fallacious ground to which he had just adverted, but they moreover had actually left out of account some of the townships of Manchester—as, for example, Newton and Bradford, and Harpurhey, with a population of 20,000 souls. Besides, there were some parishes —such, for instance, as St. Saviour's (Chorlton - on - Medlock), which they had credited with only one private school; and St. Stephens, to which they had ascribed no school at all; and yet they had fourteen schools. He was speaking now from recollection of the documents on which his remarks were based; but if he had known that the right hon. Gentleman intended to make an attack upon him in connection with that subject he should have brought those documents down to the House. He had, moreover, been attacked by the hon. Member for Birmingham for what he had said twenty days ago with respect to educational societies in general. He had informed the hon. Gentleman, however, that his remarks had no special reference to the Birmingham Educational Society, of which he at that time had not heard; and if he had referred to the report in *The Times* he would have seen that such was what he had stated at the time. Nevertheless, some new grounds for distrusting the action of such societies had that day been stated. The hon. Member for Manchester (Mr. Bright) had furnished him with one. He was not now alluding to the fact that they employed officers, paid out of the funds which those societies could extract from the people in the form of subscriptions, whose interest it was to keep the society going and to obtain large subscriptions. The hon. Gentleman had compared those societies to that by which the agitation in favour of Free Trade had been conducted, and to the association by which the reform in the representation of the people had been forced upon the House and the country. If such was their character they must be regarded in the light of political bodies. They were, according to that view, no longer societies, formed with the single object of promoting education; but bodies who had been constituted in order to force some preconceived theory of education upon the House and the nation, and whose weapon was to be a wide-spread and irritating agitation. He, however, did not feel disposed to look upon them in that light; but he preferred to regard them in the light of societies established with the *bonâ fide* object of promoting education throughout the country. All he contended for was that their statistics were fallacious, and tended to make out a sad case of educational destitution, in order to found on it an effective appeal for subscriptions. He had received, since he last addressed the House on the subject, the Report of the Birmingham Society, accompanied by a letter, couched in terms which were not very courteous. His remarks on the previous occasion had had no special reference to the Birmingham Society, of which he was then ignorant; but he would, he thought, now be able to show the House that their figures were in more than one instance fallacious. There were, they said, "1,027 streets in the borough," and before going further he must observe that in order to compare fairly the figures of the Birmingham Society with those furnished by the Commissioners of Popular Education—they must be framed on the same basis. Hence it must be borne in mind that the latter took into account not only the children of the poor, but those of the middle and higher classes also, and then came to the conclusion that six years is the standard average of attendance, or that one in 7·7 of the population should be at school at the same time, in order that every one might receive some education. The Birmingham Society employed eight young men to make a house-to-house visitation, and those men visited only 754 out of the 1,027 streets, omitting to visit 273 because they happened to be streets which the middle and upper classes inhabited. How, he would ask, were statistics thus compiled to be compared with those supplied by the Commissioners, who, in arriving at a conclusion as to the proportion of the population which should be at school, counted rich and poor together, while the Birmingham Society excluded the upper and middle classes? The children of those classes raise the average of attendance very much; for the parents compel them to attend school daily, and keep them at school until much later in life. The Society also omitted the workhouse schools, which raised the average still more, for there every child was at school daily. This therefore was one fallacious basis of their Report. Again, it appeared that the visitors of the Society visited 15,847 families, of which 10,227 were in the receipt of an income on the average of 20*s.* 9¾*d.*; 2,811 in receipt of an income of which the amount was not known; 1,587 being widows and deserted women, and 1,222 the number out of work. And now for the harrowing tale of educational destitution which was made up. The Report of the Society stated that of 300 families taken indiscriminately from the visitors' books containing 1,842 persons, the average earnings were 1*s.* 6½*d.* per head per week. Of 300 other families, "also taken indiscriminately from the visitors' books," eighty belonged to widows and deserted women, the earnings of each person being 16¼*d.* per week; while of 300 additional families "taken at hazard" from those books each person earned 2*s.* 3¾*d.* per week, and in each case they make a piteous statement as to the number of children who do not go to school. It was quite clear, he thought, that those 900 families must have been "taken at hazard" from the very lowest and poorest portion of the population. Those figures, therefore, proved nothing beyond that which was already known. Everyone was aware that the children of a family bordering on starvation, were made to work, in order to keep the family from sinking in ruin. Everyone knew that the children of the poorest parents cannot in the nature of things be diligent in attendance at school unless the parents receive nutriment gratuitously. There were other fallacies, or at least anomalies, which became apparent if the boys and girls in the tables which they had given were added together and accounted as children, without reference to sex. It must be borne in mind that the number of children between the ages of three to four exceed those between four and five, and so on. This is so, because children die off at various ages. Yet, what do we find in the tables of the Birmingham Society; they give the numbers of children between three and four as 3,868. Those between four and five are given as 4,066 in number; those between five and six as 4,354. The numbers then decrease down to the number 3,807 of children between nine and ten years old; they continue to decrease to 3,046 the number of children between twelve and thirteen; and then the numbers increase again. This is at least remarkable, even anomalous. The Report then states that 1,136 children between the ages of three and four were at school. And yet the average attendance of all the children in Birmingham between the ages of three and four is given as *nil*. Such a result could be arrived at only by omitting from the calculation all the fractions of years. For instance if a child attended school for only nine or even eleven months in the year, he would be counted as not having attended at all. If this be so, we should increase the estimate of average attendance by perhaps 40 or 50 per cent. He need not say that the average attendance was arrived at by dividing the "time in years at school," by "the total number of children." He found similarly that taking all the children in Birmingham, between the ages of eleven and twelve, they all attended school on an average of nearly four years. But the average attendance of all the children who have been at school, was nearly five years for the children between 11 and 12; 4½ years for the children between 12 and 13; and 1·23 years for the children between 4 and 5, and the same length of time for the children between 5 and 6. It was quite clear, therefore, in his opinion, that those figures were fallacious. But, taking them even as they stood, not a very bad case was incidentally made out for Birmingham; for he found at page 22 of the Report that nearly three-fourths of all the children of that town had been at school, and that on the average all those above the age of 12 had attended 3¾ years. The Society professes to include all private schools, and even dame schools in their return, and enumerate only 92 schools with an average attendance of 18,531. Yet there are in Birmingham 66 aided Parliamentary schools, with an average attendance of 13,790. He must moreover remark that if the school ages are supposed to lie between 3 and 15 years old, and if six years' schooling is the average which is to be looked for, it is easy to get up a harrowing tale; for this means that half the children of those ages may be at school and half not at school at any time, although all of them may receive six years of schooling. Having said thus much with respect to the case of Birmingham, he should briefly advert to the return called "Parishes," to which the right hon. Gentleman opposite had drawn the attention of the House. The smaller abstract for which the right hon. Gentleman had moved involved a fallacy which was avoided in the larger Return. The right hon. Gentleman had spoken of so many parishes as being destitute of education. Those were not ecclesiastical parishes. If he would consult the larger Return he would find enumerated among the parishes (which were in fact only Poor Law districts), a mountain in Cumberland, Castle Ashby, Chatsworth, Belvoir, Lincoln Palace, the Castle Inn at Brecknock, Ludlow Castle, Lewes Castle, Blenheim, Durham University, Durham Cathedral, and a number of dukes' palaces and parks were enumerated, and these were triumphantly pointed at as parishes which were destitute of schools. Thus, no less than 467 so-called parishes were Poor Law districts, with less than 20 inhabitants, and 1,864 had less than 100 inhabitants. There was a fallacy also at the other end of the scale. For Liverpool, with its 32 parishes and 92 aided schools, was accounted as only one aided "parish." Most of the large towns are similarly affected by this fallacy. Thus, of an immense number of aided parishes no account whatever was taken. Thirdly, a number of rural parishes were accounted as twelve or even fourteen Poor Law districts, which were called "parishes." So that such an ecclesiastical parish, with its aided school, would appear in the Return as one aided parish on one side of the account, and eleven or even 13 destitute parishes on the other side. Passing from that point, he hoped the right hon. Gentleman would pardon him if he pointed out what he deemed to be some imperfections in his Bill, so that he might have an opportunity of considering whether it would not be desirable to remove them should he bring forward a similar measure next year. The right hon. Gentleman proposed to erect school districts all over the country. In towns he proposed to take the whole of a town as a school district, while in counties he proposed to take unions for that purpose. He did not, however, altogether abide by that arrangement, because he also proposed to constitute special districts. In rural unions alone, and not in towns, one-twentieth of the inhabitants in number or in rateable value might apply to the Privy Council to have a parish cut out of a union for the purposes of this measure. That was to say that a certain number of persons who were not even rated to the poor, or even one person, if he owned one-twentieth of the property in the union, might get his parish exempted. It puzzled him for some time to discover the reason for this provision. It seemed to him that it was to evade opposition to the Bill. If three quarters of a union were well supplied with schools, they would object to come under the Act and pay for erecting schools in the destitute quarter. Hence the destitute quarter was to be exempted, and the Act was to apply only where it was not required. Then, as to the adoption of the Act, it was proposed that they should be adopted at a meeting at which certain persons were to vote. In a county, any occupier having any holding whatsoever might vote, if he were rated to the poor, whether he was a householder or not. In towns, only owners or burgesses might vote. The right hon. Gentleman did not proceed upon the principle that a man entitled to vote for a Member of Parliament might be considered sufficiently competent to vote under his Bill. For in towns he refused to let nearly all the Parliamentary electors vote for the adoption of the Act, while in counties a great number to whom Parliament refused to entrust a vote concerning legislative matters, were allowed by the right hon. Gentleman to vote for the adoption of the Act. In each case a bare majority in numbers was to be sufficient to decide the question. Again, with respect to the election of the School Committee; in towns it was to be elected by the Town Council or by a system of double representation; for a Town Council was elected by those who were rated at more than £6, and then this Town Council was to elect the School Committee. And why, he would ask, was a different plan to be adopted in counties, in which the right hon. Gentleman proposed to have only a single representation by a bare majority of every person who was on the rate book? Then as to the compulsory adoption of the Act, one-twentieth in number or rateable value of the inhabitants of a district might apply to the Privy Council to make the Act compulsory; but there was nothing in the Bill to prevent twenty paupers, or to prevent one man of property from making an application to have the Bill forced upon the population of a whole union. Last year the right hon. Gentleman had introduced a Bill for the education of the poor, but the present was not a Bill of that character. Every expression which limited the Bill to the education of the poor had been studiously omitted from the Bill of this year. It was a measure providing simply for elementary education in England and Wales, and it might be taken advantage of by the middle classes. [Mr. BRUCE: Hear, hear!] That being the declared object of the right hon. Gentleman, he must say he differed from him as to the wisdom of the course which he was pursuing. What the right hon. Gentleman sought to accomplish was to impose on one description of property—namely, real property—the expense of educating the various strata of society, leaving a vast amount of other property throughout the country altogether unburdened. The right hon. Gentleman, moreover did not make a fair division of the burden as between the landlord and the occupier. According to Clause 73, if the rent of certain premises were £200 a year, the rateable value being £160, and the rate being £8, or 5 per cent, the landlord would have to pay £5 and the occupier £3; but this fair division would not last. For every occupier would take the rate into account in agreeing upon the rent of his holding, so that the whole expense would eventually come off the landlord. This was unfair. Again—Let him take the case of a millowner whose mill was worth £1,000 and was rated at £800. Such a man might be making £10,000 a year, and might like to build schools for the education of the children of those in his employment. He would go to the School Committee for his district with the view to carry out that object, and the result might be that every householder and landowner would have to pay for those schools, while his £10,000 a year remained untouched, with the exception of the rate on the £800. It would also happen that those districts in which education was most required were those which were least able to raise a rate for the purpose. Taking the parish of St. George's-in-the-East, for instance, he found that the population amounted to 49,000; the number requiring school accommodation to 8,166. The minimum yearly charge for that number under the Bill would be £8,166, besides £2,041 for grants on passes, taking the grants at *5s.* instead of *8s.* a year, making a total of £10,207 a year. Now, the gross estimated rental for 1865 was £221,000, so that, taking the minimum educational rate it would amount to 5 per cent, or 1*s.* in the pound; and the poor rate now was as high as *2s. 2d.*, so that there would be a total of *3s. 2d.* in the pound, irrespective of the cost of inspectors and other officers. In Devonport the rate would be 1*s.* 10*d.*, in Plymouth 1*s.* 5¼*d.*, in Leeds 1*s.* 1*d.*, in Oldham the same. The education rate for the whole of England would be £4,000,000 a year, which at 3 per cent would represent £134,000,000 taken off real property. And what good, he would ask, was it proposed to effect by the Bill? The right hon. Gentleman did not even require that there should be a certificated master appointed under its operation. This was evident from Clause 40. It was a matter which he left to be decided entirely in accordance with the ignorance or the prejudices of the ratepayers, and it had been shown by experience that the Boards of Guardians always appoint the cheapest masters they could get. Moreover, the right hon. Gentleman did not require that there should be an examination in reading, writing, and arithmetic, but only in one or more of those branches of education. This would be seen by a reference to Clause 60. Hence the Bill would not even provide that a good education should be given, while creating a large expenditure, all of which was to be borne by real property.

Mr. E. POTTER said, he would be glad to give his support to the Bill of his right hon. Friend; but he was quite satisfied that the ratepayers in the larger towns of this country would not submit to an educational rate, unless Parliament compelled the attendance at school of those for whom the rate was most specially needed. There existed an appalling amount of ignorance, which could only be removed by a compulsory system of education for the labouring classes. Such a system would enable them in manufacturing towns to get rid of the half-time system, which was, in his opinion, most ineffective, and which he had heard described as a perfect sham. Compulsory education probably meant secular education; but if this were given, religious education would surely be brought in to supplement it. He hoped his right hon. Friend would consider the various points to which his attention had been directed, and introduce next year a bolder and more extensive measure than the one under discussion.

Lord FREDERICK CAVENDISH said, that a fact which proved more clearly than the number of attendances at school, that education in this country was not in a desirable state was, the number of persons signing the marriage register with a mark. Twenty years ago the males so signing were in the proportion of 32 per cent, and the progress since made had only reduced that proportion to 21 per cent; so that one-fifth of the population were unable to write their names. Within the last few years great attention had been directed to what was called technical education; and the reason why mechanics' institutes had entirely failed to give that species of education was because the young men attending them, instead of being qualified to learn science, had to learn to read and write and to acquire the rudiments of education. The present condition of things being thus unsatisfactory the question arose, what was to be done. For his own part he did not think that they could attain the end in view by an extension of the present system. They must, he thought, look to a system of local management and local taxation. The difficulty was that in many places where education was most wanted, the rates were so high that it was almost hopeless to look forward to the imposition of an additional rate; but, as it was to the advantage of the employers of labour that the employed should be educated, he would suggest that the former should defray one-half of the cost of education and that the other half should be defrayed by the ordinary ratepayers. It seemed to him that the religious difficulty was very fairly and fully met by the present measure, and he hoped that the right hon. Gentleman would take the first opportunity of again introducing his Bill.

Mr. HENLEY said, he would not weary the House with any opinion of his own as to the extent to which education might more or less be wanted; but he thought that the constant increase of education from year to year showed plainly that there was a field yet to be occupied. The real question was in what manner was the desired extension of education most likely to be accomplished. For many years they had had the voluntary system, aided to a limited degree by the State, and he was one of those who believed that the present system could not co-exist with the rating system. He had a very strong opinion that if they introduced the rating system they would for a time paralyze and check education, for, while the voluntary system would fall off, the rating system would not for some time be able to supply its place. In country districts, where the population was scattered, they would have district schools at such a distance from the dwellings of the children that they would not attend. If a more liberal use had been made of the means at the disposal of the Government; and if, instead of resorting to vexatious restrictions to prevent people from coming for aid, the hand of assistance had been more freely held out, the increase of education would have been greater at the present time than it actually was. He hoped to see the present system not destroyed, but fostered, being of opinion that any rating system would knock it up many years before supplying its place.

MR. AKROYD said, he was satisfied that the present system to which the country was now accustomed, if carried out and supplemented, would give all that was required in the way of national education. He was indeed surprised that the existing system had done so much, considering how it was administered. The factory education system was about to be extended in all directions, and when that was done there would be a good education provided for all the labouring classes of the country. He should object to any proposal to educate the children of the well-to-do labourers and working men out of the rates, and he believed that these classes themselves would scorn being assisted by any such means in educating their children. He believed that a compulsory system would be totally inoperative. With respect to one class, however, he would not object to the application of compulsory provisions. There was in all large towns a population of children who were left to wander the streets uncared for. He thought that this class of children should be compelled to go to school; that they should be educated at the expense of funds supplied by rates, and that the money should be administered under local authority. There was only one other class whose education should come upon the rates, and that was the class composed of the children of out-door paupers. The children of in-door paupers were now educated at the cost of the parish; but the children of out-door paupers were not at present sent to the workhouse to be educated. The Guardians had power to send them but the permissive Act was really inoperative. He believed that when the things to which he ad referred were done the rating systemh would have been carried as far as it need be.

MR. W. E. FORSTER said, the right hon. Member for Oxfordshire (Mr. Henley) had stated that the effect of the Bill would be to break up the present system. Now, the promoters of the measure believed that it would have a totally opposite effect. They knew that in our large towns especially, and to some extent in country districts, the present machinery of education did not keep pace with the demands upon it, and that it was beyond voluntary effort to provide for the education of the large populations which were growing up. The supporters of the Bill were, however, aware that these efforts had effected the greatest possible good, and they desired to supply the want which existed without interfering with the benefit which was at present accomplished by the voluntary system. They considered that this Bill would accomplish several good objects and would do no injury to any class of the community. He did not think his noble Friend (Lord Robert Montagu) had read or studied the Bill, or was aware of the great public meetings which had been held in support of it. The conditions of the Bill could scarcely be objected to. One condition was, that inasmuch as those schools would be supported by the public money—all the children in the country should have free access to them. Another condition was what was called the Conscience Clause—that was a clause which not only respected the conscientious feelings of the parents and guardians, but also those of the managers and schoolmasters. His right hon. Friend (Mr. Bruce) was right in not attempting to push the present measure any further this Session; but if there was one thing more likely than another to follow from a Reformed Parliament, in which the best of the working classes would have great influence, it would be the adoption of some national means to meet the great evil of want of education. An enormous population could not be allowed to grow up and be left to the chance action of voluntary aid. If the principle were acknowledged that the children of the poorer classes should be taught, then in no more considerate manner could that principle be carried out than by the present Bill. As its promoters were quite aware that it would be a great disadvantage even to put in force a better system at the cost of staying the action of the present system, they did not look forward to spreading over the country at once a system of rating. It was proposed that every borough should have an opportunity of rating itself and performing its part of this great national duty; but when, after careful inquiry, it appeared from the report of a responsible Government Officer, that there was educational destitution in any district—that the children were untaught—that the parents were unable or unwilling to provide them with education—that the neighbours were apathetic, and that voluntary efforts were not sufficient—it was proposed that then a rate for education should be compulsorily made. The more attention was attracted to this subject the more surely would there be a national system of education, and the disgrace would cease to attach to this country of being almost the only civilized nation which did not acknowledge it to be the duty of the State to provide for the elementary education of the people.

Mr. RAMSAY said, that the question of compulsory education had been much under consideration in Scotland, and the Reports laid before Parliament threw great light on the subject. In 1859 the Scotch Commissioners of Education sent a gentleman to make inquiries respecting the Prussian system, and it did not appear from his Report that he was at all of opinion that compulsory education at school was secured by legal enactment. He rather came to the conclusion that the efficient attendance at school was the result of the sentiment of the people. With regard to America, Mr. Fraser said that the law to secure compulsory attendance had been totally inoperative. There could be no doubt that in this country also any law of that kind would be inoperative, because the people were not accustomed to such interference on the part of the State with the duties of parents.

Colonel SYKES said, he believed that in this country compulsory attendance would be supported by the hearty good-will of the parents. Much good would result from compelling the children who might be seen thronging many streets, utterly abandoned by their parents, to go to school. He regretted that it should have been necessary to withdraw the Bill.

Order *discharged.*

Bill *withdrawn.*

SEA FISHERIES (IRELAND) BILL.

(*Mr. Blake, Colonel Annesley, Lord Claud John Hamilton, Mr. Kavanagh.*)

[Bill 101.] SECOND READING.

Order for Second Reading read.

Mr. BLAKE, in moving that the Bill be now read the second time, said, he wished to give a short history of their present and past condition, in order that the House might see the necessity there was for passing the measure he proposed. Ireland was so noted in early time for the quantity of fish frequenting its coasts that the Danes were led in a great measure to attempt the conquest of the country on that account, and carried on a large trade in that commodity from the harbours in their possession. After the Norman conquest England derived a large revenue from licences to foreigners to fish in the Irish seas. The Dutch gave Charles I. £30,000 for leave to fish on the Western part. In 1556 Philip of Spain paid £1,000 a year for the right of fishing off the North of Ireland, and in 1650 Sweden, in return for services to England, was allowed to employ 100 vessels in the Irish fishery. The Scotch and English fishermen frequented the Irish coasts in preference to their own. The wants of Ireland were fully supplied, and large quantities were exported. So long as they were allowed the Native fishermen prosecuted their calling most industriously. But according to Sir Charles Morgan, in his History of the British Fisheries, the Government did not entertain the idea that "this resource could or ought to be made available for the Irish subject." Against no branch of industry were more merciless efforts directed by England than against the fisheries. The Parliament of the Commonwealth was inundated with petitions from English fishermen, stating the injuries inflicted on them by the rivalry of the Irish fishermen, and praying that they might be discouraged. Cromwell appears to have complied, as according to Pendergast's Cromwellian Settlement, "the fishermen and gillers of the herrings were almost exterminated by the transplanting law." No doubt, also, cargoes of fishermen were sent with other deported Irish to Barbadoes and sold. For a long time ordinances were in force forbidding Irish fishermen to go out of harbour to ply their craft while Englishmen were so engaged. The same manifested itself quite as effectually in more recent times. As late as 1804 the Nymph Bank Company Bill to fish the

South Coast, promoted by the Marine Society of London, was defeated, because the fishermen of Harwich, Gravesend, and Faversham represented that they might be injured by it. Again, in 1836, when Lord Morpeth, as Irish Secretary, brought in a Bill to give effect to the recommendations of a Commission appointed to report on the fisheries of Ireland, the Scotch Members—always most determined foes to the Irish fisheries—through the influence of the Duke of Sutherland, caused the Bill to be abandoned, to the discredit of the Whigs of that day. Under the latter days of the Irish Parliament, the fisheries flourished; but like other branches of industry fostered by a Native Legislature, they declined after the Union, but rallied when again encouraged by the State. Between 1820 and 1830, aid, however, was prematurely withdrawn from Ireland, although continued to Scotland; and nothing exhibited more strongly the flagrant system of injustice pursued towards the former when at all likely to interfere with Scottish interests than the fact that, since 1800 £1,250,000 more had been given for the promotion of the Scotch fisheries than the Irish. And at that moment Scotland was receiving nearly £8,000 a year more for her fisheries than Ireland. Giving full credit for everything expended in Ireland, including harbours, Scotland had a special Board for the management of the fisheries, and a numerous staff of inspectors, whilst the Irish fisheries formed only a small part of another department, and had a solitary Inspector for a range of sea coast at least three times greater. In spite, however, of these disadvantages, just before the famine there were over 100,000 men and boys engaged in the fisheries, and nearly 20,000 vessels and boats. At present the crews were under 36,000, and the craft did not much exceed 9,000, and year by year the numbers were going down with fearful rapidity. This decline was attributable to the impoverishment of the fishing population consequent on the famine, and their inability to procure boats and gear, or keep what they had in repair. The fish were as abundant as ever; and though the demand might be less in Ireland from decrease of population, the demand had increased in England, and the facilities of reaching distant markets increased. London consumed £5,000,000 worth of fish in the year, and the provinces at least as much more. Ireland did not now produce £400,000 worth in the year—not enough to supply London for one month, and was obliged to import £150,000 worth a year from Norway, Newfoundland, and Scotland, to supply her wants; the seaboard of Holland was not half that of Ireland, and yet 450,000 Dutch once supported themselves by fishing; those who tilled the soil in Ireland were under 1,000,000, so that if they were altogether deprived of the land, they ought to be able to gain a livelihood out of the surrounding seas. Estimating very moderately, the fisheries ought to produce £2,000,000 worth, and oysters as much more, instead of hardly £50,000 as at present. At Whitstable out of less than three square miles of sea bottom £300,000 worth a year of oysters were sometimes dredged. Three years ago he introduced a Bill with a view of putting the fisheries in a better position, and after two years' struggling and discouragement from the then Government, thanks chiefly to the noble Earl opposite (the Earl of Mayo) he obtained a Select Committee last year. After two months' examination of witnesses they amended the Bill, and reported in favour of his views. In the amended form he then presented the Bill to the House. Its leading provisions were removing the control from the Treasury to the Lord Lieutenant, constituting a Department independent of the Board of Works, removing certain restrictions on particular modes of fishing, and making loans for erection of curing houses, and purchase of boats and gear. But the very essence of the Bill consisted in the clauses empowering loans — they were the pivot on which everything turned, and if not granted he would, for his part, prefer to throw up the Bill, as he felt they were the chief means by which the fisheries would be saved from further decline. The former system of Government loans, the loans of the Society of Friends, and of the Society for bettering the condition of the Irish poor had done much good, and had been attended by no loss. The evidence in favour of the loans he proposed given before the Select Committee was conclusive. The Inspecting Commissioners of Coast Guards were unanimous as to the good they would do, and in the Report of the Inspecting Commissioner of Fisheries, besides strong recommendations in favour of the loan system, it was stated—

> "I have heard of no instance of a fisherman having been implicated in the wild and wicked projects of Fenianism."

When the good that was accomplished was compared to the means required, he thought no wise or paternal Government would hesitate one moment about putting into execution the suggestion offered by the Select Committee and other competent authority. Only £50,000 was required, spread over a number of years, not as a gift, but advanced on well-secured loans. How little the Emperor of the French would think of expending such a sum, even as a mere experiment, for the benefit of his people. At present France voted £250,000 a year for the promotion of her fisheries. The prosperity of Dutch fisheries was mainly owing to the encouragement given by that Government, and Sweden was then making great and most successful efforts for the promotion of the Norway fisheries. It was a great reproach to England to allow such a resource to decay as the Irish fisheries had done; and if no effort was made to arrest the decline it would be a deep disgrace, and afford good ground for the assertion that England was indifferent to the interests of Ireland. He supposed when he sat down, he would have some Scotch Members, as always occurred when he brought the subject before the House, starting up to dispute anything being done for the Irish fisheries, on the grounds of political economy. But he had the authority of two of the most eminent authorities on that science — the hon. Members for Westminster and Brighton—for saying it was consistent with its principles to put the implement of his industry into the hands of the willing labourer, and that the fisherman was just as well entitled to a loan, if he gave satisfactory security, as the landlord or the tenant for the improvement of his land, as proposed by the Land Bill of the noble Earl. The antecedents of the present Government were good with regard to the Irish fisheries. The late Lord George Bentinck in 1847 was most anxious for a Committee of Inquiry; and the present Head of the Government on the 15th of May, 1847, zealously seconded his unfortunately unsuccessful efforts to compel the Ministry to grant a Select Committee to inquire into the Irish fisheries, with a view of ascertaining the measures necessary to render them more beneficial to the people. The twenty years which have passed since the death of that lamented and warm friend of Ireland serve to prove the wisdom of his generous policy as regarded the Irish railways and fisheries. Had his enlightened views been carried out, there can be little doubt that without loss to the Imperial Exchequer, the country would be in a more prosperous and progressive position, and not as now, a source of anxiety and embarrassment to England. His biographer and friend — "one who stood by his side in an arduous and unequal struggle, who often shared his counsels, and sometimes perhaps soothed his cares," and who "stepped aside from the passion and strife of public life to draw up the record of his deeds and thoughts" — is now in a position to give effect to the kindly sentiment contained in that distinguished statesman's speech, 4th February, 1847—

> "It may be said, as it has been said by some, if Irish enterprize cannot help itself, or walk without crutches, Irish enterprize must be allowed to fall. This is not my opinion, or the opinion of my Friends."—[3 *Hansard*, lxxxix. 799].

Almost the first utterance of Mr. Disraeli, after his late accession to Office, expressed a strong desire—

> "To ameliorate the condition of Ireland by assisting to develop her industrial resources, and an unwillingness that the drain of her population by emigration should continue."

No better argument could be furnished in favour of the action of the State in forwarding such matters, than the opinion of the noble Earl lately at the head of the Government, contained in the Report drawn up by him as Chairman of the Committee on Irish Railways some years ago—

> "It is a waste of public available resources to suffer so large a portion of the Empire to lie fallow, or leave it to struggle, by slow advances and with defective means, towards its improvement, when the judicious aid of the State might quickly make it a source of common strength and advantage. It was shown that if the Irish peasantry were placed, in point of comfort, on a par with Great Britain, the Excise duties would show an increase of £6,000,000 per annum. 'This consideration alone,' says the Report, 'ought to silence any objection, on the ground of expense, against affording public aid, such as may be required, for these works, as it gives an enormous profit on the greatest contemplated outlay.'"

If the Government chose there was ample time to pass the Bill. With regard to advances, he believed there was perfect unanimity on the part of the Irish Members. There never, perhaps, was an occasion when a Government had such an opportunity of doing so much with so little trouble and outlay by yielding to the wish so strongly felt by the representatives from Ireland— an important step would be taken towards removing one of the causes of poverty and discontent, increased food and employment, two of the greatest wants in Ireland, and a valuable nursery for the

Royal and mercantile marine kept up; as it should not be forgotten when the fishermen were flourishing under the Irish Parliament that the latter voted 10,000 men to help to man the British fleet during the American war. At all events, if Government would not pass the Bill this year, he hoped that the noble Earl would not refuse to allow it to be read a second time, as that would help it passing on a future occasion. He hoped some aid would be given this year in the way of loans out of the Irish Representative Fund—even £5,000 would go some way until legislation would be had—and that oyster instructors would he appointed. He asked the Government to do so much if they would not go to the full extent they ought this year; and he trusted that when the Premier next stated his policy with regard to Ireland, that the development of her valuable but neglected fisheries would form part of his programme.

Lord CLAUD HAMILTON, in seconding the Motion, said, there was no branch of trade in Ireland in so much decay, and which so much required assistance, as the sea fisheries. He hoped and expected that the House would sanction the principle of the Bill which had been introduced, in order to develop this branch of Irish industry. There was no decrease in the quantity of fish to be found in the seas surrounding Ireland; but the number of fishermen had decreased, and this, to his mind, proved that there was something radically wrong in the present system, and that it was desirable to assist the poor fishermen in providing themselves with the means of taking the fish and bringing them to market. During the last ten years, the number of both men and ships engaged in the Irish deep sea fishery had diminished more than one-half, and the industry could only only be revived by a loan of public money, and by its being placed under the superintendence of competent and active inspectors. The present inspectors were officers of the Board of Works, who were engaged one day in considering the advisability of granting a loan for drainage works in Ulster, another day in deciding whether a fence should be erected in Phœnix Park, or whether a railing should be re-gilt, and on the following day had to form themselves into a Fishery Board and plunge into the difficult subject of nets and meshes, trawling, and so on. One of the most important parts of the Bill was that which placed the new inspectors under the control of the Lord Lieutenant. The decrease of supply had been greater this year than formerly, which showed that something must be done at once. He hoped that the Government would sanction the second reading of the Bill, and would take the matter into consideration during the Recess, with the view of introducing a Bill upon the subject early next Session.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. Blake.*)

Mr. GRAVES said, he should support the Bill, and he regretted that there were not more Bills of such a practical character brought forward for Ireland. When on a visit to that country, he was struck with the indifference to this important branch of trade. He was led to believe that the Irish fisheries were greatly neglected by the Board of Works. No sheds were erected in which the fish might be cured, and no standard value was placed upon the fish as was the case in Scotland, and thus the Irish fish only commanded a very low price in foreign markets. He hoped that the Bill would pass in the course of the present Session.

General DUNNE said, he hoped the Government would allow the Bill to be read a second time. There would be no difficulty in passing the Bill this Session, for they were all pretty well agreed upon what was wanted. The present Board of Commissioners had failed to discharge their duties, and they were annually renewing, by their appointment, a state of "do nothing." Irish Members were agreed not only upon the main principles but also upon the details of the measure, and what was required for Ireland, consequently, the Bill need not be long in Committee. He urged the Government, if possible, to pass the Bill this Session. The Treasury was the great difficulty in this, as in all matters relating to Ireland. They were always ready to take money from Ireland, but they were not so ready to give Ireland even what belonged to her.

Mr. DARBY GRIFFITH said, that by the 15th clause of the Bill the owner of a foreshore might lay down oyster beds at low water mark; but if he did not any other person might do so without his consent, the consent of the Commissioners being sufficient. This was an interference with private property which he thought the House ought not to allow.

Mr. BLAKE said, that by the law as

it at present stood an owner might plant beds within ten miles on either side of his property.

Colonel FRENCH said, the Crown had been defeated on the question of foreshores in Scotland. If Irish Members were united, the same could be done for Ireland. As this Bill had gone through the scrutiny of a Select Committee, he wished to know why it should not proceed. He thought that, as there were not many Irish Bills before the House, the present one might be passed this Session. There was plenty of time to carry it through Parliament. It would prove a valuable measure for Ireland. If they wished to promote the Irish fisheries, they must adopt the Bill and take their management out of the hands of the Board of Works. They only asked for their own money with which to promote local interests.

The Earl of MAYO said, he should be the last to underrate the importance of the question with which the Bill proposed to deal. It was quite true that the Irish fisheries were in a languishing condition; and there was hardly any subject more worthy to occupy the time and attention of the House. In his opinion the hon. Member for Waterford (Mr. Blake) had done great and valuable public service in bringing this question forward. He thought that the decrease in the number of persons said to be engaged in this branch of industry had been over-estimated, and he proposed to institute an inquiry during the autumn, by which the exact number of the persons so engaged might be ascertained. The decrease was no doubt out of proportion to the decrease of the population; but he doubted if the number said to have been formerly employed could be relied on as consisting of persons engaged solely in that branch of industry. He was not sanguine, however, about the possibility of passing the present Bill during this Session; for there were difficult and delicate matters of detail to be settled before any satisfactory conclusion could be arrived at. The Bill proposed to create a central authority, which should form a portion of the Irish Government. There were to be three Commissioners, who were to have jurisdiction over the river as well as the sea fisheries. This would be a great improvement upon the present system, under which no member of the Government was responsible for the acts of the fishery inspectors. He must, however, point out that there was in existence a Special Commission for the purpose of inquiring into the best mode of settling many matters connected with the inland fisheries. He regretted that the labours of that Commission had not been brought to a close before; but he believed they would terminate in the autumn of this year. It would be inadvisable, under these circumstances to appoint a Board to superintend the fisheries of Ireland alone, when in all probability a central Board would be appointed under the recommendation of that Commission, which would have the control of the whole of the inland and of the deep sea fisheries of the kingdom. The Bill attempted to deal with the vexed and intricate question of trawling, and under these circumstances he did not think that it could be properly discussed during the present Session. Nine-tenths of the fish sold in London were caught by means of trawling—a plan which tended greatly to economize labour. It appeared to him, therefore, that it would be utterly impossible to retain for any length of time the restrictions that at present existed. It should, however, be remembered that the main cause of the depressed condition of the Irish fisheries arose from the absence of a local market. At present no regular supply of fish, as a rule, reached the inland towns of Ireland. However much they might regret that circumstance, it was one which it was out of the power of Parliament to remedy. He had no doubt, however, that an alteration and improvement in the railway system would do a great deal. The hon. Member laid great stress on that portion of the Bill which enabled the Government to grant loans for the purchase of boats and nets. But he must remind the hon. Member that even if the Government felt disposed to accede to such an application, there would be a great difficulty in obtaining the consent of Parliament. It would, therefore, in his opinion, be holding out false hopes to those engaged in this industry if he were for a moment to suppose that the House would permit the Government to lend money to private persons, for the purchase of boats and fishing gear, upon the personal security of those to whom the money was lent. [Mr. Blake: No, upon satisfactory security.] It was, of course, hard to say what would be a satisfactory security; but in this case he apprehended scarcely any other security could be offered than the machinery for fishing upon the purchase of which the money lent was to be expended. If, however, the ratepayers of a county represented to the Government that money might be advanced on curing-houses, that might be listened to. With regard to the question of the oyster fishery, he felt that there was no industry which was capable of greater development in Ireland; and he might reremark that the extraordinary loss and failure which had occurred in the experiments made in this direction in England had not extended to Ireland. He believed that in the bays and inlets on the West coast of Ireland there would be a much better chance of success. He had already brought the matter under the notice of the Government, and he was in hopes that steps would be taken to ascertain to what extent and by what means the culture of oysters had been successful in France, in order that that information might be made use of to promote the culture on Irish coasts. He felt that it would be impossible to legislate upon this subject during the present Session, and he wished it to be understood that there were several points in which he did not agree with the hon. Member for Waterford; but as he approved the principle of the Bill he should not oppose the second reading.

Mr. SHAW-LEFEVRE said, that in England there were no Commissioners to frame by-laws for the regulation of fisheries, and he must deprecate the appointment of three fresh Commissioners in Ireland. The Sea Fisheries Commission which reported two years ago did not recommend the continuance of restrictions. He concurred in all that had just fallen from the noble Earl opposite, and was also desirous of guarding himself from being supposed to sanction the principle of loans to the fishermen for the purchase of boats and fishing gear. If such loans were once granted he could not see why the fishermen of Cornwall and other parts of our coasts would not also have a claim upon the public money, or how loans could be refused to other branches of industry in Scotland or in this country.

Mr. J. STUART MILL said, the main objection of his hon. Friend who had just sat down to the granting of loans to the Irish fishermen was that if this were done for Ireland it should be done for Scotland and England. His answer was that Ireland was a more backward country than either Scotland or England. Government might very properly undertake to do things for a country which was industrially backward, which no one could expect from them in the case of a country which was in a more advanced and prosperous condition. This consideration was of all the more weight when it was remembered that the industrial backwardness of Ireland was, in a great measure, attributable to the past legislation of this country. For a long period English legislators, without distinction of party, employed themselves in crushing this and most other branches of Irish enterprize. It was therefore incumbent on us, now that we were wiser and able to look upon our past conduct with shame, to legislate in an opposite direction, and even to risk if necessary the loss of small sums of money to advance that industry which we had formerly endeavoured to retard.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

UNIVERSITY ELECTIONS (VOTING PAPERS) BILL.

On Motion of Sir James Fergusson, Bill to amend the Law relating to the use of Voting Papers in Elections for the Universities, *ordered* to be brought in by Sir James Fergusson and Mr. Attorney General for Ireland.

Bill *presented,* and read the first time. [Bill 187.]

CONSULAR MARRIAGES BILL.

On Motion of Sir James Fergusson, Bill for removing doubts as to the validity of certain Marriages between British Subjects in China and elsewhere, and for amending the Law relating to the Marriage of British Subjects in Foreign Countries- *ordered* to be brought in by Sir James Fergusson and Mr. Secretary Gathorne Hardy.

Bill *presented,* and read the first time. [Bill 188.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS.

Thursday, June 25, 1868.

MINUTES.] — *Sat First in Parliament* — The Earl of Shrewsbury, after the Death of his Father.

Public Bills — *First Reading* — Local Government Supplemental (No. 6)* (175).

Second Reading—Established Church (Ireland) (157), *debate adjourned;* Boundary * (170).

Committee — Voters in Disfranchised Boroughs* (153); Municipal Rate (Edinburgh)* (167); City of London Gas* (168).

Report — Voters in Disfranchised Boroughs* (153); Municipal Rate (Edinburgh)* (167).

Third Reading—Religious, &c. Buildings (Sites)* (161), and _passed._

Royal Assent— Stockbrokers (Ireland) [31 & 32 _Vict._ c. 31]; Endowed Schools [31 & 32 _Vict._ c. 32]; Registration of Writs (Scotland) [31 & 32 _Vict._ c. 34]; Cotton Statistics [31 & 32 _Vict._ c. 33]; Duchy of Cornwall Amendment [31 & 32 _Vict._ c. 35]; Documentary Evidence [31 & 32 _Vict._ c. 37]; Unclaimed Prize Money (India) [31 & 32 _Vict._ c. 38]; Alkali Act, 1863, Perpetuation [31 & 32 _Vict._ c. 36]; Jurors' Affirmations (Scotland) [31 & 32 _Vict._ c. 39]; Partition [31 & 32 _Vict._ c. 40]; Metropolis Subways [31 & 32 _Vict._ c. 80]; Pier and Harbour Orders Confirmation, &c. [31 & 32 _Vict._ c. 46]]; Pier and Harbour Orders Confirmation (No. 2) [31 & 32 _Vict._ c. 47].

ESTABLISHED CHURCH (IRELAND) BILL.

(_Earl Granville._)

(NO. 157.) SECOND READING.

Order of the Day for the Second Reading read.

EARL GRANVILLE, in moving that the Bill be now read the second time, said: My Lords, it is not the first time that I have had the honour of proposing measures of importance to your Lordships, nor is it the first time that I have required all your indulgence to enable me to perform the task. Your Lordships may have observed that after the first reading of this Bill there was a kind of race between two noble Lords who should first give a Notice of Motion for its rejection. I hardly know whether I ought to regret or feel pleasure that my noble Friend on the cross-Benches (Earl Grey) won that race. Nobody is better aware than I am of the infinite power and fertility of the objections which my noble Friend can raise to any course which is not precisely that which he has shaped; and, as I shall be the only Peer to precede him, I shall be exposed to the full force of his criticism. At the same time, I am aware that my noble Friend will lay down principles and apply those principles in a manner which must be completely repugnant to the arguments that will probably be urged by his competitor in the race, the noble and learned Lord on the Woolsack. I hope your Lordships will give me credit for some magnanimity if I say that I wish no greater punishment to either of the noble Lords than that which they will have to undergo —the noble and learned Lord and Her Majesty's Government, in hearing the terms which will be used in proposing the Motion for which they are about to vote; and my noble Friend in hearing for at least two nights the reasons which will be urged in support of his own Motion. My Lords, the outbreak of Fenianism, its attacks in Canada, its extension to this country, accompanied with outrages of a most peculiar character, have filled the public mind with horror and indignation; but at the same time they have caused the people of this country to reflect more calmly and dispassionately upon the state of Ireland than perhaps at any former period. The impression which has thus been made upon the public mind —an impression reflected by the large majorities which have supported this Bill in the House of Commons—is, I believe, as follows:—Since the passing of the Emancipation Act Ireland has made progress, social, political, material. That progress has been slow, but it has been gradual. It has been owing partly to the improved general legislation of the Imperial Parliament, partly to milder institutions introduced into the sister country, partly to a more equitable and impartial government by the Irish Executive. In the midst of this progress you have an insurrection directed against property, against religion, against order, against authority, with objects of the most insensate character. That insurrection is opposed by all the richer and superior classes in Ireland. It is opposed by many of those who in former times might have been found to give it encouragement. But it has found support from a small portion of the Press; it has found support from some of the small tradesmen and farmers, and from not an unintelligent class of clerks and artizans; and it has, in fact, been received with a sort of sullen acquiescence by a very large proportion of the population. The general opinion in this country seems to have been that, in order to meet this extraordinary state of things the Government should, on the one hand, be armed with powers to maintain order, and, on the other hand, that measures should be passed of a remedial and conciliatory character, in order to insure the peace of Ireland. No persons admitted more frankly that Ireland was the question of the day than Her Majesty's Government. In this House our curiosity was not entirely satisfied as to the future policy of the Government. My noble Friend the Lord Privy Seal, in answer to a question, and also the noble Duke the President of the Board of Trade, referred to a statement which was about to be made in the House of Commons by Lord Mayo, the Chief Secretary for Ireland, and a Member of the Cabinet, with regard to Ireland. The Prime Minister made the same reference in the declaration he made that that policy would be of "a truly Liberal" character. Accordingly, Lord Mayo made the promised statement. He said with regard to the Irish Reform Bill that it was not the intention of the Government to abandon that measure. He said also that the question of the Irish Railways would be referred to a Committee. With regard to the land question he promised a certain amount of legislation; but said that could not be finally settled without further inquiry, and that also he proposed to refer to a Commission. The subject of primary education was also to be referred to a Commission. With regard to the education of the upper and middle classes among the Roman Catholics, I beg leave to read the words of Lord Mayo's declaration. He said—

> "It is proposed, in the first instance, that a charter should be granted in the same way that a charter was granted to the Queen's University; that the governing body, under the original constitution, should consist of a Chancellor, Vice-Chancellor, four Prelates, the President of Maynooth, six Laymen, the heads of the Colleges to be at first affiliated, and five Members to be elected, to represent the five educational faculties, all being Roman Catholics."

Then he explained how future vacancies were to be filled up, and after some arguments in favour of such a University, he went on to say—

> "With regard to endowment, it will be essential, of course, if Parliament agree to the proposal, in the first instance to provide for the necessary expenses of the University—that is to say, the expenses of officers of the University, of the University Professors, and also to make some provision for a building. It is possible that if Parliament approve the scheme it may not be indisposed to endow certain University scholarships. But, with regard to the endowment of Colleges, it is impossible to make any proposal of that nature at present, and to that extent the question will be left open to further consideration."

That was the declaration made by Lord Mayo with regard to the University. With regard to the Church of Ireland, the noble Lord entered into still longer details, deprecating the principle of levelling down; and there were certain passages which your Lordships will perhaps allow me to read. Now, I am in some difficulty here, because I was not aware until lately that Lord Mayo had published a revised edition of his speech, differing in some parts from the speech as reported in *The Times* and in *Hansard*. Thus after giving some account of the evil consequences of levelling down, Lord Mayo is reported in *The Times* and in *Hansard* to have said—

> "I believe the arrangement we propose is eminently suited to the people of Ireland."

That passage is omitted in the revised speech. Again, in speaking of the Presbyterians, Lord Mayo said—

> "The Presbyterians now receive a grant from this House, which is miserable in amount, and totally inadequate to their requirements."

That is the passage according to the revised speech. In *The Times* report a sentence is added that he had reason to believe that the Protestant Church would not at all object to an alteration of their position. With regard to the Irish Church, Lord Mayo said—

> "Justice and policy may demand a greater equalization of ecclesiastical arrangements than now exists. If it is desired to make our Churches more equal in position than they are, this result should be secured by elevation and restoration, and not by confiscation."

In the report of *The Times*, and in *Hansard*, it runs thus—

> "There would not, I believe, be any objection to make all Churches equal, but the result must be secured by elevation, and not by confiscation."

These are the statements that were made at that time, and I believe there is no doubt as to what were the inferences then drawn from them by the great majority of those who heard or who read them. With regard to the establishment of a Roman Catholic University, it clearly appeared from those statements that it was intended to propose the endowment of an exclusively Catholic University in Ireland, and that with respect to the endowment of the Colleges the Government would make no declaration at present, but that that point should be left for further consideration. But with reference to the Established Church, the inference drawn at the time was that Her Majesty's Government had no distinct plan, but that they had sketched out a policy—namely, that of the concurrent endowment of the Episcopalian, the Presbyterian, and the Roman Catholic Churches. Those inferences, I am aware, were contradicted, but not until about two months after the statement was made. I do not wish on this occasion to inquire in the slightest degree whether the explanations afterwards given were satisfactory, at all events to minds not well constituted for understanding that which is not clear; nor will I enter into the question whether it was right for the Government to have allowed their intentions to be misrepresented during so long a time without due explanation. All I will say is that, if the announcement of their policy had been even less definite than it was, it would, in my opinion, have been the duty of the Opposition to take some action on the matter. The Government did show some conciliatory disposition towards the other religious communities in Ireland, though their manner of doing it I could not approve. And it could not have been conceived—after the intimation they had given of their intentions on that subject—that the "truly Liberal policy" spoken of by the Prime Minister meant nothing more than that things were to remain absolutely *in statu quo*, only on the understanding that the number of Roman Catholic chaplains in prisons and in workhouses should not be diminished. The Opposition, believing, as I have said, in the necessity of accompanying measures of coercion with sound measures of conciliation and remedy, and having the assurance that there was springing up in Ireland a feeling almost of despair as to obtaining from the Imperial Parliament a settlement of some of the questions which its people had deeply at heart, deemed it impossible that they could appear in the eyes of England and Scotland as well as of Ireland to acquiesce in the policy or no policy of the Government. In consequence of that conclusion the Opposition have had imputed to them motives of an almost dishonourable character. My Lords, I am strongly in favour of party Government, and I believe that anybody who broke up that party Government would injure our representative institutions. At the same time, I hold that to adopt any principle in which you do not believe for the sake of a political or a party advantage is highly dishonourable. On the other hand, the promotion of great principles, the advancement of a great question when a favourable moment presents itself, is one of the most glorious operations of party Government in this country. A right rev. Friend of mine opposite lately made an eloquent speech on this subject, of the opinions expressed in which I do not in the least complain. That such opinions should be entertained by members of the Episcopal Bench is extremely natural; but I do regret that my right rev. Friend should have permitted himself to impute unworthy motives to those who differ from him, and, indeed, I think he must himself have regretted it in his cooler moments, when he saw that his example had been followed not only by laymen but by clergymen—some of them in high position — in a much coarser and more offensive manner. I do not know, my Lords, whether we shall be deluged with arguments *ad hominem* in this House as well as elsewhere. I believe I am not personally very open to that sort of small shot which may be annoying to individuals but cannot in the slightest degree affect the issue of a great contest. Having now been in Parliament for more than thirty years, I thought I had learnt two lessons: the one the indefensible character of the Irish Church, the other that there existed in this country, and also in Scotland, feelings of prejudice which made me think it impossible that I should live to witness a change which I desired to see accomplished, and with respect to which I first expressed my opinions in the House of Commons about twenty-four years ago. As to the latter lesson, I cannot help remarking with satisfaction that an extraordinary advance has now been made by public opinion on this subject. Even if the charges to which I have referred were made against myself, they would be of very little account; but I must say I have felt strongly the injustice of some of them as directed against a most distinguished Friend of mine. Most of your Lordships, I believe, would be candid enough to admit that it is quite clear from explanations given by him both in public and in private, that Mr. Gladstone has for a long time shown that he also was convinced of the impossibility of defending the maintenance of the Irish Established Church by sound and just argument. The charge, however, I believe, now made against him is that, although entertaining those opinions, he has never acted upon them till this year, when he could find an occasion for embarrassing Her Majesty's Government. ["Hear!"] The noble Earl the Lord Privy Seal, I perceive, cheers that somewhat unworthy imputation. Now I observed lately that the Earl of Mayo, in defending himself in the other House in connection with this question, thought fit to refer to some private conversation which he had with his own political Friends. Perhaps your Lordships will allow me to take a similar course, and to refer to a private conversation which I myself had with Mr. Gladstone rather early in the

Session of last year, at a time when the Government appeared to be in great difficulties—we were not then aware of the great tenacity of life which it has since exhibited—and when it seemed likely that it would succumb to the difficulties which surrounded it. Mr. Gladstone then spoke to me on the course which any possible Liberal Government might have to take. Among other things, he said, "There is one question which any Liberal Government must be prepared to deal with; it is the Irish Church." He said, "I am aware of the difficulties of the question. I am aware that that Government will run the risk of being destroyed in the endeavour, and even the party of being broken up again on that very question; but it is a duty from which a Liberal Government cannot in honour shrink." My Lords, I believe I have told you the precise words, I am quite sure I have told you the precise substance of my right hon. Friend's remarks. They made an impression upon me at the time, and I know there are other political Friends of mine and of Mr. Gladstone who at the same time received from him the same declaration, and to them I could point if—as I believe is quite impossible—your Lordships should entertain the slightest doubt as to what I have just stated. I am justified, therefore, I think, in feeling some indignation at finding it imputed to Mr. Gladstone that he has tried to steal a mean political advantage when I am personally aware of the risk and the sacrifice that he was prepared to encounter. The Opposition then had to take a course. I am extremely curious to know what is the course which my noble Friend on the cross-Benches will suggest that the Opposition ought to have taken. I have thought much on the subject, but I really cannot come to any conclusion on the matter; but I do hope it is impossible that my noble Friend will suggest, under the circumstances I have stated, that it was the duty of the Opposition—that it would have become them—to have remained perfectly quiescent under the vague assurances of Her Majesty's Government, and to have waited until the Government thought fit to adopt any particular plan which my noble Friend might dictate to them and the country. It was impossible for any one not in the Government to propose any general Bill dealing with the complicated and difficult details connected with the disestablishment of the Irish Church. On the other hand, an abstract Resolution was bad in itself; it was still worse when you consider that the inefficiency of previous abstract Resolutions was fresh in the memory of the Irish people. We resolved to take another step, one which, while it gave the people of Ireland an earnest of the good-will of the present House of Commons, without fettering in the slightest degree the discretion of a future Parliament, enabled them to deal with the question with more ease and less embarrassment than they could otherwise could have done. The Resolutions proposed to and adopted by the other House are so famous that I need hardly read the substance of them to your Lordships. They are embodied in the Bill which I have the honour of asking your Lordships to read the second time. But one of the provisions has been framed to avoid the practical inconvenience which might arise from the suspension of ecclesiastical appointments, and there is also a limitation of the powers given by the Bill until August, 1869. Those Resolutions and this Bill were approved by the House of Commons, in opposition to Her Majesty's Government, by enormous majorities, the lowest of which was 54. Now, Lord Stanley, than whom there is no man who more clearly sees thing as they are, speaking on behalf of the Government, stated that there was not one educated man in a hundred who would be bold enough to maintain that the existence of the Irish Church in its present state was satisfactory, and I rather think, though I have not his exact words before me, that he referred to it as a scandal. Now, if that opinion of Lord Stanley's be right, as I believe it is, there is not a single Member of your Lordships' House who might not with perfect conscientiousness vote for every enactment to be found in this Bill. Lord Stanley referred to a plan regarded with favour by some members of the Irish Church for re-distributing its revenues within its limits, and he said he, for one, could not believe such a proposal would be entertained by a Reformed House of Commons. Even supposing, however, that some of your Lordships should approve that plan, it would clearly be of advantage to avoid a waste of ecclesiastical revenues by preventing any fresh appointments from being made, and thus to facilitate the execution of those beneficial recommendations which the Commissioners may be expected to make. There is another class who are for totally disendowing the

Irish Church and re-distributing its revenues among the various religious bodies in Ireland. This reason applies to them also, while to those who believe that the only final and satisfactory settlement will be the disestablishment of the Church the reasons for supporting this Bill are still more conclusive. It would prevent the creation of fresh vested interests, and, by precluding the appointment of young men to benefices which may become vacant, it would limit, possibly by a considerable number of years, the prolongation of the existing system after disestablishment had been decided upon. There is another body in this House, I mean those of your Lordships, whether lay or spiritual, who possess ecclesiastical patronage, and who, I think, would be placed in a most invidious and disagreeable position if this Bill is not passed. They would be bound to fill up benefices as they became vacant, and to appoint to sinecures or benefices which very likely the Commissioners would recommend should be abolished. They would do so notwithstanding the strong expression of opinion on the part of the House of Commons, and in face of the probable result of the Commission of Inquiry. Now, that appears to me one of the most difficult and invidious positions in which the dispensers of patronage can be placed. There is another body who can hardly with consistency refuse their assent to the provisions of this Bill—I mean Her Majesty's Government. The noble Duke the Secretary for the Colonies (the Duke of Buckingham) will, perhaps, be good enough to correct me if I am wrong when I state that the Government have just given their assent to the suspension of appointments of an ecclesiastical nature in Jamaica, with a view to an inquiry which may result merely in the redistribution of Church revenues, certainly in the diminution of them, and possibly in their total abolition. I apprehend from the silence of the noble Duke, and from the answer given by a Member of the Government to a Question put a day or two ago in the House of Commons, that I am correct in that statement, and this circumstance seems to me a reason why they should support this Bill.

It would, however, be disingenuous on my part were I to pretend that the practical advantages of the Bill are the only grounds on which I ask your Lordships to give this measure a second reading. I think it is most important that your Lordships should concur with the House of Commons in giving this assurance of good-will to the people of Ireland, thus undertaking to give a fair and impartial consideration to the question of the Irish Church. My objections to that Church are very simple. One of them is that it has entirely failed to fulfil the objects for which it was established, and another is, that which was urged in the petition of distinguished clergymen—which excited the wrath of my noble Friend (Lord Redesdale) and caused some merriment on the part of a right rev. Prelate—that it is an injustice towards the great majority of the people of Ireland. With regard to the object of the Irish Church, I believe everyone who has given any attention to the subject is perfectly convinced that the object of Queen Elizabeth, when by somewhat arbitrary means she established it, was that it should give spiritual consolation and religious instruction to the mass of the population of Ireland. Queen Elizabeth and her Government, as Hallam has pointed out, never entertained the idea that a great majority of the people would permanently adhere to the Roman Catholic faith. Lord Macaulay has repeated that statement in still stronger terms, and Mr. Froude, having had the advantage,—very much through the public spirit of my noble and learned Friend (Lord Romilly) —of consulting papers which hitherto had not been accessible to the literary world, lays it down as positive that the bishops, clergy, and people of Ireland adhered to their ancient creed, and that if it had not been for the establishment of the Protestant Church there would have existed no ground of discontent which might not have been removed. Queen Elizabeth's object was not successful at the time ; has it been so since? The terrible Penal Laws which followed the great battle of Boyne —were they successful in their operation? Let me again cite the testimony of Hallam, who says that even under the House of Hanover, in the reign of George II., the whole system of constitutional law in Ireland appeared to subsist exclusively for the purpose of maintaining the privileges and the property of a small ecclesiastical body. And what is the result now? Why, my Lords, I find by the last Census that there are in Ireland only 700,000 Anglicans, and I do not wish to take advantage of any criticism which might possibly reduce that number, while there are more than 4,500,000 of Roman Catholics.

There are only four dioceses where the percentage of members of the Established Church is above 20; there is only one where it exceeds 25, and that very slightly; and there are nine where the percentage is under 2 or a little above 3. That is sufficient to show that the object of the establishment of the Church has not been fulfilled. And now with regard to the injustice. The small minority for whom churches, ministers, and all the appurtenances of religion are provided are the rich; the enormous majority, who, with the exception of the Grant to Maynooth, have no assistance from the State with regard to their religion, are the poor. That, I think, is sufficient to justify those clergymen who have been called sacrilegious, and some of whom were treated with contempt by the right rev. Prelate (the Bishop of Oxford) because they were not beneficed clergymen, in stating that it appeared, to their sense of justice that the Irish Church was an injustice.

With regard to the effect of this state of things on the feeling of the people of Ireland, I believe that it excites discontent, as a symbol—the last symbol—of conquest, and not only of conquest but of conquest oft repeated, and always followed by an amount of oppression towards the majority, which, as Hallam remarks, has never been equalled in the annals of European history, except, perhaps, in the case of the oppression of a small minority of Frenchmen at the time of the revocation of the Edict of Nantes. Is it possible that such a state of things should not be a legitimate cause of discontent? Nothing, I am sure, that I could say would add to the force of the naked facts which I have so meagrely given. I have no doubt that in the course of this debate we shall hear some eloquent speeches in defence of the Irish Church; but I very much doubt whether any one of the speakers will deny the facts which I have stated, and upon which I am content to rest my case.

My Lords, at the same time, I am anxious to refer to some of the objections which are likely to be made to the disestablishment of the Irish Church; and in doing so I shall avail myself of the assistance of my noble Friend the Chairman of Committees. My noble Friend has supplied me with objections which, as they have been published in a pamphlet, I shall have no hesitation in using. The first argument by way of objection is that disestablishment would be a grievous wrong to the Irish Church and would shake the principles on which the security of private property is based. My noble Friend is generally a moderate man in the expression of his views; but I must say that the other day he spoke on this subject with a warmth which must have surprised your Lordships, even though you are well aware of my noble Friend's attachment to the Church. My noble Friend said that the disestablishment of the Irish Church would be a sin—that it would be taking from God the things which belong to God. My Lords, these are grave words, and they ought not to be lightly spoken. We have all been brought up to believe that all things belong to God, but there are some things which are believed to especially belong to God. Can we place in the latter category the temporalities of an institution which never has accomplished the object for which it was intended, and which has generated feelings which are not very Christian between those within and those without its pale? My Lords, with much respect I must say that to describe such things as belonging to God in the sense that it would be a sin to touch them is really a profaning of the words. My Lords, Henry VIII. found the ecclesiastical revenues of Ireland in the hands of the Roman Catholic Church, which had possessed them for many more centuries than the three which we now speak of. He took a large portion of them and distributed them between himself and his friends. He gave the rest to a Church which he had established, partly by force and partly by his Prerogative, in a country which, unlike England, was entirely unprepared to receive the blessed truths of the Reformation. Queen Mary took the latter portion of those revenues back again for the Roman Catholics; Queen Elizabeth re-took them for the Established Church; Cromwell handed them over to the Puritans, and his successor took them from them. I want to know which of those appropriations of those revenues was sacred—whether they were all sacred, or whether none of them are sacred? My Lords, I am happy to feel that I can relieve myself from what I may almost style the excommunication of my noble Friend, by citing in favour of the course which I ask your Lordships to take, not only the opinion of lawyers and statesmen, but also of prelates and clergymen of the Established Church. What says Bishop Warburton?—

"The alliance between the Church and the State is not irrevocable. It subsists just so long as the Church thereby established maintains its superiority of extent, which, when it loses to any considerable degree, the alliance becomes void."

The right rev. Prelates will remember that on a former occasion Bishop Butler was quoted by a noble Lord, one of the warmest friends of the Church, as having declared that tithes might be alienated at the discretion of the governing body. Again Paley states—

"If the Dissenters from the Establishment become a majority of the people, the Establishment itself ought to be altered or modified."

I am sure the right rev. Bench will attach due weight to the opinion of Dr. Arnold, and he said that whether the Irish people lapsed into barbarism again, or reached a higher state of civilization, in either case it was utterly impossible for the Irish Church Establishment to remain. In the works of Archbishop Whately are to be found these words—

"I freely acknowledge that the State has a right to take away the property of all or any of these corporations—indemnifying, of course, those individuals actually enjoying the revenues—whenever the manifest inutility or hurtfulness of the institutions renders their abolition important to the public welfare."

My Lords, those words really seem to anticipate the Resolutions contained in the Bill which I now ask your Lordships to read a second time.

My Lords, I now come to the question whether the disestablishment of the Irish Church would have the effect of shaking the principles on which the security of private property is based. I must say that to my mind such an assertion is an insult to common sense. Indeed I think your Lordships must all feel that the argument is a most fallacious one. Sir James M'Intosh remarks that the principle of private property is co-eval with society itself, whereas, with regard to corporations, civil and religious, they could be maintained when beneficial, improved when impaired, and destroyed when useless or harmful. To be in a state of security private property must be situated in the midst of a contented and happy population. I think, my Lords, that any step you can take to diminish discontent in Ireland will tend to strengthen the security of private property more than any subtle arguments founded on the connection between Church and State. I believe, my Lords, you can strengthen the security of property in Ireland to an enormous degree by taking away what, on the one hand, has been a source of jealousy to the mass of the people, and, on the other hand, has led to an assertion of rights on the part of the minority which has very much embittered the relations between landlord and tenant. The next argument of my noble Friend is that if you interfere with the Establishment in Ireland you will endanger the position of the Established Church in this country. Now; I want to clearly understand what that argument is. I apprehend my noble Friend would not state that the disestablishment of the Irish Church would lead to such political advantages and to such an advance of the Protestant religion in Ireland that disestablishment would become contagious and reach this country. On the other hand, I presume that if the political consequences of disestablishment in Ireland were *nil*, and that it injured the Protestant religion there, the effect would be to strengthen the position of the Established Church in England. But I ask, is it true to assert that it is impossible to deal with the Irish Church as an Establishment without making it logically impossible to deal with the English Church also? My Lords, I am a member of the Church of England, and I protest against that assertion. You cannot compare the positions of—I was going to say—the two great bodies, but of the small body the Irish Church and the large body the English Church. A great deal has been said about the Article in the Act of Union which unites the two Churches; but there is not a word in that Article about the temporalities of the two Churches being united. The Article declares that the two Churches shall be united in doctrine, worship, and discipline. But in 1861 or 1862 the clergy of Ireland addressed the Queen, asking for changes in respect of these matters—requesting that there should be Convocations, and that the Irish Prelates should be represented on the Committee of Appeal of the Privy Council, in order, as they said, that "there might be a real union between the two Churches." The application was refused; and I believe that many of the most rev. and right rev. Prelates of this country did not wish that that should be done which an Archbishop thought essential in order that the two Churches should be really united. I do not, however, attach much importance to that fact in connection with the question now under discussion. But I believe that the Church of England is one of the most tolerant Churches in the world. She is also very comprehensive. On the one side she almost touches the Roman Catholic Church, and on the other her sympathies are widely extended to our Dissenting brethren. I believe she commands the warm—I might almost say the blind—devotion of men of the highest station and education; and, at the same time, she has the respect of a large body outside her own members. My Lords, I have the honour to be acquainted with a great many members of the English Church. I have not the honour to be acquainted with many members of the Irish Church. I am told there has been a great improvement in the character of the clergy of the Irish Church, and it is not to them, but to the system which places them in an invidious position, that I attribute the failure of the Irish Church. There is another reason why the Church in this country does not fail to commend itself to the people. For many years past it has furnished bright examples of a clergy who have not been slow to adopt a course—even to the extent sometimes of placing themselves in the van—by means of which not only some of the greatest social reforms, but also some of the greatest political reforms, have been secured, thereby conferring immense benefits upon the English nation. I do not think, therefore, that the separation of these two Churches will be an injury. On the contrary, I believe it will be an advantage to the Church of England. And there is one danger, as matters stand, to which your Lordships, I think, cannot be blind. Many of your Lordships think, no doubt, that disestablishment may be delayed, and some that it can be prevented. But after the immense impetus which has been given to this question by the great majorities in the House of Commons, do you think that this is a question which can be shelved, put aside, and heard of no more? The thing is impossible. And will it be an advantage to the Church of England to be constantly mixed up with the Irish Church, and to be made with it the object of a combined attack? Will it be useful to the Church of England that persons who really entertain no enmity towards it at present—for I believe that the persons in this country who are in active hostility to the Church of England are only a small minority—should be enrolled in the number of its assailants merely in order that they may reach another Church against which they have just reason of complaint, and with this object that they should be driven to discover and expose every weak place in the armour of the Church of England? I venture to go further, and say that it is not desirable in the interest of the Church that there should be a continuation of some of the speeches which we have heard ostensibly in its defence.

The next argument of my noble Friend is one that he will excuse me for saying I consider not only very weak, but very dangerous. It is this, that the people of Ireland do not care about this subject. He does not produce one single fact to support that opinion. I ask whether, from *à priori* reasoning, they should be likely to be satisfied. There is one supposition which it is painful almost to make—that of the possible conquest of this country; but I remember a good many years ago that a man, who was gallant to excess itself, bearing a name that was borne by hero after hero in our military and naval annals, and which has received such glorious illustration within the last few weeks, did not shrink from entertaining this supposition. He said this—

> "If the Emperor Napoleon had conquered this country, would we have submitted to his constituting the Roman Catholic religion the established religion of the country?"

That illustration has been repeated time after time, till it has become almost trite and stale; but I am not aware that the answer to it has become in the slightest degree trite or stale, because I have never heard of any answer being given to it. I have never heard of any one venturing upon the supposition that any lapse of time would reconcile us here in England to submit to the domination in religious matters of a small minority, and I shall be very much surprised if any noble Lord controverts that view. And does the noble Lord think that the Irish are either so superior, or so very inferior to us, that they do not freely share the unanimity that among us would be created by such a conquest? The noble Lord may have read the declaration made by everything that is distinguished by wealth, position, and intellect among the Roman Catholics of Ireland protesting strongly against this notion, and asserting that it is contrary to the dignity of their religion and of the people of Ireland that the Church of Ireland should be maintained, and that without religious equality there cannot be generated that security, that respect for law, and that natural good-will which constitutes the true foundation of national prosperity. But the noble Lord is not satisfied with that. He uses the argument, which I have heard used before, that the people are apathetic. I think I heard that argument used against a very moderate Reform Bill proposed by Her Majesty's Government only two years ago. And what happened? We were defeated, and the Bill was withdrawn; we had tumultuous riots of a disgraceful character in the metropolis, and we had the most peaceful and orderly meetings of the working classes all over the country. What was the result? Why, that a Conservative Government last year passed a measure of Reform which, when some years before it had been proposed by Mr. Bright, had been deemed of the most revolutionary character. Will the noble Lord not be satisfied till the Irish people show some of that spirit which the Scotch people once exhibited—till they show some of that spirit which induced a great Conservative statesman, a man of iron will, to ask you to make your choice between concession and civil war; are these the sort of evidences my noble Friend requires of the feelings of the people of Ireland? The noble Lord says—"It is not the people of Ireland, it is the clerical influence brought to bear upon them, that does all this." According to his view, it is not the waters that make the waves, but the winds that blow upon them; and we are on that account wholly to disregard the heaving of the ocean. I believe that argument is false to the uttermost degree. I agree with my noble Friend in thinking that one of the main objections to the clergy of the Roman Catholic religion is the exaggerated influence which, as it appears to us, they assume, and which they certainly exercise, over their flocks in Ireland, as well as in other countries; but my Lords, do you think you will diminish that influence in the slightest degree, when, in addition to any spiritual arms they may at present make use of, you put into their hands this acute political weapon, which they can employ in their addresses every day in the week, and with special point upon the Seventh Day—the position in which the religion so dear to their hearts is placed by the side of the favoured Establishment? Is not this a stimulus to the increased exercise of their influence—is it not a stimulus to them to exercise this influence in the way most unfavourable to the Government? I have said I think this influence exaggerated. But I must say that if ever there was a question upon which it would be perfectly legitimate for them to use their influence, it is this. We were told some weeks ago that in consequence of this Bill 20,000 clergymen of the Church of England, who had never before mixed in party or political questions, would become political partizans. I own I can hardly imagine where the 20,000 clergymen are to be found who have hitherto abstained from using their rights as citizens in political matters. But if there is sufficient in the menaced attack upon an institution which I have endeavoured to show is so very dissimilar from that to which they belong, to justify all these clergymen of the Church of England in coming forward, is it not justifiable that the poor Irish priests should also come forward, who are obliged to extract from an almost starving population means, in some cases, to erect chapels, and in others to supply their personal needs, while their rich neighbours of the Established Church—who have hardly any flocks to attend to—are provided with everything they can possibly desire? These, I think, are the arguments of the noble Lord, to which I should be sorry to do injustice by allowing any to escape my recollection. And I will frankly admit that my feeling upon finishing that pamphlet was one of relief—["Oh, oh!"]—I have no intention of saying anything uncourteous to the noble Lord—was one of relief that the noble Lord had abstained from introducing into it any argument connected with the Coronation Oath. I am sorry to add that in the speech which my noble Friend made the other day he did not observe the same prudent course. I assert that the argument derived from the Coronation Oath is opposed to all reason, and that it has been fully answered by accomplished facts. The obligation of that Oath certainly extends to Her Majesty's dominions as well as to the United Kingdom. I will ask my noble Friend, or anybody else who wishes to support that view, whether he is going to assert that King George IV., in acting upon the advice of the Duke of Wellington, of Sir Robert Peel, and of the then Lord Chancellor, violated the obligations of the Coronation Oath when he gave his assent to the Emancipation Act? Further, I will ask whether it is contended that the most constitutional Sovereign who ever sat upon the throne of this kingdom violated the obligations of the Coronation Oath

Earl Granville

when, acting upon the advice of successive Ministers, and once of a Committee of the Privy Council assembled for the special purpose, she gave her assent to Acts which secularized the property of the Church both in Canada and in the Australian colonies? I say, if you are not prepared to make these assertions, it is most objectionable to state in public, or endeavour to disseminate the opinion, that there is the slightest difficulty upon that subject. And I am bound to say, when the noble Lord went further and gave a hypothetical supposition as to the personal feeling of the Queen connected with this Coronation Oath, he took an unconstitutional course. I am sorry to say that I think it almost verges upon disrespect, after the Sovereign has by her public acts shown that she does not share in the view of the noble Lord, to talk in the tone which he has done of obligations imposed upon the Crown. There is another argument which has been relied upon—that to disestablish the Church would be to repeal the Union. Either this objection is a technical or a substantial one. I should have thought that if it were effective for that purpose mention would have been made of the Church temporalities. But there is no mention of them; the fifth section of the Act settles that question. Then, if it be a technical objection nothing can be easier than by a technical mode to obviate that objection. But I deny that an Act of Parliament should bind to all eternity. I admit that the Act of Union is of a peculiarly sacred character, and that it should not be touched without care and consideration; but when you tell me that it cannot be touched, even supposing England, Scotland, and Ireland were of one mind on the subject, I say that is simply a *reductio ad absurdum.* Another argument which I should not think important, except that it came from a Secretary of State, declares that if you disestablish the Irish Church you despoil the people of Ireland by taking away their almoners. This is simply inconsistent. If the Church is to be considered without respect to its spiritual character, we may as well advocate the distribution of alms by a body of civil engineers. But you allege, however, the Irish clergy are so poor that they are hardly able to support themselves. What would you say if any of those distinguished Roman Catholic Peers here present were to propose to you to place public funds in the hands of Archbishop Manning and his clergy not for purposes of giving instruction or spiritual consolation to their flocks, but for the purpose of distributing alms impartially to the people? I think, my Lords, I need go no further with this. But there is another argument which has all the freshness of novelty, and deserves to be treated with great consideration. The Prime Minister has stated that the disestablishment of this alien Church, as he calls it, which he admits is one of the principal obstacles to order, and, therefore, to Imperial rule in Ireland, would be fatal to the Protestantism of Europe. This is an affair upon which the foreign Protestants have a right to say something, and with your Lordships' permission, I believe I have heard the opinion of foreigners belonging to every Church on this subject. I have heard those of persons belonging to the Greek Church, Roman Catholics of extreme views, and of Roman Catholics who profess to value religion only as a very powerful political agent. I have also heard the opinions of Protestants on the subject, and I have never heard a single word of approbation from any one of them regarding the Church Establishment in Ireland. And I would ask what is the language of the American Protestants, of the Prussian Protestants, and of the Swiss Protestants. One and all of them tell us that their great stumbling-block is the Irish Church Establishment; they say that of all the attacks upon them by the Roman Catholics that which is most often repeated turns on the Irish Church, and they assure us that it is a taunt they have been utterly unable to meet. These foreign Protestants are as good judges as even the Prime Minister on this subject as regards foreign Protestantism, and I repeat their judgment with confidence that it will not be wanting in weight with your Lordships. The Prime Minister, too, has offered certain other arguments, perfectly original, but so very much above the level on which men with ordinary minds reason that it is quite impossible for me to take them up. But, my Lords, I should like to bring all the arguments on the subject to something like an historical test. I have mentioned the case of Scotland; now let me remind your Lordships of Lord Macaulay's famous statement of the result to Scotland and to England and to the connection between the two countries, from the fact that the Scotch were firm enough to resist the imposition of an Established Church of the minority of the people upon them, and that we were weak enough or wise enough to yield to them. That, however, is some time ago. So I will take a more modern instance, and ask what has been the result in the Australian colonies of setting up a free Church. In former times there used to be a compulsory annual Vote of £28,000 from the Civil List, one-half of which was devoted to the Protestant Church, one-third to the Roman Catholics, and the rest to the Presbyterians. What has been the result of abolishing that grant? I am told that the increase to the Protestant Church since that occurred has been in the proportion of five to two. I hold in my hand a Report from "The Church Society," established in the diocese of Sydney, presided over by the Bishop, and numbering among its members the clergy of the diocese and a large number of laymen. I notice this passage in the Report—

> "Instituted in 1856 for the purpose of maintaining clergymen, catechists, and missionaries to the aborigines, and of building churches and parsonages throughout the diocese, it has succeeded in raising more than £84,000 for these objects, and through its instrumentality the numbers of the clergy have been very largely increased. By grants of money and payment of interest upon loans a great stimulus has been given to the erection of churches, so that 120 places of worship in connection with our Church have been opened within the last eleven years, to the greater part of which the Society has rendered some aid."

Passing over the enumeration of the many advantages conferred by the Society, I find the Report makes this statement—

> "Nothing more is needed than such a united and sustained effort on the part of her members to enable the Church to carry their ministrations to the utmost bounds of the diocese."

Will you tell me with such facts as these before you that the Irish Church is unable to maintain itself? Will you re-assert that when you consider what this small and by no means wealthy population has done? My Lords, I will offer another consideration. I have lately had the advantage of seeing the late Governor of that colony (Sir John Young), himself an Irishman, and well acquainted with Irish affairs. Your Lordships will remember him as a singularly impartial man, and what does he say? He tells me that there is perfect harmony among all the sects in New South Wales, and he wishes to God a similar feeling existed in Ireland. I pass on to Canada. Some twenty-eight years ago Lord Sydenham, then Governor General of the colony, wrote to this effect to the Home Government—

> "The clergy reserves have been and are the great overwhelming grievance—the root of all the troubles of the province, the cause of the rebellion, the never-failing watchword at the hustings, the perpetual source of disorder, strife, and hatred. If you attempt to give the Church of England any supremacy, five-sixths of the province will never submit to it, and you will have a sound, loyal, stirring population against you."

In consequence of the wise policy adopted in that colony in other respects, prosperity was the rule throughout the country, but the embarrassment caused by the clergy reserves was such that under Lord Aberdeen's Government, a Bill was presented to your Lordships which enabled the colony to disestablish its Church, and to secularize her revenues. That Bill was opposed, on the ground that to pass it would be to commit sin and sacrilege, and to do what Parliament had no right to do respecting the Established Church. A noble Friend of mine, then Leader of the Opposition, said he would sooner see the Empire dismembered than give his consent to the passing of that Bill. Another noble Lord, a great Judge, told us that measure was subversive of morality and justice, and of all those principles by which private property was secured. Others attacked the measure on the ground that its enactment would produce great spiritual destitution among members of the Church of England in the colony, the Act of Union was appealed to, and we were told that the good faith of the country would be utterly forfeited if the Bill passed. We were also appealed to in the name of those loyal colonists, the minority belonging to the Church of England, and urged to sustain them in the possession of their rights, since they formed the chief element of strength in the connection between this colony and the mother country. And, finally, we were exhorted in the name of the Coronation Oath, which I hope will not be appealed to this evening, to withhold our hands from that measure. My Lords, could any two cases bear more striking resemblance than the case of Canada and Ireland respecting the Motion to disestablish the Church of their minorities? The arguments of that day were precisely the arguments of this, and what has the result proved? I may say that one right rev. Prelate, after stating that the proposal was sacrilegious and sinful, reminded your Lordships of the fate of that Assyrian tyrant who ventured to drink out of the cup dedicated to the service of God in His temple, and how, by that act, one of the fairest and mightiest kingdoms of the earth ceased to exist in one day. See how those terrible prognostications have been fulfilled. I will ask whether property in this country or in Canada has fallen one shilling, one sixpence, or one farthing in value in consequence of the "unjustifiable" vote with which, by a majority of nearly 40, you passed that Bill? I believe these arguments are unreal in their nature, though they may possibly answer very well as election cries. I believe that they do very well to fill up speeches when the subject itself does not admit of very close and serried argument; but I cannot conceive any one bringing them forward in the hope that they can in any way support his views. Now, my Lords, with regard to Canada, I have a letter here from one of the Members of the Legislature, and in that letter, which is too long for me to read, though I shall be happy to show it to any noble Lord who desires to see it, the writer mentions several curious circumstances. He says that while the Churchmen in his neighbourhood were able to fall back upon the Clergy Reserve Fund they obstinately refused to do anything for themselves. They had no church, no minister, and no public performance of religious duties. When they desired to be married or christened, or to have their friends or relatives buried, they went to the Methodists, who provided what was necessary; but directly the Clergy Reserve Bill was carried they built a rectory and provided for their spiritual wants, and nothing could be more satisfactory than the state in which they now are. I have seen another letter, in which the writer says—

> "The Episcopal Protestant Church in Lower Canada is in a very satisfactory state, both as regards revenue and efficiency. It has a sufficient number of clergy. They are earnest, but not fanatical; they are not unduly under the influence of their congregations, and are generally paid fixed incomes, as the contributions of their flocks and other revenues are paid, not to a parochial, but to a diocesan fund. There are a sufficient number of decent places of worship. The laity show much more zeal for their religion than the members of the Established Church in Ireland do. A man of the class that in Ireland would give five or ten pounds for his religion there gives hundreds."

That letter almost exactly tallies with the information which the Governor of New South Wales furnished — that the same success, and, doubtless, owing to the same cause, had resulted there; that not only had there been a voluntary endowment of Bishops, but there had also been introduced a very large amount of the lay element. I think that these facts are sufficient to show that the prophesied spiritual destitution of Canada has not by any means been realized. I would venture to appeal to some of the right rev. Prelates opposite who have seen the Bishop of Montreal lately, and ask them whether he does not substantially give the same account and say that nothing would induce him to go back to the previous state of things. And, my Lords, what has been the result as far as concerns the relations between the two countries? What effect has it had upon those who were known as the "loyal colonists?" Why, the "loyal colonists" or "loyal Canadians" no longer exist. They have disappeared, not because those who formerly bore the name are less loyal than they used to be, but because the great majority of those who were formerly disaffected have become equally loyal with themselves. The Canadians are now greatly attached to you, and you are enabled to intrust Volunteer Roman Catholics with arms, while in Ireland you are not only afraid to do so, but you have the suspension of the Habeas Corpus Act and the presence of a large military force. Now, my Lords, I will quote some words, much more powerful than any I can use. Your Lordships must all have been horrified at the cruel political murder of Mr. M'Gee. Mr. M'Gee had himself been a revolutionist; but for many years he had been one of the stanchest adherents to the mother country and to the Crown. The last letter that he wrote was, I believe, written to a Member of the Government; and I shall, therefore, no doubt be corrected if I misquote his words. In that letter, and referring to the Catholics, he said—

> "We are a contented and a loyal people. We are so because we have a just Government and religious equality. If we had not it would be otherwise."

My Lords, I have no words to add to that statement. I think it is possible that some of the arguments I have adverted to may be repeated to night. I do not think it possible that we can prevent the ultimate disestablishment of the Irish Church, and if that disestablishment does occur, I, for one, have the fullest confidence that history will give the same crushing reply to those arguments amd prophecies with regard to Ireland that history has already given with regard to Canada.

I am far from contending that there is any constitutional reason why your Lordships should not negative the proposal for the second reading of this Bill. On the contrary, I am aware that there are many plausible arguments for such a course, and that they will be urged with all the skill and ability which eloquence and long Parliamentary experience can supply. But, my Lords, I would venture to ask whether such a course is a wise or a prudent one to adopt. The Constitution has undergone a great change. That change was described by my noble Friend, who was himself one of its authors, as "a leap in the dark." That phrase has been so generally accepted that only a few days since I found it translated into a foreign language. There is no one more sanguine as to the results of this leap than I am ; but, whether sanguine or not, I would ask whether it is the part of a wise man, of a sane man, to cover the spot on which he is to alight, with broken glass, flints, and pointed rocks ? Can you blind yourselves to the fact that these Gentlemen who form such large majorities in the House of Commons must have some idea of the opinions of the constituencies they represent ? Can you desire that those constituencies should receive as their first impression that the House of Lords and the Church — two Conservative institutions — are mixed up with a question which, rightly or wrongly, they conceive to be a question of justice and equality, as opposed to a question of privilege ? Is it wise on your part to adopt a course which will induce the people of Ireland to believe that a House composed almost exclusively of landlords and Protestant Prelates is the only obstacle to the realization of that which they have so long and so ardently looked forward to ? Some of you, probably, however much you may deprecate this disestablishment, believe that, sooner or later, it must happen. I would, therefore, ask you to consider the words which Lord Palmerston, whom I believe you all respect, employed when speaking on this subject—

> "The great mistake made by all Governments, not only in this country, but everywhere, is to be too late in the measures which they adopt. Government comes down with its measure when the time of proposing it with effect is gone by, and a measure which may be the result of conviction and the spontaneous offering of modified opinions, and a concession to a sense of justice, wears to the public all the appearance of a surrender to fear."

These words are worthy the sagacity of the great statesman by whom they were uttered, and I would implore your Lordships to assent to the second reading of this measure—not only because it is a useful and practical enactment, but because you would show that you are prepared to give a fair, deliberate, and impartial consideration to a proposal which professes best to deal with the Irish question. I will conclude, my Lords, after thanking you for the patience and indulgence you have extended to me, with the words of the giant champion of civil and religious liberty, who, at a great age, has lately passed away from us—

> "The grand abuse of the Irish Church, so incommensurate to the benefits it renders to the State, so grinding to the millions who dissent from its worship, the master evil — a source of perennial discord — a thing of impossible duration."

Moved, "That the Bill be now read 2ª."—(*The Earl Granville.*)

Earl GREY : I am afraid I must appear to your Lordships to have been guilty of great presumption in having anticipated the noble and learned Lord on the Woolsack by giving Notice of the Amendment I am about to move, and in having afterwards declined to comply with the request made to me that I should waive the priority to which I was thus entitled by the usage of the House, and leave the Motion in the hands of the noble and learned Lord. But I can assure your Lordships I have not done this through any want of a due sense of my inferiority to the noble and learned Lord. I know well how much higher are his claims to your attention than my own, not only on account of his official station but of his distinguished talents. But inferior as I am to the noble and learned Lord in these respects, there are reasons of a public nature, which make it I think desirable that this Motion should be made by me rather than by him. If your Lordships should refuse—as I trust you may—to pass the Bill, recommended to you by my noble Friend (Earl Granville), it seems to me of the greatest importance that your rejection of it should not wear the character of being either a party vote, or one implying a determination on the part of your Lordships to withhold from the people of Ireland what I believe to be only just to them with respect to the Established Church. It is impossible that I can have any party object in moving the rejection of this Bill, and I trust that my past public conduct will equally exempt me from the suspicion of intending to maintain the existing state of the Established Church. From the first moment of my entrance on public life it has been my opinion, that to maintain the Church of a small minority of the Irish people in its present position was contrary alike to justice and to good policy. And since that time, during more than forty years, I have never lost a fair opportunity in this or the other House of Parliament, in or out of Office, of declaring that opinion without reserve, and striving to the very utmost of my power to give practical effect to it. That opinion I have in no degree changed. On the contrary, I have been only confirmed in the view of this subject which I adopted at the commencement of my Parliamentary life by all that has since occurred, and now at its close I hold that opinion more strongly than ever. I think now, as I thought then, that to maintain the Irish Establishment in its present state is a scandal to the country; a disgrace to us in the eyes of the whole civilized world; a source of weakness and of danger to the Empire; and, what is not the least of its evils, injurious to the true interests of religion. Notwithstanding the general excellence of the ministers of the Church in Ireland, it seems to me impossible to doubt that the effect of maintaining it in its present position is not to promote peace and good-will, and the spiritual improvement of the Irish people, but on the contrary, by the fierce dissensions it occasions, and the violent animosities it creates, it tends to check the growth of Christian virtues, and to foster in their place rancour and ill-will, in the minds of both Protestants and Roman Catholics. Entertaining this opinion it is no part of my duty to attempt to answer by far the larger part of the speech of my noble Friend who has just sat down. So far as his arguments were directed to prove the justice and good policy of a great change in the Irish Church Establishment, they command my entire concurrence. The only feeling I have to express with regard to them, is one of regret that my noble Friend and those who act with him were not sooner alive to their full force, and that they had not adopted those views two years ago when they stood in a position to give effect to them. The fault I have to find with my noble Friend's speech is, not that his argument on this point was wrong, but that he failed to follow it up and to show how it applied to the support of this Bill. He laboured to prove—and I agree with him that he laboured successfully—that a change of system is necessary, but he did not go on to show that this Bill is the right mode of arriving at it. This essential part of the subject he touched upon very briefly and imperfectly; he seemed to feel that he was treading upon very delicate ground, and that if he was not careful, the thin crust would break down with him. We have been told that this Bill is intended to prepare the way for the entire disestablishment and disendowment of the Protestant Church in Ireland. Perhaps my noble Friend did not use the word disendowment; but certainly this as well as disestablishment has been proclaimed by others to be what is intended. My Lords, I will not conceal my own opinion that this would not be the best mode of redressing the crying injustice of the existing system. I believe that a much better mode of doing this might be found; still I so far concur with my noble Friend that I would rather consent to go the full length of disestablishment and disendowment than allow things to remain as they are. But even if it could be proved that there were no alternative, and if I were therefore convinced that we must come to disestablishment and disendowment, I should not the less object to this Bill as not being the right mode of arriving at that end. I should condemn it as being calculated to increase instead of to diminish the difficulty of accomplishing the settlement that is desired, and to render the measure, when passed, less beneficial than it ought to be.

My noble Friend told us that the object of the Bill was very simple and very limited; that its only effect would be to suspend, so long as it remains in operation, making appointments to any benefices or dignities in the Irish Church that may fall vacant, except such as are in private patronage; and that it would do nothing to fetter the discretion of Parliament as to any permanent arrangements. This was a very euphemistic way of telling us that the Bill, in virtually destroying the existing system, does nothing towards establishing any other in its place—that it does not take one single step towards effecting a permanent settlement of this question, or towards determining what is to be the future position of the Church, or what is to be done with the property of which it is to be deprived. But allow me to remind you that the authors of this Bill have always told us that in proceeding to disestablish and disendow the Irish Church they admit that we are bound to respect vested interests and rights fairly created under the existing law, and also to enable the members of the Protestant Church in Ireland, like other religious communities, to make the best arrangements in their power for obtaining religious services according to the forms they approve. Now it is obvious that respect for vested interests and existing rights implies a good deal more than merely continuing their existing income to the clergy who now hold preferment. It is acknowledged that the property acquired by the Church by private benefactions since the Reformation cannot possibly be taken away from it; and these benefactions amount to a very large sum. Your Lordships all know that a member of the Church, whose recent death has been greatly lamented by all his countrymen, spent no less, I believe, than £150,000 in restoring, or rather in almost re-building, St. Patrick's Cathedral. No one proposes so flagrant an injustice as that the Cathedral restored by this magnificent liberality of one of its sons should be taken from the Church. Again, we are told that within our own time, in one diocese in Ireland no less than £27,000 has been placed at the disposal of the Bishop for Church purposes by two individuals: it is admitted that the property on which this money has been laid out cannot be taken away. Further than this, it has been announced that the churches and parsonages generally are to be left in the possession of the Protestant Church. But if so large an amount of valuable property is to be left to the Church, some arrangement must be made as to who is to hold it, and how its due application to the purposes for which it is intended is to be secured. It seems to be imagined that this can be provided for much more easily than will really prove to be the case. In some speeches on the subject, which must really have been made with very little consideration, it has been asked why should not the members of the Established Church in Ireland, when it loses the character of an Establishment, manage their own property just in the same way as the Roman Catholics and the various Dissenting Churches? It is apparently forgotten that all the property of these Churches, which exist as voluntary associations, has been acquired by donations or bequests, in which the donors or testators have appointed trustees for its management, and defined the purposes to which it is to be applied. There is generally, therefore, no doubt as to who is entitled to this property, and how it is to be managed; when a doubt does arise it is determined by the Courts of Law according to the terms of the legal instruments by which the property is held. But with respect to the Established Church there is no such machinery—for the very reason that it is established, and exists as a public institution. Therefore, when it ceases to do so, it is absolutely necessary that there should be some legislation to determine to whom the property is to belong, by whom it is to be administered, and to what purposes it is to be applied. Legislation is equally necessary for the other object of enabling the Church to apply her diminished resources to the best advantage. It is universally acknowledged that justice requires that she should have this power. When you cut off the greater part of her resources you are bound to allow her to make such changes in the application of the remainder as may render them of most service to her. No authority which can do this now exists; and without the aid of Parliament none can be created that would have legal power to deal with the property, or to take a single step for rendering it more useful. Let me remind you that this Bill not only does nothing to remove this difficulty, but does much to paralyze the existing machinery of the Church. If a large see should become vacant while the proposed law is in operation, no new Bishop could be appointed, and there would be no one in authority to regulate the affairs of its parishes—to make the various arrangements, whether by uniting these parishes or otherwise, for meeting the difficulties of the new state of things. If we pass this Bill, the means and revenue of the Church will immediately begin to undergo reduction; and I ask you whether it is consistent with justice and fairness that this process should begin before you have provided the machinery by which the difficulties it will create may be met?—whether it is right to cripple the existing organization without taking any step to create a new one? But this is not the worst. Observe the position in which the Irish Church will be placed if this Bill should be passed. From that moment the filling up of all the vacancies in its benefices and dignities will be stopped. Now if that suspension should be continued, the Church, to use an expression I have heard, would "die by inches"; it would gradually be extinguished as an organized body. I am told that there is no danger of this, because this Bill is only to continue in operation till the 1st of August of next year. My Lords, it is a positive insult to our understandings to pretend that if we once impose this suspension of appointments we shall be able again to remove it. If the permanent legislation with respect to the Irish Church, which this Bill is intended to assist, cannot be accomplished next Session, we are sure that before its close a short Bill for the renewal of the Suspensory Act would be brought before us, which it would be impossible to refuse. Each succeeding year, while permanent legislation was delayed, there would be a stronger case for renewing this temporary provision, because each succeeding year there would be greater inconvenience in allowing the whole of the increasing number of vacant appointments to be suddenly filled up. No man who has the smallest experience of how things are practically managed in Parliament, and how easily temporary arrangements are prolonged from year to year, can doubt that that is what would happen. Well, then, the Church being thus reduced to a condition in which it would gradually die out if no further legislation should take place, you cannot fail to see in how disadvantageous a position it would be placed in considering measures of permanent legislation. Remember, that in deciding upon permanent arrangements there will be many most difficult questions to be considered. To legislate with respect to the Irish Church is a task which will prove embarrassing to the most experienced statesmen and the ablest lawyers. In discussing the measures that are to be adopted we also know that the Church will have to deal with bitter and not very scrupulous enemies. What security then can we have that the consideration of these measures, and with it the suspension of all appointments may not be indefinitely prolonged? Is it then fair to call upon the friends of the Church to consent to the passing of a Bill, the effect of which will be to compel them to come hereafter to the consideration of any permanent arrangement under this great disadvantage, that if they decline to accept the settlement that may be proposed to them, precisely as it is offered, they will be left under the operation of a law by which the Church will be gradually dying away? Would anything of this kind be considered reasonable in private life? Suppose there were a large property to be divided between two claimants, would it be fair that till the terms would be settled, one of them should be debarred from the exercise of any rights whatever, and be left without anything until he would consent to such an arrangement as his adversary might be pleased to offer? My Lords, one of the most distinguished advocates of the disestablishment of the Church has recently said with great truth and great wisdom, that it is good policy in a Government when making great changes of this kind to deal graciously and generously with those whom they must affect. Such reforms must of necessity bear hardly upon many persons; but all that is possible ought to be done to soften the blow, and to make the transition from the old to the new state of things as little painful as possible. Such is the wise maxim that was laid down, but how is it acted upon? Instead of dealing generously with the Church by this Bill you will refuse to it even bare justice; in a case in which of all others it was most necessary to avoid creating needless irritation, you propose to take a course which is wantonly offensive to the friends of the Church, and must produce a sense of wrong in their minds which will prevent the settlement you may ultimately make from being accepted, or even acquiesced in, as we must wish.

Such, I say, is the character of the measure we are called upon to pass, and I would ask you why are we to do so? I listened very attentively to the speech of my noble Friend. I have read the reports in the newspapers of many other speeches in support of the Bill, and I can find only one useful purpose which it is alleged that it will answer. It is said that by passing this Bill we shall prevent new vested interests from being created while some permanent arrangement is under consideration; that is to say, if we do not pass this Bill, but wait till we can legislate permanently on the subject next year, it is probable that in the interval some vacancies will occur in livings and Church dignities in Ireland, to which persons must be appointed who will thereby acquire claims which will have to be considered when a final settlement is made—that a demand to the possible amount of a few thousand pounds additional may arise upon the property of the Church. If that property were urgently wanted for some useful purposes, for which it was likely to prove insufficient, I should acknowledge the force of this argument. But far from this being the case, it is notorious that the great embarrassment of those who insist upon the disestablishment and disendowment of the Church is what they are to do with the property of which they are resolved to deprive it. The authors of the Bill cautiously avoid giving us even a hint what is to be done with the property, and we quite understand why. It was impossible for them to say to what purposes this property should be applied without creating division in the motley army by which the Church is assailed. My Lords, it is to treat us like children to ask us to believe that the ostensible object for which we are asked to pass the Bill is the real one. We all know that this is a question which rises above one of mere money; it is a question of policy and of feeling, and a petty sum of a few thousand pounds is as nothing in considering it. When the professed object of the Bill is thus palpably insufficient to account for its introduction, can you be surprised that this should generally be regarded by the public as a mere party move, especially when you remember what passed in 1866? I ventured in that year, after you had renewed the suspension of the Habeas Corpus Act, to ask your Lordships to take into consideration the state of Ireland which had made that severe measure necessary, and I proposed to you to deal with this question of the Church as that which most demanded your attention. It was not in the slightest degree less necessary to do so then than it is now—all the circumstances which point to the need of a change with respect to the Irish Church existed at that time in as full force as at present, and there is not a single argument in favour of the measure which my noble Friend has now brought forward which I did not press upon your consideration in 1866. I acknowledge that I urged them with inferior force, but the arguments of my noble Friend are identically the same with my own. There is one circumstance, and one circumstance only, in which a change has occurred, and I confess that I heard with extreme astonishment my noble Friend refer to the outrages perpetrated by the Fenians, and their open outbreak, as reasons for considering the questions which did not formerly exist. [Earl GRANVILLE made a gesture of dissent.] My noble Friend denies that he said this. I certainly will not impute to him a statement he disclaims; but my ears must have strangely deceived me, and I am totally unable to comprehend the observations he made if they were not intended to bear the construction I have put on them.

EARL GRANVILLE: What I said was that these events had led the English people to think calmly and dispassionately upon this question.

EARL GREY: Well, that is very much what I understood my noble Friend to have said, and it appears to me to be an argument of a most dangerous character. Are we to tell the people of Ireland that the people of England will only consider their grievances calmly and dispassionately when an insurrection has broken out? Yet this is the real effect of my noble Friend's own explanation of what he said. If these events were necessary to make the English people think "calmly and dispassionately" upon the question of the Irish Church, the inference is plain that they will not so consider Irish grievances without being driven to it by violence and insurrection. In my opinion no more dangerous argument can be used in favour of any measure. I will go further, and say that it is in every respect a worse moment than 1866 would have been, for attempting so great a change. Such a proposal would have been received with far more gratitude coming from a Government acting on its responsibility than when made by a party in Opposition. It would have been received with far greater gratitude if it had been made after the authority of the Government had been asserted by the suspension of the Habeas Corpus Act, and before the English people had been taught to look at these matters "calmly and dispassionately" by means of murder, fire, and outrage. I do not think that the outrages that have been perpetrated by the Fenians afford the slightest reason for withholding a measure I believe to be just; but I cannot conceal from myself that it would have been far better if the offer of concession had preceded the acts of violence, because I fear that postponing it till afterwards, and then making the proposal in a manner showing so much precipitation, must lead the Irish people to think that the violence has had something to do with obtaining for them the boon they are now promised. And I have been informed by a gentleman well acquainted with Ireland, who spoke to me of his own knowledge, that in some parts of the country the language actually held by the peasants shows that such is the impression made upon their minds. When they are told that the Protestant Church Establishment will be put an end to, their answer is, "Well, it is those poor Fenians that have done it." This is, I think, a great misfortune. It is much to be lamented that this change was not attempted in 1866 instead of in 1868; yet, my Lords, you cannot forget that when the proposal was made in 1866 it was condemned in the most decided terms by my noble Friend behind me (Earl Russell), who contended that such a measure would do far more harm than good, and would tend to inflame instead of to appease the religious animosities which so unhappily prevail in Ireland. I will not quote *Hansard*, but I am sure your Lordships know that this was the substance of what was said by my noble Friend. Nor did my noble Friend speak for himself alone. He spoke as Prime Minister, and declared for himself and his Colleagues the opinion of the Government. Within this very month Mr. Gladstone himself is reported to have rebuked severely an attempt to question the responsibility of the present Administration as a whole for opinions expressed on this very subject of the Irish Church by one of its Members. Mr. Gladstone said, and with great justice, "That it is one of our first duties to decline to acquit any Member of the Cabinet of responsibility for the announced and declared policy of another." In 1866, therefore, my noble Friend must be considered as having spoken not only for himself but his Colleagues in declaring the policy of the Ministry, so that I can feel no astonishment that the change in the conduct of the party by which that Bill is brought forward should be very generally ascribed to the change in their position; and that the public should believe that it is to be accounted for by their impatient desire to recover what they have lost, which has led them to avail themselves of any weapon that came most readily to their hands to help them to force the doors of Downing Street. I will not impute to them such motives—I am ready and willing to believe that they have had other and better reasons for proposing this measure, though I am unable to comprehend them. But I do say that it is a great misfortune that they have taken a course so well calculated to create suspicion in the public mind upon this point. Few greater evils could befall the nation than that it should come to be believed that those who take a principal share in conducting its affairs, look less to the public good than to their own private interest, and the gratification of their own ambition. If this sort of distrust in public men were to become general, it would be a very great misfortune. I fear the events of last year have done much to create such a feeling; and the manner in which this question of the Irish Church has now been dealt with is calculated to make it even deeper than before.

But this is not the only, nor the principal ground on which I condemn the course that has been taken in bringing forward this Bill. I object to it still more as being calculated to increase the difficulties of this very difficult subject, and to prevent a conciliatory and satisfactory settlement of the question from being effected. Let me remind your Lordships that our object should be not merely to redress a grievance, and to correct an injustice as regards the Church of Ireland. As statesmen our object ought to be something more than this. Our desire should be to assuage, and gradually to extinguish, those violent religious animosities which have been the bane of Ireland. Every man who really values the welfare of this great country must feel how extremely important it is that in doing justice to the Roman Catholics, we should endeavour to avoid alienating and offending the Protestants—that we should aim at a settlement which may conciliate both Protestants and Roman Catholics. But the course that has been taken makes it far less likely than it was that this result should be obtained. A short time ago there was, I think, a fair prospect that the settlement of this question by a compromise might be accomplished. In the debate in the House of Commons on the state of Ireland in the early part of the Session, the weakness of the position of those who would maintain the Irish Church as it is, was so clearly disclosed—it became so manifest that the existing state of things would not long continue, that there could be little doubt that if the question had been allowed to rest after the advantage that had been gained until the meeting of a new Parliament, it would then have been found absolutely necessary by the Ministers of the Crown, whoever they might have been, to propose some great change upon this subject. At the same time it was perfectly clear that nothing practically useful with regard to it could be accomplished in the present Session. Even if there had been time to consider and decide upon the various arrangements that must be made before permanent legislation can be attempted, the state of Public Business, the necessity of completing the recent changes in our representation, and the fact that a General Election with an enlarged constituency was impending, would have made it quite impossible that the subject would be properly dealt with during the present Session. What, under such circumstances, was the conduct to be expected from an Opposition led by judicious and sincere lovers of their country? It seems to me that such Leaders, while distinctly declaring their opinion as to the necessity of dealing with this question, would have abstained from bringing forward any specific proposal with regard to it at the present moment, and knowing how highly desirable it is to avoid kindling the passions of religious animosity during the General Election, they would, from prudence and a sense of public duty, have allowed this question to wait for settlement by a new Parliament. Unhappily a very different course was adopted. Resolutions were moved in the House of Commons, so drawn that it was impossible that they could be accepted by the Government, while they were highly offensive to the friends of the Church, and at the same time left it quite uncertain what permanent arrangement would be proposed. And these Resolutions were followed up by bringing in that Bill which, as I have endeavoured to show you, would, if passed, settle nothing with respect to the future, and would answer no really useful purpose, and would operate most unjustly to the Church. The effect of these proceedings has been to produce—as it ought to have been foreseen that they would produce—a great party fight on a subject which, above all others, it was desirable to keep so far as possible out of the range of party excitement. They have prepared the way for making the coming elections the means of stirring up the pernicious passions of religious hatred between Roman Catholics and Protestants in every part of the United Kingdom, and especially in the North of Ireland, where their passions have already run so high, and done such infinite mischief.

My Lords, the evil arising from making this the subject of a party conflict has been increased by the manner in which that conflict has been carried on. The Opposition Leaders have fastened upon expressions used by Members of the Government—which have been again referred to by my noble Friend to-night—as proving that they had contemplated adopting a policy which would have involved the grant of some pecuniary assistance to the Roman Catholic Church in Ireland; and to have entertained such an intention has been treated as a crime on the part of the Ministers for which they ought to be placed under a sort of popular ban. They on their side have disclaimed the intentions thus imputed to them, and both parties seem now to vie with each other which shall most vehemently disavow any intention of allowing public money to be applied to Roman Catholic purposes, and which shall most successfully rouse in its own favour and against its opponents in the forthcoming elections what I must call the unchristian feelings still entertained by many Protestants against their Roman Catholic fellow-subjects. This, my Lords, I most deeply deplore. Whether any grant should be made to assist in maintaining the Roman Catholic clergy in Ireland is a very important and difficult question, on which statesmen may well hesitate before they pronounce a decided opinion; but it is of all questions that can arise, that which it is most expedient to reserve for calm deliberation, and not to prejudge by appeals to popular passion, before it is understood, and before any distinct proposal on the subject and the reasons for making it can be explained. It is no light responsibility that the Opposition have incurred in making it more difficult than it already was to propose a grant of this kind. For, my Lords, I think that any man looking dispassionately at this question must feel that the great controversy which has been raised with regard to the Protestant Church in Ireland, can be finally settled only in one of two modes; either by some sort of compromise agreed on between the two parties of the assailants and defenders of the Church, or else by an extreme measure entirely depriving all the Churches that exist in Ireland, of any endowment whatever. A settlement of the last kind could probably only be obtained after a long and severe struggle; but that we must ultimately come to this, unless an amicable compromise can be effected, seems to me a matter of certainty. When I compare the strength and the moral power, in the actual state of public opinion, of the two parties arrayed against each other—the one to assault, the other to defend the existing arrangement—I cannot doubt that the final issue of the struggle must be to produce in one way or another a very great change in the present system. I am equally persuaded that for the interest of the whole Nation, for the welfare of Ireland more especially, and for the sake of producing peace for the future among all the Queen's subjects, it is infinitely desirable that that question should be settled by a compromise, by doing something for all the principal Churches, rather than by totally diverting from all religious uses the property now held by the Established Church of Ireland. I hold this opinion not merely because I hold that, as a general rule, it is better that the religious instruction of the people should be in part at least provided for by some public endowment, than by what is called the voluntary system. Without attempting to enter now into the general question—for which this is not a fit opportunity—I would merely say that I have always believed, and still believe, that in an old country like ours, the voluntary system cannot adequately provide for the spiritual needs of the people; and I also believe that it is not for the true welfare of either the laity or the clergy of any Church, that the pastors should be solely dependent on the pecuniary contributions of their flocks. The experience of the United States confirms me in that opinion. I cannot forget that before the breaking out of the late civil war in America, none or scarcely any of the various Churches in the United States ever ventured to take up that strong ground against slavery which the principles of Christianity fully and fairly acted upon would have required. Why did the clergy in these States shrink from condemning as they ought the sin of maintaining slavery, but because they were entirely dependent on their flocks? But without pursuing further the general argument in favour of a system of endowments for religious instruction, as opposed to the voluntary system, I would point out to your Lordships that there are special reasons arising from the actual state of Ireland, which make it peculiarly desirable that this question should be settled by a measure based on the principle of dividing the property of the Established Church in that country among the different Churches, instead of confiscating it for any secular purposes. I have already remarked that our great object ought to be to appease the religious dissensions which prevail in Ireland, and mitigate, if we cannot remove, the feelings of rancour between different classes of the people that these dissensions have created. But in the first instance at all events—after a time we might hope that the result would be different—I fear that a simple confiscation of the property of the Church might rather increase than diminish existing animosities. Such a measure would throw the ministers of the Protestant Episcopalian and Presbyterian Churches for their support entirely on voluntrary contributions, and to obtain such contributions they would be driven to use their utmost exertions in order to raise and to keep up the spirit of religious enthusiasm among the people. It is probable that for this purpose no topics would be found so effective as vehement denunciations of what are called the errors and abominations of Popery; and the sense of wrong arising from the confiscation of the property of the Church, together with the belief that the Roman Catholics had mainly contributed to bring it about, would tend to inflame the zeal of ardent Protestants in their attacks on the rival Church. We know that there are even now a large number of persons both in Ireland and in this country, who are earnestly striving to convert the Irish Roman Catholics from what are regarded as their religious errors, and that large sums of money are collected for carrying on this work. Mr. Bence Jones, in his excellent pamphlet giving a layman's view of the Irish Church question, states that no less a sum than £30,000 a year is raised by subscriptions in this country for the conversion of the Irish people to Protestantism. I cannot doubt that the opinion he expresses is correct, and that the effect of the disendowment of the Established Church in Ireland would be to give a great stimulus to these subscriptions, and that far larger sums than heretofore would be raised in this country to be applied in carrying on the labour of proselytism upon a greater scale and with more eagerness than ever. I do not believe that these exertions, however sincere and earnest the persons by whom they might be carried on, would be conducive to religious peace, or to the growth of a true Christian spirit among the Irish people.

There is another objection to the settlement of this question by the disestablishment and disendowment of the Protestant Church in Ireland, which has great weight in my mind. I mean the effect that this would have on the security of the Church in England. We are told indeed that the Church stands in so entirely different a position in England from what it does in Ireland, that a change which may be made with respect to the latter will have no effect upon the former. That argument has been used by my noble Friend, and he pointed out that the abolition of Episcopacy in Scotland had not injured, but had on the contrary been of service to the English Church. I agree with him that this has been the result of the wise course taken with respect to the Church in Scotland at the time of the Revolution, nor do I doubt that if you were to take a similar course in Ireland and were to preserve for religious uses the property now devoted to these purposes, only altering the mode of its application, not the smallest injury would arise to our own Church. I believe that to use the words of my noble Friend that it would be strengthened by such a measure. But the case will be very different if you determine to establish the voluntary system in Ireland. If you should determine that in that part of the United Kingdom all religions shall be left to depend upon the voluntary exertions of their members, that no funds under the control of the State, whether derived from the National Treasury, or from property set apart in past ages for religious uses, shall be applied to religious purposes—and if you should thus establish the pure voluntary system in Ireland on the ground that this is what is best for the people, the example, it seems to me, will be full of danger to the Church of England. And my fears as to the effect of this example were not a little increased when my noble Friend, referring to what had taken place in the Australian colonies, described in such glowing terms the increase of strength and of power which our Church had gained there from being deprived of all pecuniary assistance from the State. Without stopping to point out some important facts with reference to the Australian colonies, which I think my noble Friend has mistaken or overlooked, I must observe that his argument was a most dangerous one, since the logical conclusion to be drawn from it is that we ought to get rid of the encumbrance of an Establishment in England. I am persuaded, therefore, that by secularizing the property of the Church in Ireland, you would inflict a heavy blow on the security of the Church in England, while no such injurious consequences would arise from adopting the principle of dividing the property between the great religious bodies, which include almost the whole Irish population. This last measure would also enable you to accomplish another important object. I cannot forget that from the time of Pitt downwards it has been the opinion of a vast majority of our most able and enlightened statesmen and political writers that in some form or other the Roman Catholic Church in Ireland ought to receive pecuniary aid from the State. This, I say, has been the general opinion of the highest authorities, and even so lately as since the beginning of the present Session it has been expressed by a noble Friend of mine (Earl Russell), who has expressly declared in a pamphlet, which he has published that, in his judgment, a portion of the Church property ought to be assigned to the Roman Catholics. If he has now withdrawn that opinion, it is, as I understand, only on the ground that he believes the measure he considers to be right in itself could not be carried. And among men of experience and knowledge of public affairs, I will venture to say, that your Lordships, like myself, have seldom found anyone who will not in private conversation admit that it would be greatly for the good of Ireland that some grant to the Roman Catholic Church should form part of any measure to be adopted on this subject. But while the advantage that would arise from making some provision for the Roman Catholic clergy is that generally recognized—that acknowledgment is too often followed up by the remark "Unfortunately it is impracticable." Yes, my Lords, it is indeed impracticable if those who know in their hearts that the measure would be right, have not the courage and the honesty boldly to avow their opinion. It may now have become impracticable—though I would hardly yet quite despair of it—but if it is so, it is in consequence of the conduct of those who have brought forward this Bill, and great is the responsibility they have thus incurred. They have asserted that Her Majesty's Government at one time contemplated a measure involving some grant to the Roman Catholic Church. I confess I should feel much greater respect than I do for Her Majesty's Ministers if I thought this assertion were well-founded; but, unfortunately, I have not sufficient confidence in their wisdom and statesmanship to believe that they had ever seriously contemplated adopting a large and generous policy on this subject. But however little they may have thought of doing so, I believe that if they had not been forced by party attacks to a premature decision and declaration of their policy,—if they had been allowed to apply themselves seriously to this great question at the close of the Session, unhampered by declarations of opinion extorted from them beforehand, they would have been almost irresistibly led by the force of circumstances to decide on some measure which would have included a grant to the Roman Catholic Church. After what had occurred in the early part of the Session they must have felt on the one hand the impossibility of standing still and maintaining things as they are; and they would have been met on the other hand by the equal, or rather the still greater, impossibility of discovering any other mode of dealing with the subject which they could have proposed with even a chance of success. The circumstances of the time, moreover—but for the bringing forward of this unfortunate Bill—would have offered singular advantages and facilities for attempting the settlement of this question on the principle of a compromise. Men's minds were prepared for some great change with respect to the Irish Church, and all felt its necessity. It would in this state of things have been in the power of the Government to propose an arrangement to the leaders of the different Churches, which probably might and certainly ought, to have commanded their acceptance. To the Protestant Episcopal Church they might have held out the prospect of obtaining in return for a surrender of all offensive claims to a higher social position than the Roman Catholics and of a portion of its property, security for its greatly diminished income, together with liberty to apply that income to the best advantage, and a hope of increased usefulness from being relieved from the odium and the imputation of injustice which now attach to it. To the Roman Catholics they might have offered the absolute removal of the last traces of the old Protestant ascendancy and complete social equality, with a large share of the Church property granted to them in such a manner as to give material relief to the poorest part of the population, without trenching in the slightest degree on the independence of their Church. And to the Presbyterians they might have offered an increase of the very inadequate grant they now enjoy in the *Regium Donum*, with an improvement in the terms on which it is held. If the Servants of the Crown had been able by confidential communications with the leaders of the several Churches to bring them to agree to some such arrangement as this, I think your Lordships will agree with me in believing that the proposal would have been hailed with the welcome of an immense majority of the most intelligent part of the nation; that a Bill for carrying it into effect, submitted to a new Parliament, not elected under feelings of religious bigotry studiously excited, would have commanded its assent; and that the Ministry which carried it, would have performed a greater public service than it has been the lot perhaps of any administration for the last 100 years to achieve. I do not mean, my Lords, to assert that the Ministers would have adopted the policy I have described or would have succeeded if they had; but I do say, that as it was at least possible, and I believe probable, that they might if they were inclined to make the attempt; no difficulty ought to have been thrown in their way. Unfortunately such a difficulty —I fear an insuperable one—has been created by bringing forward this Bill and the Resolutions on which it was founded. The effect of these proceedings has been to place Ministers in the dilemma of being compelled either to subject themselves to odium and mis-representation by avowing an intention to deal with this most difficult question of the Irish Church, before any scheme for doing so could be explained or matured, and before there had been time to enter into previous communication with those whose interests would have been affected; or else to disclaim, as they have done, any intention of a change of policy, thus making it more difficult for them hereafter to propose a satisfactory measure. This may help to bring together a new House of Commons which will pass a Vote of Want of Confidence in the present Government; but this will have been purchased by a sacrifice of the national interest, and even as a party move, I believe, in the long run, the course taken by the Opposition will prove to have been a mistake. If I do not mistake the signs of opinion which I observe, it may be found that this course has not tended to secure for those who have advised it the confidence of that large body of calm and impartial men in the nation, who seldom interfere in politics, but generally in the end give the preponderance to one or the other of contending parties. I do not believe that men of this sort will be disposed to look up to the promoters of this Bill as wise and conscientious statesmen whom they may safely follow.

There is only one more topic on which I must trouble your Lordships with a few words. My noble Friend (Earl Granville) at the close of his speech endeavoured, though in a very guarded manner, to impress upon you the inexpediency of rejecting a Bill which has come up from the other House sanctioned by such large majorities. My Lords, I have great respect for the House of Commons, and I know that neither this House nor the other can resist the deliberate and settled opinion of the nation; but I deny that the opinion of the nation is always to be collected from the vote of even a large majority of the House of Commons. The shifting currents of party contests sometimes give large majorities in that House in favour of measures not approved by the deliberate judgment of the nation, and I believe this to be the case with regard to the Bill now before us. It was most imperfectly discussed in the other House; many of the chief objections to it were never even stated, much less considered as they ought to have been, and it was hastily passed by a mere party vote. I am persuaded that the country already begins to see that this Bill is not the right way of proceeding even with a view to what is professed to be its ultimate object. And if we reject it, not as being determined to resist a complete change of system with regard to the Church in Ireland, but on the ground of its being a crude, partial and mischievous proposal, calculated not to promote but to impede a fair settlement of the question—if, by so doing, your Lordships mark your disapproval of the manner of dealing with this question, I believe you will establish a new claim to the confidence of the nation, and that your decision will be hardly less useful from its tending to maintain the character and authority of this House, than from its arresting the progress of a most unwise measure of legislation.

Amendment *moved* to leave out ("now") and insert ("this Day Six Months.")—(*The Earl Grey.*)

THE EARL OF MALMESBURY: My Lords, I am fully aware that many of your Lordships are anxious to address the House, and therefore I rise with a promise not to detain your Lordships very long; at the same time I throw myself with some confidence on your indulgence, as it is my duty to inform your Lordships of what the views of the Government on this subject are. This is the reason why I take the unusual course of rising after the delivery of the speech of the noble Earl (Earl Grey), which is made on the same side as that we have adopted. Before I enter into the merits of this most important question — for no words can magnify its importance—since I entered Parliament twenty-eight years ago no measure that I can recollect has made the same impression on my mind — before I enter on its merits, I cannot help adverting to the manner in which it has been introduced to your Lordships. I may say, looking to the importance of this measure, that it has been flung on your Lordships' table, I will not say in a disrespectful manner, but certainly in a manner not usually adopted on occasions of such gravity. Considering it deals with a most sacred part of the English Constitution—that it deals with the Act of Union between the two countries—it appears to me not a little strange that the Resolutions to which it would give effect were adopted by the other House, and this Bill passed, without any preliminary communication to your Lordships' House to prepare us for what was about to engage our attention. No doubt we, who are Members of the Government, heard from our Colleagues who sit in the other House of the Resolutions which were engaging the attention of that Assembly; and no doubt we learnt through the newspapers that a great change was threatened, and that one party in that House was bent on the destruction of the Established Church in Ireland, and that a measure on that subject would be sent up to your Lordships' House. But why was not the usual practice followed—why not confide to the House of Lords that which you were about to do? If you hoped to have this change effected, and if you thought that difficulties might be thrown in the way which you might desire to avoid, it would not have put you to very much trouble to have followed precedents, and—in accordance with what I might call the Parliamentary affection between the two Houses—to have communicated the Resolutions of the House of Commons to the House of Lords. As you did not adopt that course, am I wrong in thinking you did not appreciate the importance of this question? Am I wrong in saying that your conduct has been attributed to other than patriotic motives and a desire to consult the interests of the Irish people? Would not an observance of the ordinary courtesies between the two Houses have been better calculated to prevent difficulties than the course which has been followed? What is the result? Why, that, as the noble Earl (Earl Grey) has said, this question is thrown on the House and the country without time being given for its consideration. One House seems to be legislating entirely for themselves, without any respect for the other. Could we have expected that this question would be brought before Parliament during the present Session? It may perhaps be alleged that it was of so pressing a character, and one so universally felt throughout the whole country, that we must have expected it to be brought forward. The reverse is the fact. So far from expecting this question to be raised and to emanate from the quarter it has come, we did not expect it to be raised at all, and much less did we expect that it would emanate from the quarter in which it has been initiated. If your Lordships consider what has taken place within the last two years, you will be somewhat surprised at what has recently happened. At the last General Election this question of the Irish Church was not even mentioned upon the hustings; the Reform Bill completely absorbed the attention of the public. The very mooter of this question now—I have no wish to speak disrespectfully of him, though he has thrown the Business of the entire Session into confusion by his Motion—this very Gentleman declared two years ago to a constituent that he had no idea of even considering this question of the Irish Church. For, what did Mr. Gladstone say? It appears that a member of his committee, suspecting that he was not as staunch as he formerly had been to the principles which he held with respect to the Irish Church, communicated with Mr. Gladstone, desiring to know what were really his ideas; and Mr. Gladstone in his answer said—

> "The question of the Irish Church is remote"—mind, this is only a couple of years ago—"and apparently out of all bearing on the practical politics of the day. I think I have marked strongly my sense of the responsibility attaching to the opening of such a question. One thing, I may add, because I think it is a clear landmark. In any measure dealing with the Irish Church, I think—I scarcely expect ever to be called on to share in such a measure—the Act of Union must be recognized, and must have important consequences, especially with reference to the hierarchy."

I ask any noble Lord whether he could have expected that within little more than two years from the writing of that letter, Mr. Gladstone should be the very man to raise this storm? I am willing to extend to the speeches and the policy of Ministers and statesmen a very handsome statute of limitation; but when we find statements deliberately made upon so sacred a subject, we are entitled to refer to them, even after the lapse of years. Could we have expected that Mr. Gladstone would have been the man to move in this matter after the speech which he made against the noble Earl opposite on the question of the Appropriation Clause?

Earl RUSSELL: What date?

The Earl of MALMESBURY: The 31st of March, 1835. On that occasion Mr. Gladstone said—

> "The most important consequences would attend the Motion before the House. In the first place, it would enfeeble and debase, and then altogether overthrow the principle on which the Church Establishment rested. The noble Lord invited them to invade the property of the Church in Ireland. He considered that there were abundant reasons for maintaining that Church; and if it should be removed he believed that they would not be able long to resist the repeal of the Union, and then they would become fully aware of the evil of surrendering the principle which the noble Lord called upon them to give up."—[3 *Hansard*, xxvii.]

Extending, as I have said, a handsome statute of limitation to politicians on both sides of the House, could we have expected that, after such a speech, and, still more, after the letter so recently written to a Member of his own Committee, we should have this Bill presented to us at the instance of Mr. Gladstone? And I will ask your Lordships not to be misled by the clauses of this Bill. The real meaning of this Bill is found in the first Resolution passed in the House of Commons, and it means, in plain English, that the Church of Ireland is to cease to exist. However, you twist the matter—whether you desire it or whether you fear it—that is really the question before your Lordships to-night. The Bill itself is framed and brought before this House in a very insidious manner, and my noble Friend who introduced the measure in effect said of it—If any of your Lordships entertain moderate views with respect to the Irish Church, if you wish to improve, but still to preserve it, you will be quite safe in voting for the Bill, and the measure itself will be perfectly innocent, because if such are your sentiments you would wish, of course, equally with us, to suspend, till there has been further legislation, the action of the Crown with regard to appointments. As to whether such a course, if proposed *bonâ fide,* would be a proper one, I do not now pause to offer any opinion. I will only point out that Her Majesty's Government proposed the issue of a Commission with the object of getting all the information they could upon the subject of the Irish Church. But the Report of the Commission has not been waited for. And it certainly does appear upon the face of it that if the object were to insure the adoption of such reforms as may be recommended on the face of that Report, the presentation of the Report itself would form the natural prelude to any action of that nature. But a stop is put to any expectations of the kind by the language of the first Resolution. There is an end of all modifications, of all reforms, of all moderate measures, because you say in the first Resolution, "*Delenda est Carthago.*" I beg you not to lose sight of that; you have no choice; this Bill is a mere prelude to the putting in force of the first Resolution passed by the House of Commons. And as the noble Earl on the cross-Benches (Earl Grey) very correctly pointed out, we have not the slightest hint meanwhile of the intentions of the Opposition, either now or if ever they come into Office: they do not give us the slightest indication of what is to become of the churches, the incumbents, or the people who profit by their ministrations. The whole thing is left in the dark; and your Lordships are told to vote this night for a preparatory Bill to some totally unknown measure. My Lords, however courageous may be your political aspirations, I do not believe you will venture to take such a step. Now, why is this Irish Church to be destroyed? why is it to be disestablished and disendowed? There can be but one excuse for such an act of spoliation, as I must call it—and that is that it would pacify Ireland completely and assuredly. That, I suppose, is the object which the noble Earl has in view. But does he suppose that this object will be accomplished by the present Bill, which he, no doubt, had a hand in preparing? [Earl GRANVILLE was understood to dissent.] Well, he certainly ought to have had a hand in preparing a measure of this kind, if he intended to make himself responsible for it. But, whether or no, I put it to the noble Earl himself does he believe in the bottom of his heart that this measure will, without doubt, pacify the Roman Catholics of Ireland?

EARL GRANVILLE: This Bill?

THE EARL OF MALMESBURY: No, not this Bill merely, but what is to follow this Bill—will that pacify the Roman Catholics? If he entertains that opinion I will not quote any Protestant speech or writing in answer to it, but I will ask your Lordships' attention to what has been said, not by Englishmen, but by Irishmen and Roman Catholics. What does the Tenant Right Association say—a society inaugurated in November, 1865 — at a meeting of the priests held in the county of Meath?—

> "The one, the great, the sole question for Ireland is the land question; other agitations, such as that against the Established Church, are got up for party purposes, would infuse an element of bigotry into the already sufficiently disturbed relations between landlord and tenant; would effect the ruin of thousands of tenants, and precipitate that social catastrophe which we are anxious to avert."

That is the opinion of the Tenant Right Society. What does Cardinal Cullen say? At a meeting of the Catholic Defence Association, of which Cardinal Cullen was President, a declaration to the following effect was adopted:—

> "As citizens, therefore, and on the temporal side of the question only, we can conceive but one object for a Catholic Defence Society, and that is to root out every law and every administrative practice which interferes with the perfect freedom of the Church and our perfect equality before the law. What are these laws, and what are these practices? Of course, the Ecclesiastical Titles Act is one of them. Upon that item of the account we need not enlarge; another is the existence of the Established Church—not in its religious character, but a favoured corporation; its unjust possession of tithes and glebes acquired by robbery and retained by fraud and bloodshed; the legislative and political authority conferred

on its so-called Bishops; and whatever else belongs to its temporal character as an Establishment. Another set of cases is the penal laws directed against the Jesuits and other religious Orders, those odious enactments which make the greatest benefactors to religion and humanity felons, for rendering the truest services to God and to their neighbour. . . . . And the Coronation Oath and the Act of Settlement, which limit the possession of the Crown to Protestants, and make the conversion to genuine Christianity a forfeiture of title."

According to that declaration, therefore, Cardinal Cullen would by no means be satisfied with the disestablishment of the Irish Church, but insists that the Crown shall be thrown open to the professor of any religion whatever. At a meeting of Roman Catholic priests, held at Limerick, on the 23d of December, 1867, four Resolutions were adopted, of which the fourth ran as follows:—

> "That the very nature of the remedies required to make Ireland rich and contented renders it impossible for a British Parliament to adopt and apply them; and, besides that, home aspirations and the plea for Irish intervention from abroad can never be met unless by restoring Ireland her nationality, re-establishing the Sovereign and the Lords and Commons of Ireland."

In vain do I look for any hope of realizing those dreams sketched for us by the noble Earl. If we could entertain any such hope we might be encouraged to pass those measures which the Resolutions come to by the other House foreshadow. I have been deeply impressed by a letter written on this subject by a right rev. Prelate, whose position as regards Ireland and the Roman Catholic Church is of such importance that every word he says must be weighed with the greatest attention. It is true Dr. Manning, to whom I refer, has not risen to the highest ranks of his Church, but his *prestige* is so high, the regard in which he is held is so great, and his zeal as a propagandist so unquestionable, that he becomes a most dangerous opponent in controversy, while at the same time his conscientiousness enforces our respect. Now, let us see whether he encourages us to hope that the disestablishment of the Irish Church would pacify the Roman Catholics of Ireland. In his letter to the noble Earl on the cross-Benches (Earl Grey) he tells us in the first place that all the penal statutes and everything that would mortify Irish Roman Catholics must be abolished; he then proceeds to say that the main question, which nothing else can over-ride, is the land question. Now, my Lords, let me ask you to listen to what a Roman Catholic priest of the greatest authority says of the land question—

> "And now, my Lord, I will not shrink from venturing even upon the land question, because it is the chief and paramount condition on which the peace of Ireland depends. In comparison with this question all others are light. . . . . I will begin, then, by affirming that there is a natural and divine law, anterior and superior to all human and civil law, by which every people has a right to live on the fruits of the soil on which they are born, and in which they are buried. This is a right older and higher than any personal right. It is the intrinsic right of the whole people and society, out of which all private rights to the soil and its fruits are created, and by which those created rights must always be controlled. A starving man commits no theft if he saves his life by eating of his neighbour's bread so much as is necessary for the support of his existence. The civil law yields before the higher jurisdiction of the divine, as the positive divine law yields before the natural law of God."

Dr. Manning denies and is bound by his religion to deny the Bible to the labourer, but he has substituted for that Book one of the most inflammatory pamphlets I have ever known to be published. I ask any of your Lordships whether, if this passage which I have quoted were read to an uneducated man, that man would not think his Bishop was authorizing him to steal whatever he conceived he needed? Dr. Manning goes on—

> "The poor are joint owners of the usufruct. The land being a fixed quantity, and the people an extending quantity, it is inevitable that the pre-occupation of the whole area of the country by a small number of landlords must have the effect of excluding or disinheriting the greater part of the people from all possession of the soil."

Why, my Lords, this is nothing but pure communism written by the leader of our Roman Catholic populations; and I ask your Lordships whether after this you can hope to pacify Ireland by the violent measures recommended by such priests, and produce those good fruits which alone can justify the passing of such a Bill?

Now, my Lords, one of the charges made against the Church of Ireland is that it does not fulfil its mission; these, I think, were the words of my noble Friend. But I have a statement here by the Roman Catholic Bishops of Cashel and Clonfert, strongly recommending that Catholic Universities should be established. They say—

> "How many a Catholic lost his faith in Trinity College, let the long array of names familiar to the public testify—of sizars, and scholars, and fellows, of high dignitaries, too, even of Bishops—some living, some dead, all witnesses to the danger of such a place to Catholics, for they were

born and baptized in the bosom of the Catholic Church, and they lost their faith in Trinity College. If some Catholics have passed through Trinity College without having lost it, *quasi per ignem*, others have made shipwreck of the faith by openly passing over to Protestantism, and others again have had their faith so undermined as on their deathbed to refuse the ministrations of religion."

So the Roman Catholics, at all events, bear witness to the fact that the union of Protestants and members of their own Church in Trinity College has brought about many conversions to Protestantism. Then the Irish Church is complained of because it does not proselytise, and that the number of Protestants does not increase; but here is a letter to my noble Friend near me (the Earl of Derby), signed by an incumbent of eight years, and the writer says—

> "When a young man I was appointed to a curacy in a midland county. The population was rural, and consisted almost entirely of small farmers, with from twenty acres to fifty acres each, and these they generally managed to cultivate by the hands of their own families. The property belonged to an English proprietor, who had cleared the estate of all the old tenantries, and divided it in this manner. About one-fourth of the population was Protestant and the rest were Roman Catholics. The Holy Scriptures had found an entrance into almost every house, and the results were remarkable. Every Sunday morning in the Communion Service, as I concluded the Nicene Creed, one or more Roman Catholics, each accompanied by two Protestants, left their pews and came to me at the Communion-table, and asked to be received into the Protestant Church of Ireland. Each of these Roman Catholics had been carefully examined by myself some time before, and I now received them publicly, according to a form prescribed by my Bishop. The effect of this going on Sunday after Sunday was very striking, and continued for six months without the exception of a single Sunday. During those six months I received 110 persons, being an average of more than four persons each Sunday."

The writer proceeds to say that the greatest terror existed among the Roman Catholic population lest their conversion should be known, because many converts had been shockingly persecuted. These cases, all of which occurred in his own parish, he fully describes with names and dates.

Something was said by the noble Earl (Earl Granville) regarding the fears your Lordships might entertain if the Irish Church were disestablished; but I cannot help thinking that as he proceeded in his speech my noble Friend's arguments were rather directed against Establishments of all kinds. He gave us an account of the prosperity and Christian feeling existing among the members of the Churches in America, Australia, and Canada, where, to use the expression of an American gentleman, every man is his own parson. I cannot help believing that there must be a very great change in the feelings of the people of this country before they can wish to see their State Church swept away as you now propose to sweep away the State Church in Ireland. This very gentleman to whom I referred is a Dissenter, and he spoke to me of the way in which religion was conducted in some place in America. I forget the name of the place, but the people seem to have charming ideas on the subject, for they have a large church, which is used by several sects at several periods of the day without producing any confusion. At eight in the morning it is occupied by the Roman Catholics for a couple of hours; one class of Dissenters follow; and they in turn are succeeded by the Anglican Church for two hours, and by the Quakers for another two. I asked him how they finished up the day, and he replied with a religious promenade—they walked up and down, mixed together, and engaged in disputations on religious subjects. And the gentleman seemed to think that nothing more was wanting to the happiness of this country than the adoption of a similar plan. I did not argue the question with him, but I make a present of the idea to my noble Friend opposite, who may perhaps like to put it in execution. [*A laugh.*] It is not in my opinion a laughing matter; because I am convinced that it is as impossible to touch, or rather overthrow the Irish Church — for touch is not the word — without injury to the English Church as it would be to cut off a man's leg without affecting his whole body. But on this head we are bound to see what are the sentiments of those who head the attack. Mr. Gladstone in the House of Commons entirely repudiated the imputation of intending to attack the English Establishment, and pooh-poohed the idea of its being in danger. And if Mr. Gladstone were standing alone, and were not liable to pressure, that might be the case. But who are the men with whom he is associated, and who would be his Colleagues if he came into Office? Among them are men who have openly, deliberately, and consistently maintained that all State Churches are a nuisance and a mistake. It was only a month ago that a declaration of that kind was made by Mr. Bright at Liverpool, and your Lordships, from your acquaintance with human nature, must know that when a strong will and a vacillating will come side by side, the latter is absorbed by the former, and the strong becomes stronger than before. The right hon. Gentleman may have no intention of the sort at present; but, looking at his own position, and bearing in mind the character of his Colleagues we may, before many years are past, see him coming forward and vindicate his consistency, employing similar arguments against the English Establishment that he now uses against that of Ireland.

Now, my Lords, we have heard a good deal said about the respect which is to be paid to vested interests, and, as far as I can understand, those vested interests relate to the Archbishops, Bishops, and clergy of the Church. But, my Lords, I want to know what is to become—not of the vested interests of Bishops and Archbishops—but of the vested interests of the poor? The poor of this country have a right to their churches, and the clergy cannot refuse to attend them in their last moments, or to visit them in time of sickness. That right has been theirs since Saxon and Norman times; for there has always been a State Church, though the form of religion may have changed. What is to become of the poor in Ireland if this measure is carried? Why, my Lords, one thing above all astonishes me, and that is, that this Bill should be supported by so large a number of Dissenters and Nonconformists in this country. I should like them to re-consider their opinion on this matter, because I cannot conceive anything more blind on their part than that they should contend for the destruction of the English Establishment. Where we look upon the Roman Catholic religion with mistrust and suspicion, their feeling is one of positive repugnance. The gulf between them and the Roman Catholics is far greater than the one between the Roman Catholics and the members of the Established Church. The destruction of the Established Church involves the destruction of the rampart which that Establishment now presents between them and Roman Catholicism. When that rampart has disappeared it will be impossible for them to contend with the superiority of the Roman Catholic organization. They must disappear; they will be swept away, and, in a religious sense, perish and lose their entire independence. This desire for the destruction of the Established Church is not, I know, held by all Dissenters. There are some Dissenters as much opposed to the spoliation of the State Church as we are; but I look with regret and great astonishment at the favour with which many of them view this change. If your Lordships will permit me, I will remind you of the opinions held by men as great as any now sitting in either House of Parliament. Sir Robert Peel, speaking in 1833, not of the disestablishment of the Church, but of the abstraction of a portion of its revenues by the Appropriation Clause, said—

> "If long possession and the prescription of more than three centuries were not powerful enough to protect the property of the Church from spoliation, there would be little safety for private property of any description, and still less for that description of public property which was in the hands of lay corporations."—[3 *Hansard*, xv. 370.]

The Duke of Wellington spoke as follows on the 18th of March, 1844:—

> "With respect to the Church of Ireland, I beg of your Lordships to recollect that the Protestant Church in Ireland has existed in that country for a period of nearly 300 years; that it was maintained in that country during a century of contests, rebellions, and massacres; that during a contest for the possession of the Crown the Protestants of that country encountered that contest and kept possession of their Church; that during another century it was maintained through much opposition, and under difficulties of all descriptions; that at the period of the Union the Parliament, who had the power either to consent to the Union or to refuse their consent, stipulated that the Protestant Church in Ireland should be maintained, and maintained on the same footing as the Protestant Church of England in this country. My Lords, the Parliament of Ireland had, under the auspices of the King of this country, the power of either making or not making that compact. Your Lordships entered into that compact with the Parliament of Ireland, and I entreat you never to lose sight of the fact; I entreat you not to suffer yourselves to be prevailed on to make any alteration in, or to depart in the slightest degree from, the terms of that compact, so long as you intend to maintain the Union between this country and Ireland. It is the foundation upon which the Union rests — it is a compact which you entered into with the Parliament of Ireland, and from which you cannot depart without being guilty of a breach of faith." —[3 *Hansard*, lxxiii. 1171.]

Dr. Slevin, Professor of Canon Law at Maynooth, said in 1826—

> "I consider that the present possessors of Church property in Ireland, of whatever description they may be, have a just title to it. They have been *bonâ fide* possessors of it for all the time required by any law for prescriptions, even according to the pretensions of the Church of Rome, which requires 100 years."

That is the opinion of the Roman Catholic Professor of Canon Law at Maynooth. Mr. Plunket, in advocating Roman Catholic claims on the 6th of May, 1824, said—

> "The hon. Member (Mr. Hume) evidently thought that Parliament were at liberty to deal with the property of the Church exactly in the same way as if it were a tax or any other property of the State; and this opinion he grounded upon a supposition of public necessity. Now, that the property of the Church might not be interfered with as well as the property of the State in a case of public necessity he would not assert; but be it observed that upon the same principle the private property of every man in the kingdom was equally liable. He knew very well that both the property of the Church and the property of individuals must yield to the exigencies of the State; to those the property of the hon. Gentleman himself, as well as of every other Member who heard him, must give way; but he would maintain that the property of the Church was as sacred as any other. . . . . . With respect to the Protestant Establishment of the country, he considered it necessary for the security of all sects, and he thought that there should not only be an Established Church, but that it should be richly endowed, and its dignitaries be enabled to take their stations with the nobles of the land. But, speaking of it in a political point of view, he had no hesitation to state that the existence of the Protestant Establishment was the great bond of union between the two countries, and if ever that unfortunate moment should arrive when they would rashly lay their hands on the property of the Church to rob it of its rights, that moment they would seal the doom and terminate the connexion between the two countries."—[2 *Hansard*, xi. 571-2 & 574.]

My Lords, I have quoted these passages from the speeches of men who occupied a distinguished position in both Houses of Parliament, and it certainly does seem to me that I do not weaken them when I repeat them, for the warning they give appears as it were a voice from another world. These are the deliberate judgments of men of vast ability and experience—all of whom served their country, one of whom saved it—all of whom loved it, and watched over its interests with a passionate devotion. If ever you regarded with gratitude and veneration their great services, I entreat you now calmly to consider and give weight to their opinion, and then I am satisfied you will follow the course to which I invite you, and will reject the proposition which has been made for reading this Bill a second time.

THE EARL OF CLARENDON: My Lords, I will commence with the same promise which was given by my noble Friend who has just sat down—to be brief—and as the best way of keeping to that promise, I will not attempt to follow either of my two noble Friends who last addressed the House. But I really cannot help expressing my regret that my noble Friend on the cross-Benches (Earl Grey) should have been the person to take the lead in opposition to this Bill. I think really he was about the last man in this House that ought to have done so, considering the very active and able course he has taken towards discrediting and abolishing the Church Establishment in Ireland. My regard for my noble Friend, however, leads me to reflect with some degree of satisfaction upon the tone of his speech. He contrived to displease all parties in turn; for while he kept up a running fire of bitter attack upon the Opposition, he made the Government feel all the humiliation of accepting his support. He told the House that if they had accepted his proposition of two years ago this would not have happened. My noble Friend, in fact, was in the position of the obstinate juryman who complained of the other eleven that they hindered him from returning a verdict. But when my noble Friend was so severe on the motives of those who had brought forward this measure, he must have a little forgotten the circumstances under which he brought forward his own proposition in relation to the Irish Church while he condoled with your Lordships for not having adopted it. My noble Friend referred to the Fenian conspiracy; but he appears to have forgotten when he made his great speech on this subject of which we have heard so much to-night from his own lips, that conspiracy had been actually in activity for two years. When he said that this Bill would be so sweeping, so inconvenient in every way, what did he himself propose two years ago? He said—

> "That the application of the whole revenue of the Irish Church for the exclusive benefit of a small minority is unjust and ought not to be continued, and that with the view to the correction of this injustice it would be expedient to vest the whole property of the Church of Ireland in the hands of Commissioners empowered to manage it and divide the net income derived from it in such proportions as Parliament may prescribe between the Episcopalians, the Roman Catholics, and the Presbyterian Churches."

He would, therefore, take the whole income of the Irish Church and put it into the hands of Commissioners to distribute to different sects; yet he now complains, as of a hard and intolerable thing, that a Bill should be introduced for suspending until the 1st of August next year all appointments in the Irish Church. I will not follow my noble Friend (the Earl of Malmesbury) for the same reason. In fact, he knows as little of Ireland as he does of any foreign country. He has, indeed, read us the account of a gentleman who he says has signed his name; but the same gentleman has sent his accounts to everybody else, and we all know that it is thirty-four years since his prosleytizing success occurred. My Lords, knowing that many Peers are most anxious to address you on this subject, I long hesitated before I ventured to trespass on your attention; but having been long officially connected with Ireland, and having the warmest interest in that country, I am desirous of explaining the vote I shall give and taking my share of the responsibility which attaches to my noble Friend (Earl Granville) and those who have brought forward this Bill. I wish, also, to protest against being thought either sacrilegious or adverse to the interests of religion because I presume to discuss or desire to alter the social status and political power of the Established Church in Ireland. I wish, also, to express my strong disbelief that this Church has so utterly failed to root itself in the hearts and consciences of its members that its inestimable benefits are not sufficiently appreciated to make it independent of what is called Establishment—of State aid and countenance. I think that the State —that is Parliament—has a right, clear and undoubted, to sever the connection between the Church and State whenever it deems it to be for the public good to do so; and I believe it to be for the good of Ireland and for the good of England that the Established Church, so far as Ireland is concerned, should cease to be connected with the State. I say this, because my noble Friend seems to think the Bill now before your Lordships is not a *bonâ fide* Bill—that it does not carry its real purpose on the face of it, and that its real meaning is disestablishment. I do not agree with the noble Earl. I understand it to be a Bill for the disestablishment of the Irish Church, and nothing else. That is, at all events, what I mean. Looking at it in this light, it only remains to ask, Does the Irish Established Church fulfil the objects for which it exists? Does it satisfy the hopes and intentions of its supporters? Is it a cause of peace and union, and the means of propagating the truth; or is it a source of constant complaint and ill-blood to a large portion of Her Majesty's subjects in Ireland? I say it does cause bad blood, and I say it has completely failed as a Missionary Church. I say it is the direct source of continual discontent to the Native population. I would ask still more—whether this Church is kept and maintained by reverence and affection, or by force? I ask your Lordships whether, supposing Ireland at this moment to be a *tabula rasa*, and the question had to be settled by the Lords Spiritual and temporal, would you plant such a Church in Ireland? What does all your knowledge and experience teach you? That it has utterly failed as a Missionary Church—that it is notoriously, necessarily impotent. It is a constant source of grievance to millions of your fellow-subjects whom it is our interest to conciliate, and whom we have no right to offend. It is also the occasion of contempt against us to foreign nations, who regard it as a practical commentary on all our lectures of morality, moderation, and the rights of the people, and in reply to all our arguments for toleration invariably point to the Irish Church, and tell us to pluck the beam out of our own eye before we presume to pull out the mote in our brother's eye. I say it is impotent as a Missionary Church, not on account of its doctrine, but on account of its social status and political power — Protestant ascendancy meaning in Ireland Catholic subjugation and inferiority; and when it is called nothing but a "sentimental" grievance, let us ask ourselves how long we ourselves should be willing to submit to such a grievance imposed upon us by those whose only right to do so was that some of their religious opinions were different from some of ours? We should also bear in mind that it is absolutely a point of honour with the Roman Catholics of Ireland not to leave their Church, because to do so would be to leave a Church that has been stamped with the stigma of inequality and inferiority in favour of one which the State has invested with adequate revenues and with a position of superiority. I was long enough in Ireland to know what missionary work really was, and I know it was scarcely attempted by the Established Church, but was carried on by means of money from England, and therefore was entirely the result of voluntary effort. Well, if there be any truth in this—if we cannot boldly and conscientiously stand up in the face of the world and defend the Established Church as an institution, why should we not have the courage to pass a final sentence of condemnation? My noble Friend (the Earl of Malmesbury) says there is a Royal Commission still sitting, and that great reforms will be introduced. But, my Lords, they will come too late—it is too late now to adopt a middle course. The time has gone by for such a policy. The friends of the Irish Church were not wise in time; they did not see that concessions made in time might have produced a different policy, and that a house without a foundation was not likely to stand an assault. But now a crisis has come in Ireland—I do not speak of the Fenian conspiracy or the suspension of the Habeas Corpus Act; but I mean that general conviction which has taken hold of the minds of men that things are not right, that justice is not done; and, notwithstanding indications of material prosperity, discontent is greater and more general. I say, therefore, that until the evils which exist in Ireland be remedied, the right arm of England is paralyzed, and we cannot hold our true position among nations. Well, if it be admitted, and it cannot be denied, that the Irish Church constitutes one of those evils, why not make a vigorous effort to do away with it? I should myself be most happy if I thought it possible to do justice to Ireland without disestablishing the Church; but I declare I see no other means of arriving at that religious equality which is necessary for Ireland, and indispensable to the character of this country, both at home and abroad. My Lords, I can only say that I have been much with foreigners, many of them ardent admirers of our institutions, of our liberties, of the vigour of our character, and the general rectitude of our rule; but none of them have ever been able to reconcile the maintenance of the Established Church in Ireland with that love of justice and toleration which manifests itself in Englishmen in other respects. Many a time, in answer to their inquiries I have felt deeply humiliated at my inability to defend the Irish Establishment. My Lords, I will take the liberty of reading a very short extract from a widely circulated journal; and I ask your Lordships to listen to it because it shows in a striking manner the anomalies of the Irish Church. It is said to be from the pen of an illustrious foreign resident in this country:—

> "As we have already stated, the Established Church of Ireland numbers 12 Bishops, 622 vicars, and 1,500 parish clergymen, and the net revenue amounts to 11,191,750f., or nearly £450,000. The number of its adherents, counting among them all those who at the last Census could not say to what religion they belonged, amounts to 693,357. Without contesting its privilege as a State Church to put its mark upon all sheep without a shepherd, and to reduce, as Mr. Bright does, the flock to between 500,000 and 600,000 souls, we will admit the 700,000 souls that the Church claims. With this figure she possesses one clergyman for 340 persons, and costs 16f. per head. If the Catholic population of France, which is fifty times more numerous than the Anglicans of Ireland, was as well provided as them in the ecclesiastical point of view, they would possess 100 Archbishops, 500 Bishops, 75,500 curés, a budget of 576,000,000f. (£23,000,000) sterling annually for its *culte*, and more than three milliards of churches and presbyteries. If these 700,000 Anglicans were the only inhabitants of Ireland, this costly fancy might be regarded with a mixture of astonishment and respectful admiration; but they form only 12 per cent of the total population of the island, which alone supports the charge; the remaining 88 per cent are divided into 9 per cent Presbyterians, to whom the State grants a certain subsidy; 1 per cent belonging to insignificant sects, and 78 per cent Catholics. The inequality appears still more flagrant when it is borne in mind that these 12 per cent, whose clergy are so largely endowed at the common cost, are the richest portion of the population, the descendants of the ancient conquerors of the island."

Nothing could be stronger than that. That statement goes forth to the world, and I need not tell what will be its effect upon the mind even of the most friendly foreign critics. My Lords, if you say, "We don't care what foreigners think of us," I confess I cannot share in that sentiment. In the first place, it is not true; and, in the second place it ought not to be true, because the respect and esteem of foreign nations are elements of our strength. We all pride ourselves, and with great justice, on the moral effect all over the world of the success of the Abyssinian Expedition. We undertook that expedition at great risk, and still greater expense, in the cause of humanity, justice and duty, and how faithfully have we redeemed our pledge that no thought of aggrandizement had entered into our policy everybody knows. That is an enormous advantage among the nations of Europe; but the injustice of the Irish Church does us enormous harm, because people say that we have justice and moderation on our lips but injustice and oppression in our hearts. My noble Friend (the Earl of Malmesbury) asked whether the disestablishment of the Irish Church will immediately produce great good in Ireland. My Lords, my acquaintance with Ireland is of no recent date, and I know too much of that country to think that it will at once produce contentment, loyalty, and prosperity "as by the stroke of the enchanter's wand." Old wounds, my Lords, do not heal so quickly as that. But let us do what is just and expedient; let us satisfy our consciences, and if we do we shall disestablish the Irish Church. The Royal Commission may recommend great reductions in dignitaries and Bishops, and a different distribution of revenues; but that will not allay the grievance of which the Irish people complain. The same argument applies to this proposal to disestablish the Irish Church which applied last year to the Government measure of Reform. The late Government introduced a moderate measure for the reduction of the franchise; a measure which I say advisedly would three years ago have produced general satisfaction, and would have lasted for ten or twenty years. But the Government which turned them out for attempting an increase of the constituency, which was denounced as revolutionary, were at that very time passing through that unconscious *curriculum* which enabled them, I will not say to go out with honours, but to open the gates to the great democracy. Well, my Lords, I hope that the same principles will be acted upon now—that your Lordships will feel that "bit by bit" reform with the Irish Church will not do, and that you will also apply that true Conservative doctrine of not making wry faces at what is inevitable. I say that this measure is inevitable, because right opinion and sound policy is in its favour. Notwithstanding the efforts of the Prime Minister to get up a religious cry—notwithstanding his statement after dinner that the Liberal party was divided in a policy hostile to religion, property, and law—notwithstanding all this the Irish Established Church will be disestablished. My Lords, the only reason that I heard to the contrary—the only reason that my noble Friend who has just sat down put forward is, that if you disestablished the Irish Church the English Church will be involved in the same fate. I utterly deny the truth and validity of such reasoning, because, in the first place, I believe in my conscience it will bring safety, and not danger, to the Church. But even if it were true, that would be no reason for persevering in a wrong course. If you proclaim your fears, whether real or imaginary, that if you act justly towards Ireland it may be the means of injuring the English Church, I cannot fancy any better argument for a repeal of the Union. As I have said before, I am perfectly convinced that the reason to which I have alluded is no reason whatever with regard to the English Church, because the case of the two Churches is entirely dissimilar—they do not occupy similar positions—they are in a different category. The position of the Irish Church was so well described by my noble Friend behind me that I will pass it over. But this I will say, that if the position of the two Churches were alike then the same measure would apply to both. But they are wholly dissimilar. The Church of England depends on the good-will of the majority of the nation; her clergy minister to the spiritual wants of the people in a manner that is acceptable to them; and be assured that it is that good-will and acceptable ministration, not the pomp and circumstances of Establishment, which enable her to hold her own. I have not lived so long in Ireland without having learnt to appreciate the signal virtues of the Irish clergy—more especially of the working clergy. I know there are exceptions; but still the conduct of the Protestant clergy of Ireland as a body is most exemplary; to the extent of their small means they are very charitable; they are not distrusted by their Catholic neighbours; and their removal from the parishes in which they labour would give cause for much regret. But is such an event likely to happen? Why, it would be shocking to think that there could be a doubt of a future provision for them, when we remember that nine-tenths of the soil of Ireland belong to Protestants, whereas only one-sixth of the population are of that religion. My noble Friend opposite says that such a change as this measure contemplates is alarming, on account of its bearing upon the Constitution and the Coronation Oaths. But during the last forty years, whenever any reforms of this nature have been proposed, we have heard so much of these Protestant Oaths that I confess that sort of appeal moves me very little. Many of your Lordships will remember the threats and the wails which proceeded from the same quarter when the Duke of Wellington told his party that he preferred the grant of Catholic Emancipation to the civil war which he thought was otherwise inevitable. Again, when the Church Temporalities Bill was brought in, there was a great meeting of all the Bishops and clergy of Ireland, who agreed to a petition saying that they viewed the Bill with the utmost alarm as being calculated to undermine and ruin the Church, and as a direct violation of the Act of Union. My noble Friend who had charge of the Bill would not listen to such threats. What can we think of their belief in the truth and efficacy of their own faith and doctrine when we find Protestants solemnly declaring that their religion would be undermined and would cease to exist on account of a change which left in Ireland ten Protestant Bishops for a Protestant population not so large as that contained within the single diocese of London? And what reasons have we now to listen to such fears as these? We are told that the two Churches are so indissolubly linked that the fate of the one is bound up with that of the other, so that we cannot deal with the Irish Church as reason and justice require, because thereby we should affect the Church in England, where reason and justice do not require such a measure. According to this opinion, the two Churches are like Siamese twins, owning but one life between them; and though it is known that one of the twins is paralyzed, we must not treat it for fear of injuring the other, which is healthy and vigorous. I hope we shall not be deterred from dealing with the Irish Church by such arguments as these. We cannot be blind to the fact that the Church of England is in considerable danger; but that danger arises not from without but from within; not from external legislation, but from internal dissensions and from that danger which proverbially threatens "a house divided against itself." It is High Church, Low Church, and Broad Church, with their bitter animosities, their unseemly brawls, and the trouble they give to quiet, thoughtful men seeking for authority and for peace but finding none—these are the things which really and truly imperil the Church; and compared with them, the danger which it fears from disestablishment in Ireland is small indeed. Instead of danger or harm I believe the disestablishment of the Church in Ireland will be a strength and benefit to the Church in England.

Before sitting down I cannot help following up what was said by my noble Friend at the close of his speech. This Bill is merely the corollary of that liberal Resolution which was passed after long and exhaustive debates in the House of Commons. I believe, as my noble Friend says, that some such Bill as this will be recommended by the Royal Commission. Report says, however, that the Bill will be thrown out in this House by a majority even larger than that by which it passed the House of Commons. My Lords, I humbly venture to think that such a decision will be most unfortunate. I think it is not expedient that on the eve of a General Election, the results of which will be unlike any other which ever preceded it, so wide a difference of opinion between the two Houses of the Legislature should exist. I think it undesirable that on the hustings men should be tempted to speak, and pledge themselves to act, against the House of Lords, as they will if you reject this measure. I am the last man to wish that the independence of this House should in any respect be abridged; but I think we might exhibit our independence by marching with and not lagging behind the House of Commons. Your Lordships have in general shown a final, though sometimes a reluctant, deference to public opinion; but henceforth we must watch public opinion more narrowly, we must follow it more closely, and bear in mind the accelerated pace at which it will move. We shall be under a special obligation to respect the feelings of the new House of Commons, for we are largely responsible for its composition. In no niggardly spirit your Lordships passed the Reform Bill of last year. A great revolution was thereby effected, and thousands of our fellow-countrymen were for the first time endowed with political power. If, however, anyone thinks that, having passed that Bill, there is an end of the matter, that things will go on in their old train, and that the Reform Bill is not simply a means to an end, I think he is greatly mistaken. In the new House of Commons we must expect to find many new men with many new ideas, which will possibly be persisted in all the more strongly because they are new and because they will jar with routine opinions and prejudices. It behoves us, therefore, to look well at our position—because it will never do for the House of Lords to jog along by the Parliamentary train while the House of Commons travels by the express. We have given proof of our belief that the House of Commons did not faithfully represent the wishes and feelings of the people of England, and our desire that it should henceforward do so. But if we were right in desiring that Parliament should conform to public opinion, I think we are now bound not to disregard that public opinion. Such a result cannot be secured by Act of Parliament, but it may be attained by a moral determination on our part, individually and collectively, to look at great questions in a somewhat more liberal spirit than that in which we have been wont to look at them, so as to do away with the constant doubt and suspicion which now exists out-of-doors as to what the Lords will do upon the great questions of the day. There is as much ability, there is as much knowledge, there is more experience in this House than in the House of Commons; and there is no reason whatever why we should not stand well with our fellow-countrymen and retain the position we once held by consulting their feelings and their wishes. I trust your Lordships will not deem me presumptuous for making these remarks. I make them with the conviction that both sides of this House must equally desire to stand well with the country. I look upon the disestablishment of the Irish Church, however it may be delayed, as inevitable. Your Lordships' vote against this Bill may be viewed with indifference, because there will be a conviction in men's minds that you will be compelled to reverse your decision; but if it is not viewed with indifference, it will, I fear, be because it will be regarded as a proof that your Lordships refuse to do an act of justice and fair dealing to Ireland.

THE ARCHBISHOP OF CANTERBURY: My Lords, I propose to detain you but for a short time; but I cannot bring myself to give a silent vote on a question which I deem to be pregnant with such serious consequences to the Church and to the country as that which is now before us. My Lords, I think it is very difficult to exaggerate the importance of the matter under discussion. I feel, in common with many others, that principles which we hold most dear, and which, in connection with our institutions, we believe to be of essential and vital importance, are imperilled by the measure before us. You may deal with the question of religious Establishments and the union of Church and State; I can only say that, believing that union to be of the most vital moment, I, with many who think with me, feel it my duty to contend to the last for its maintenance. It has been asserted that this question of the disestablishment of the Irish Church does not, and ought not, to affect the English branch of the United Church of England and Ireland. My Lords, I conceive it to be my duty to maintain the contrary of that proposition, and for this reason—It is not that I do not acknowledge that the position and the circumstances of the English Church are very different from those of the Irish Church; but I cannot but recollect that the great principle on which the assault is made upon the Irish Church equally affects all existing Establishments, and that is the principle of religious equality. I ask, after this particular Establishment has been destroyed, can the English Establishment, can the Scottish Establishment, stand before that principle, if it be carried out consistently? I do not attribute to all the supporters of this Bill a desire to overthrow all religious Establishments; but I find in their ranks such a latent connection with those in this country who are well known as the strenuous advocates of the overthrow of all Establishments that I cannot but see great danger in the distance for our own Church. To my mind it would be a less evil to continue, with certain modifications, the existence of the Irish Establishment than to sanction a principle that would tend to subvert all Establishments. In early days I was myself a consistent supporter of Catholic Emancipation. That was at a time when the advocacy of such opinions was a certain barrier to one's temporal advancement; but I believed the protestation then made that that great measure would involve no danger for the Protestant Establishment. But, my Lords, I have lived to be undeceived; I have lived to see that no concessions of that character can possibly satisfy those to whom they are made. Justice to Ireland has been loudly insisted on. My Lords, I am strongly convinced that the great majority of the Irish peasantry will rue the day on which the Irish Church Establishment is subverted. I have visited Ireland ten times in the course of my life; and although I do not pretend to know as much of it as many of your Lordships, this I am quite persuaded—that, looking back to the period of the Irish famine and the Irish fever, the Protestant clergy were the great benefactors of the Irish peasantry. The people remember that fact with gratitude, and they will lament the day on which those benefactors are, to a certain extent, deprived of the means of subsistence. I should like to read to your Lordships part of a letter giving the opinions of a distinguished statesman in America. It is to this effect. He says that by sacrificing the Irish Church a strong inducement is offered to the Fenian Brotherhood to redouble their efforts at agitation and to persevere in the commission of terrible crimes; so as to force concession after concession, till there is nothing more to give on the one hand, and Ireland not worth retaining on the other. The disendowment of the Irish Church would prove an incentive to fresh depredations. My Lords, it is quite certain that this proposal will give no real satisfaction to such persons. What do they tell us? They say they want Ireland for the Irish; the land must be given up to them; the Union must be repealed; short of all this they will accept nothing as a real boon. I hold in my hand an extract from a New York organ of the Fenian Brotherhood, called *The Irish People*, which states that—

> "The object of the Fenian Brotherhood is to procure our country's total separation from England, and to set her up before the world as a nation among the nations, free and independent. . . . It is almost superfluous to say that nothing short of that national independence and total separation will content us. . . . Every concession granted by the English Government strengthens the Fenians. . . . Therefore we counsel the acceptance of concessions, and therefore we recognize every concession as a victory."

The same article adds that the effect of this measure, if carried, will be this—he uses a familiar phrase—"Out go the parsons, neck and crop, the landlords to follow at an early day." I recollect that, many years ago, in a Legislative Assembly in a neighbouring country, it was said, "*Ici nous sommes ni Catholiques ni Chrétiens.*" Now, I believe that the acknowledgment of Christianity by the State is the only true safeguard for the national prosperity, and when the time shall come that either in this or in the other House of Parliament it shall be said "Here we are neither Catholic nor Christian," it will be an evil day for the country.

THE EARL OF DERBY: My Lords, I fear that my strength—more especially at this late hour—will render me very little capable of treating this question in a manner worthy of its gravity and importance; but there are occasions on which strong feelings and earnest convictions overpower the sense of physical weakness; and I trust this may be so far the case with me now that I shall be enabled to express to your Lordships some portion at least of the aversion and apprehension with which I regard this most dangerous measure. When I say "this most dangerous measure," I do not refer to the Bill which now lies on your Lordships' table, because I take that to be but a small part of the matter. I speak not of this Bill, but of that ulterior measure of which it is intended to be the introduction and the preliminary, and I must consider it in conjunction with the Resolution passed by the House of Commons for the entire disestablishment and disendowment of the Church in Ireland. My Lords, as to that measure—fraught, as I think, with so much danger and mischief—I cannot reconcile it to my own conscience to give only a silent vote in opposition to it. My Lords, undoubtedly if you are prepared to disregard altogether the prescription of more than 300 years—to set at naught and treat as null and void the legal grants of Protestant Sovereigns to their Protestant subjects, and the gifts and bequests of pious individuals to their co-religionists—if you are prepared to abandon the support and maintenance of that Protestant religion, the support and maintenance of which was the great moving principle of the Protestant Revolution of 1868, and which was further guaranteed by the Articles of Union between England and Ireland, as an essential and necessary condition of the union between the two countries—if you are prepared by disestablishing the Irish Church to cut off from your communion and fellowship your Protestant brethren in Ireland, and by the disendowment of that Church to confiscate to your own secular purposes the revenues which never belonged to you, and which were solemnly devoted to the service of God—if you are prepared to declare that for the present at least Ireland shall be the only country in Europe to which the Government of the country formally proclaim that they will have nothing to do with the religious instruction of their fellow-subjects—if you are prepared to come to these conclusions, at the dictation of a would-be Minister—who, I must be forgiven for saying, appears to be ready to sacrifice the cause which he at one time held it to be his high and holy privilege to defend and uphold, and that in furtherance, I must say, of his own personal ambition, and at the dictation of a majority of a House of Commons which has not six months' life in it, which is self-condemned, and of which my most rev. Friend who has just sat down (the Archbishop of Canterbury), but whom I do not now see here, told us that we had given the strongest proof of our belief that it does not represent the opinion of the country now—if you are prepared, upon the opinion of that dying House of Commons, to take this important step — a House of Commons, moreover, which was elected by a constituency to whom this question was never submitted, and so far as it was brought forward at the General Election had every reason to believe that, if the question should be raised, it would encounter the determined opposition of the Government which it was returned to support—if, my Lords, you are prepared to do all this, then I have not a word to say, and you will pass this Bill as a necessary preliminary. On my part, however, I must enter my protest—my solemn protest—against the doctrine that we are entitled to deal as it is proposed to deal with this Church property in Ireland, any more than we are justified in dealing with the property of any personal corporation in the kingdom. I go further, perhaps, in this respect, than some of those even who are prepared to vote against this Bill, and for the maintenance of the Church in Ireland; but I, for my part, deny the moral competency of Parliament to pass a measure such as that indicated by the Resolutions of the House of Commons. When I spoke just now of a prescription of more than 300 years, I did very little justice to the argument I am bringing before you, because the prescription of more than 300 years would point to the Reformation as the first period in which the Church obtained a right to its possessions. Now, the right of the Church of this country—the Church, whatever it might have been—the right of the Church to the possessions of the Church dates from a period antecedent not only to the Reformation, but antecedent to the existence and creation of Parliament. It was stated in a debate a few years ago by a right hon. Friend of mine (Mr. Gathorne Hardy), now a Secretary of State, that there is actually at this moment a living in the diocese of Meath which was the property of the Church in the sixth century—that is 600 years before the conquest of Ireland by England, and before the subjection of Ireland to the power of the Papacy. My Lords, the Reformation did not create Church property. The Reformation was partly political and partly religious. It was a protest against Roman Catholic doctrine, and against the usurpation of the See of Rome. It was the termination of a long struggle, for which the minds of the people had been long prepared, and it laid down certain conditions for those who were to share in the pecuniary benefits of Church property, which conditions were complied with to a great extent by the great majority of the Bishops and clergy of that day. There were transfers from individuals, but there was never a question of transferring Church property to the State, or of secularizing it. There was, indeed, one exception—the confiscation of the property of the monasteries. It was a deep and dark blot upon what would otherwise have been a glorious page of the history of this country. There is no doubt those monasteries required reform—that there were many abuses—that their property might have been applied more advantageously to the service of the Church of which they were members than according to the system which existed; but that was no ground for an act of which I am happy to say there has, up to the present moment, been no similar example — the confiscation of ecclesiastical property and the distribution of that property among the rapacious nobles and courtiers of the time. Yet we look back to that period, and, acknowledging the infamy of the transaction by which this property first came into the possession of those noble families, we do not at the present moment dispute the validity of their titles. We acknowledge that, however faulty the original acquirement, long prescription affords a title to those who by unjustifiable means became possessed of it. Now, why is it that you do not apply similar principles to a Church which has been much longer in possession of its property, and which has a much older and stronger title —one untainted, too, by an act of injustice —than that of the donations of monastic property to those families? But what I am surprised at is that this principle should be adopted and this measure sanctioned by the Roman Catholic Members of your Lordship's House. I think it is a maxim which has always been strictly adhered to by all Roman Catholics that *nullum tempus occurrit Ecclesiæ;* that, however long the Church's right may be in abeyance, it never can be utterly abolished; that it is always capable of being revived, even after the lapse of 300 years. But we seem inclined to read that maxim as a certain person is reported to read Scripture—namely, backwards. Not *nullum tempus occurrit Ecclesiæ* — no time shall injure the rights of the Church—but *nullum tempus occurrit Ecclesiæ* — no length of prescription shall give a right to the Church. Individuals at the end of fifty or sixty years have an indefeasible right to their property; the Church has held its property 300, 500, or 600 years; yet, because it is the Church, you claim the right to take away its property. I trust that such a principle may not be adopted by your Lordships; and as long as it is in my power I shall protest against it, in the conviction that I am speaking in the cause of justice and right, and of the maintenance of property. A noble Lord (Earl Russell), when I mentioned this question about monastic property answered, "Oh, yes, that is all very well; but there is a personal representative in the one case and no personal representative in the other." Now, I confess I cannot draw such a distinction. There is no personal representation by inheritance or entail; but in the case of every clergyman who succeeds to a benefice there is a personal representative of the original corporation. The endowments of the Church were not conferred upon the individual clergyman for his own use or benefit. They were conferred upon the clergyman as a corporation sole, as a trustee, bound to hand down to his successor that property which he enjoyed in consideration of the duties he performed; and that individual corporation sole was a member of a large aggregate corporation, which corporation was responsible for the due maintenance and application of the property of the Church. The right hon. Gentleman who has the credit—or discredit—of this Bill objected, I recollect, in the strongest terms to the principle of a salaried or stipendiary clergy. I agree with him, and I think the great merit of the constitution of the Church of England is that its clergy are neither salaried nor stipendiary. They are men in possession of a freehold for life, and they are trustees of that freehold for their successors. They receive that property, and they are bound to maintain it. They are free in all respects from the inconveniences, on the one hand, of the voluntary system, which subjects the clergyman to the caprice of his parishioners; and, on the other, they are perfectly free from being overborne by the influence of the Crown, or the Minister. They enjoy their freehold for life, and their right to it is as complete and entire as that of any of your Lordships to the property you possess. When you speak of there being no personal representative, and, therefore, no interest, you appear to me to act—and the Bill which we are led to expect acts—upon the principle of ignoring the party most deeply interested. You propose to make allowance for the personal rights of individual clergymen during their lives; you propose—which is a much more doubtful question—to make compensation to the patrons of livings for the value of the patronage which is at their disposal; but you propose no compensation and no allowance to those for whose benefit the Church property was designed—namely, the parishioners, who, according to the law of the land, are entitled to spiritual assistance and spiritual superintendence from the clergy, of which right you are preparing to rob them. I must say that this principle of "no personal representative" puts all other corporations in a very serious position. What do you say to great corporate bodies possessed of large landed property? Some of the great London Companies possess large landed estates in Ireland. They have the perpetual right of succession, they appoint their successors; but personally and individually they derive, I believe, no advantage. According to the doctrine which is now brought forward, if there is no personal and individual representative Parliament is free to do what it pleases with the property of these and all other corporations. The other great London Companies—do they fulfil the purposes for which they were originally formed? Most undoubtedly not. They are possessed of very large property—down, then, with the property at once! They do not fulfil their original purpose, they have no personal successors, no lineal inheritors — take away their property and devote it to other uses! That, my Lords, it seems to me is the logical consequence of the principle which is now put forward. But, it is said, "Parliament gave these endowments, and therefore Parliament can take them away." I deny the fact in the first place and the inference in the next. I say, in the first place, Parliament did not give this property; and in the next that if it did give it, it has no right to take it away. Parliament, some years ago, for signal services rendered to the country, conferred upon the ancestors of my noble Friend who now sits near me (the Duke of Marlborough) and of another noble Duke, Blenheim and Strathfieldsaye. They were given by Act of Parliament. But will any human being contend that, while leaving the present possessors to enjoy them for their life, Parliament which granted may resume the gifts, and at its pleasure despoil those two noble Dukes of their inheritance? But I say Parliament did not grant the property which is now held by the Church in Ireland. As I have already said, there is at least one benefice which has gone through all the changes that Ireland has passed through—which has gone to the independent Church of Ireland in the first place, then to the Papal Church which was imposed upon it by the unjustifiable act of England, and lastly, has been transferred to the Established Church of the country. Parliament had certainly nothing to do with that benefice. It is notorious, moreover, that six-sevenths of the glebe lands were conferred from confiscated estates by the legal grants of Protestant Sovereigns; and it would not be difficult to show that the immense preponderance of the property now held by the Church in Ireland has been granted since the Reformation. It has been granted by Protestant Sovereigns, or given or bequeathed by pious and munificent Protestants, and, more especially since 1833, it has been the produce of the taxation of the clergy. Now, do you mean to take away property which never belonged to the Roman Catholic Church, and to take it away upon the ground of injustice to the Roman Catholics? Do you mean to violate all those solemn obligations? Do you mean to run counter to all the principles which led to the great Revolution of 1688? I do not require to be told that the Revolution of 1688 was mainly caused by the unjustifiable violation of the laws of the country by James II.; but upon what ground were those violations committed? They were all of them in obedience to Roman Catholic councillors for the purpose of introducing the Roman Catholic religion into this country, and for the purpose, as far as could be done, of putting down Protestantism. It was the resentment of this country at the attempt to set up the Roman Catholic religion, from which it had suffered so grievously before, that led to great discontent and to the Revolution which introduced William III. to the Throne of England. I have heard it said, "How wisely William III. acted with regard to Scotland; why did he not act in the same manner with regard to Ireland?" I answer that William III. was not an idiot. He was a very shrewd, a very sagacious, and a very far-seeing Sovereign; and I cannot help thinking that in respect of the different phases of Protestantism he acted much more from political than from religious considerations. He found that in Scotland the Presbyterians were the steady opponents of the fallen family, while the Episcopalians were the supporters of that family. Consequently he did not interfere with the religion of the Presbyterians, who were favourable to himself; but had he adopted in Ireland the policy which it is said would have been similar to that which was pursued in Scotland, what would he have done? William the Deliverer came into this country to free it from the chains of the Roman Catholic religion and the Papal See; but if he had done what it is now said he ought to have done, he would have re-introduced the Popish religion as the established religion of Ireland, and thus have overthrown the very principles which he had been brought over to this country to vindicate and uphold. It really is not necessary to answer the question; by its ridiculous absurdity it answers itself. Again, Queen Anne, dealing with an independent country, entered into an arrangement by which the Presbyterian was for ever to be the established religion of Scotland. Many of my noble Friends here who hold property in Scotland are Episcopalians; but I do not believe they object to being obliged to contribute to a Church of which they are not members. But what is the case in Ireland? The Protestant religion is the religion of the minority, no doubt; but it is the religion established in that country by an independent Parliament—Protestant, no doubt, but for the return of Members to which Roman Catholics had a right to vote. That Parliament at the time of the Union between the two countries entered into a stipulation by which the Churches of both should thenceforth be one united Church, and that the Protestant religion should be maintained as the religion of Ireland. Considering that arrangement was declared to be a fundamental condition of the Act of Union, I do not think it is too much to say that to do away with it would be to imperil the Union, and that such a step ought not to be taken by the Imperial Parliament without the strongest motives and without the deepest conviction of its necessity. My Lords, what is it that the Roman Catholics desire in Ireland? I am told it is equality. I want to know in what respect is it they have not equality? I want to know whether with regard to property, to civil rights, to admission to public offices, with regard to everything in social and political positions, they are not on a footing of equality with all Her Majesty's other subjects? Nay more, I ask whether the Roman Catholic Church in Ireland is not more free and independent, more free from all Government control, than she is in any other country of Europe, whether Protestant or Roman Catholic? I only hope that in some cases she does not abuse the liberty she has in Ireland of conducting her own affairs, subject only to the observance of the law of the country. My Lords, there is only one thing the Roman Catholics in Ireland do not possess, and that is the property belonging to their neighbours. That is their only cause of complaint. Mind you, there is as much security for property possessed by the Catholic Church in Ireland as for the property of the Church of England in Ireland, or for the property of any private individual. But, my Lords, it is a most dangerous principle to lay down that equality in possessions is necessary for social and political equality. What right is sacred—what right is secure—if we listen to the person who complains that because he is not equal in possessions to his neighbour—because his property is not as large, not as extensive—therefore he has neither equal social rights nor equal political power? That principle goes to the root of all property. It cannot be maintained; its consequences cannot have entered into the mind of those who use this argument in favour of what they call perfect equality. When you take that position and use that argument in the case of the Irish Church, I want to know how you can escape applying it to the Church of England or any other Church? Mind, I am not saying that the case of the Church in Ireland and that of the Church in England are similar, or that the two Establishments stand on precisely the same footing; but I say that, when you come to the argument of equality founded on the possession of property, the Church of England and the Church of Scotland are involved in the consequences of that argument just as much as the Church of Ireland. My Lords, for the six-and-forty years during which I have had the honour of a seat in Parliament, I have been, as your Lordships know, the steady supporter of all claims of the Roman Catholics to be relieved from any disabilities. I voted cheerfully and readily for granting them the full rights of citizenship, and for their admission to Parliament. I voted for various privileges conferred on them since then; and, for some of my votes in that direction, I have incurred a certain amount of obloquy on the part of some of my Protestant fellow-countrymen. I am disposed to act still in the same spirit. There is no concession I am not prepared to make to Roman Catholics; but to no aggression on the rights of others will I ever give my sanction as long as I have a seat in your Lordships' House. This movement is strictly and entirely aggressive. When in this movement we find united two bodies whose views and principles on all other subjects are opposed, we must regard the combination as extraordinary which has united them for a common object. The Roman Catholics hold to the principle of the inviolability of their own religious endowments. The other body hold that all religious endowments are vicious and ought to be got rid of. Yet the two parties holding those opposite views take a common ground on this occasion as a means of obtaining a temporary majority in a dying House of Commons. Noble Lords say that the circumstances of Ireland are so different from those of England that the principle of disestablishment, even though adopted in Ireland, cannot extend to England. But, my Lords, when the right hon. Gentleman who introduced this measure says, "I am one of those who advocate religious equality all over the world," and when the principle which he lays down is supported by those who object to all religious endowment—it may be sooner or it may be later, but an attempt will be made to apply to this country the principle which is now laid down as the one which ought to be adopted in Ireland. How can the right hon. Gentleman make head against his present supporters? There used to be told a story of the ostrich hiding his head in a bush, and then imagining that he could not be seen by his pursuers, and was free from all danger. I will not insult the sagacity of the bird by comparing it with those who think that they can escape from the consequence of this movement by hiding it from themselves. The future may be obscure to them now, but the consequences will come as inevitably as light follows darkness. Let me first call your Lordships' attention to a passage which represents the views and opinions of the Nonconformist party. Here is a passage from a recent number of the *Nonconformist*—

> "The Irish Church question will not be finally disposed of before the public mind will be prepared to entertain proposals in reference to the Scottish Kirk and the Church of England. As it has been with our Establishments, so probably will it be with the others. Their time is fixed. Mr. Gladstone is but now treading on the verge of a wide region of change. He knows not whither his convictions will ultimately impel him. He may be regarded as raised up and qualified by Divine Providence for great and beneficial purposes."

If the right hon. Gentleman has been "raised up and qualified by Divine Providence" for the extinction of all endowments, he must now be walking on the verge of a precipice of the existence of which he professes to be entirely unaware. I will not trouble your Lordships with many quotations; but,as bearing on the justice and safety of the measure now proposed, perhaps I may be allowed to read one passage from Lord Plunket, than whom no person was a stronger advocate of Roman Catholic claims, and than whom no one entertained a stronger conviction that the granting of those claims was entirely consistent with the maintenance of the Established Church in Ireland. Lord Plunket used this language—

> "An honest Roman Catholic cannot choose whether there shall be a Protestant Establishment or not. That is not the question which an honest man asks himself. What an honest Roman Catholic says, is—'I find the Protestant Church Establishment a part of the State for these 300 years; it has imbedded itself in the Constitution, and is so amalgamated with it that it cannot be overturned without overturning the State itself, and the valuable privileges, rights, and liberties which we enjoy, and which we expect our families and posterity to enjoy, under it. The English Church Establishment is intimately connected and bound up with the Established Church in Ireland; and neither the English Establishment, nor the State authorities in England and Ireland, will ever permit the Church of Ireland to be injured, or the Protestant ascendancy, in the proper sense of the word, to be destroyed.'"—[2 *Hansard*, iv.]

I need not quote opinions to the same effect which were given by many Roman Catholic gentlemen, by Mr. O'Connell himself, by Mr. Blake, a well-known Roman Catholic, and by others at that time. I will not refer to the declarations made by the Bishops in 1826, although these were the conditions upon which the Roman Catholics were admitted to those Parliamentary privileges which I for one fully rejoiced to see them obtain; but I will read a short passage from the expressed opinions of a highly respectable Roman Catholic Judge very lately removed from among us, the late Mr. Justice Shee, who spoke in this manner—

> "The Church by law established is the Church of a community everywhere considerable in respect of property, rank, and intelligence. It is strong in the prescription of three centuries and in the support which it derives from the supposed identity of its interests with those of the Church of England. Nothing short of a convulsion, tearing up both Establishments by the roots, could accomplish its overthrow."

My Lords, I have said—and I but repeat what others have already stated—that this measure was introduced in a manner and at a time leading to the natural conclusion that it was prompted rather by party objects and a desire to gratify personal ambition than by a conviction of any immediate necessity for the change. Allow me to remind your Lordships of the circumstances under which this measure was introduced. In 1866 the late Government felt it to be their duty, upon being defeated on a leading principle of their Reform Bill, to throw up their offices, and to insist upon the acceptance of their resignations. I was called upon at that time to undertake the responsible duty of forming a Ministry. I could not for a moment do those noble Lords and right hon. Gentlemen the injustice of believing that their resignation was merely a sham resignation, intended to be followed by a declaration upon my part that a Conservative Government could not be formed. I do not impute that to them; I believe that their resignation was perfectly sincere, and without any such *arrière pensée* as I have described. But it must not be forgotten that I came into Office with a standing majority against me of 60 or 70; and I should have been a madman if I had accepted Office without a full conviction—though, of course, I did not deem it respectful or decent to make any conditions with my Sovereign—that if I found the majority hostile I should have the right of appealing to the country and ascertaining whether they were willing to support me in carrying on the Public Business, or whether they preferred my predecessors, or the formation of any other Ministry. It so happened, however, that in 1867 we were enabled to carry a most important measure — the

English Reform Bill—but unaccompanied by the Scotch and Irish Bills, the necessary complements of that measure, or the other Bills which it was absolutely necessary to introduce. Moreover, under the conditions of the Reform Bill itself, it was impossible that the new Parliament could be summoned before the end of 1869 or the beginning of 1870. The Government therefore had not the option of appealing to the country—which would, after all, have been an appeal to the old constituencies, and not to the new; and it was taking advantage of that supposed helpless condition of the Government that those in Opposition took the opportunity of introducing suddenly, and without any Notice, a proposition which till that time they had strenuously opposed, and forced it upon the Government and the House to the great inconvenience of Public Business and to the exclusion of important questions which it was most desirable to deal with. The point thus chosen was one upon which the constituencies had no opportunity of expressing their opinion; for in the votes which they had given at the General Election in favour of the Government of Lord Palmerston they had every reason to believe that the Members of that Government were pledged as deeply as men could be to resist any measure of the kind now before the House. It is a long time ago certainly—at the time when Lord Palmerston, according to the language which has been used by some of our opponents, was a "stupid, bigoted, blind, benighted Tory"—it was in 1828, immediately previous to the passing of the Catholic Relief Bill, that the noble Lord in a striking speech declared his sentiments upon this subject. And observe in what manner Lord Palmerston treated this very question of the possible danger to the Protestant Establishment in Ireland from the admission of the Roman Catholics. He says—

> "The changes which the Catholics are supposed to aim at are changes which could only be effected by the concurrence of the whole of the Legislature, and see what various improbabilities, not to say impossibilities, must combine before these fears could be realized. I will suppose that a Government hard pressed to carry some measure of their own, or to resist some measure of their opponents, were to purchase the support of the Catholic band by promising to introduce some change injurious to or subversive of the Protestant religion. In the first place, the consent of the Sovereign on the Throne,"—

whom Lord Palmerston was by no means inclined to treat, as some persons now seem disposed to do, as a cipher,—

> "who by law is a Protestant, must be obtained; but I will suppose, for the sake of argument, that which I hold to be impossible, that an English Cabinet should agree to advise and a Protestant King could be found to sanction. Yet the very foundation of the supposed case is a weak Administration"—

or, I will add, an Opposition desirous of obtaining their seats—

> "tottering in their seats, and certain of support neither in Parliament nor in the country, what would be the effect upon such a Government of such a proposition? Why, to give instantly to their opponents ten times the strength which their profligate bargain had purchased from the Catholics. Every honest and independent Protestant would fly their standard, and their adversaries would raise round their heads a storm of public indignation which would sweep them from their places with ignominy and disgrace. Such apprehensions may fairly be pronounced groundless and chimerical."—[2 *Hansard*, xx. 1242.]

These were the views of Lord Palmerston in 1829, and I doubt whether any of your Lordships can point to a single case in which Lord Palmerston expressed any opinions conflicting with these, or ever gave the slightest countenance to the subversion of the Church Establishment of Ireland. But I particularly wish to call the attention of the noble Earl (Earl Russell) opposite to what I am about to state; because the noble Earl the other day laid it down as a matter of primary importance that it was the bounden duty of every Government, especially before a General Election, to lay before the country a clear view of their policy upon general subjects. The election was in 1865; and very shortly before a Motion had been made by Mr. Dillwyn in these terms—

> "That the present position of the Irish Church Establishment is unsatisfactory and calls for the early attention of Her Majesty's Government."—[3 *Hansard*, clxxviii. 384.]

That was a very moderate way of putting this question. Nevertheless, under the auspices of Lord Palmerston himself, and immediately before the General Election—at a time moreover when the noble Earl (Earl Russell) was holding high Office in Government—and in the presence of Mr. Gladstone himself who spoke in the debate, Sir George Grey, as the organ of the Government, declared the opinions which the Government entertained upon the subject. Your Lordships, I doubt not, will allow me to read a few passages from Sir George Grey's speech, to show how distinctly and clearly—according to the conditions laid down recently by the noble

Earl—the policy was announced which Her Majesty's Government intended to pursue with respect to the Irish Church Establishment—

"I think it right at once to state that Her Majesty's Government deem it their duty not to give their assent to the Resolution proposed. . . . . The real issue is not whether any part of the Establishment can be reformed, but whether it shall continue to have any existence whatever as an Established Church. That being the case" —observe Sir George Grey does not speak merely for himself—"Her Majesty's Government have no hesitation in saying that they are not prepared to undertake the responsibility of proposing to Parliament a Bill calculated to effect that object. They believe that this object cannot be obtained except by means which must inflict great injury upon Ireland and involve the country in the risk of very great dangers. The object can only be effected by exciting the bitterest animosities in that country, by producing a conflict of opinion—and I do not say that matters would stop even there—which must throw back the improvement of Ireland to a great extent, and must retard to an indefinite time the arrival of the period that we are sometimes inclined to hope for, when Irishmen, irrespective of creed and politics, will combine together with unanimity and energy, to promote the moral, social, and material well-being of their country."—[3 *Hansard*, clxxviii. 396, 398.]

But that is not all, for Sir George Grey goes on to say—

"We have the Irish Protestant Church established as an existing institution in Ireland. It is not of recent creation, it rests upon the prescription of centuries, and, to use the expression of a distinguished Roman Catholic layman, it is rooted in our institutions. The firm belief of the Government is that it could not be subverted without revolution, with all the horrors that attend revolution. . . . . As a matter of feeling, no doubt there is a grievance. I am not surprised at discontent existing from the cause I have mentioned, and I should be glad to redress it. But it is impossible to do so without producing evils of far greater magnitude than those which now exist, and without involving the country in dissensions which would be totally destructive of peace and of progress. For these reasons, believing that the object avowed by those who have brought forward the Resolution is one which could not be attained without great mischief, being of opinion that no practical grievance exists, and that in attempting to redress the theoretical grievance a great shock would be given to our laws and institutions, I can have no hesitation on the part of the Government in opposing the Motion."—[3 *Hansard*, clxxviii. 400, 402.]

That was on the 28th of March, 1865, immediately before the General Election, and was the manifestation to the country by the Government of the day of the line of policy which they intended to pursue if elected.

Earl RUSSELL: Will you read what Mr. Gladstone said?

The Earl of DERBY: Oh, certainly I will read it. Would you like me to read the whole of it? Independent Members are particularly fond of calling upon the Government, more especially just previous to a General Election, to pledge themselves. Mr. Dillwyn did so, and Mr. Gladstone answering him interprets his Motion as declaring that—

"Within a very short period—if not in the dying days of this Parliament—the Executive Government of the country ought to grapple with these anomalies and inequalities which subsist in the ecclesiastical state of Ireland, and to propose a measure for the purpose of settling them. Is that so?"—[3 *Hansard*, clxxviii. 432.]

Mr. Gladstone then goes on to argue; he does not deny that the Irish Church is in an unsatisfactory state, but in common with his Colleagues he repudiates the obligation to propose remedial measures. He then asks Mr. Dillwyn to place himself in the position of a Minister, and says—

"But where are the materials with which my hon. Friend would proceed to work? I suppose him to be in the position of the Government, and to have introduced his Bill. What support does he think he would receive? Would the Presbyterians of Scotland readily support a measure which transferred the endowments of Ireland to the Roman Catholic clergy? Does he think the Nonconformists of England would support him? Were he on the Treasury Bench what support does he think such a project would receive with the hon. Member for Sheffield (Mr. Hadfield) at his post? But it may be said there is another mode of proceeding; you may transfer these endowments from religious to secular purposes. I am bound to say that in my belief the mind of the country is against such a project, and I think my hon. Friend would find this a more difficult proposal still."—[*Ibid.*]

I have acceded to the request of the noble Earl who wished for extracts from Mr. Gladstone's speech. Your Lordships have heard what he said when he declined to pledge the Government in the last days of a dying Parliament, and in what way he showed how repugnant to the Nonconformists would be any proposal to hand over the emoluments of the Irish Church to the Roman Catholics; and as for the suggestion that the property should be secularized, Mr. Gladstone, it appears, thought that the most objectionable of all. These points formed the basis of the advice he gave to his hon. Friend, and in them we have Mr. Gladstone's opinions in 1865. I must remind you then that when the General Election took place in that year not only was not the question of the Irish Establishment brought to the test of the hustings; but the constituencies had every reason to believe that, if ever it should be raised, it would meet with the strongest opposition from the Government of Lord Palmerston. Lord Palmerston unfortunately died, and events have brought about the conversion of the right hon. Gentleman; I do not wish to say anything disrespectful of him, for, though his conversion may have been sudden, I have no doubt it was sincere. I have made these quotations, not to show inconsistency, but that the constituencies of the country had no reason to believe such measures as those now advocated would be passed by the Government of that day.

With respect to the manner in which these Resolutions have been brought forward, I agree with my noble Friend (the Earl of Malmesbury) that it would have been more courteous if the House of Commons had communicated to your Lordships the Resolutions they had passed before proceeding with the Bill which they have now sent up to us without any remark or offering any reasons in support of it. The Resolutions, however, are now public property, and when we come to look into them, it is certainly extraordinary that from first to last the word "disendowment" is not mentioned; we read only of "disestablishment." ["Hear!"] Do the noble Duke and the noble Earl opposite who gave that cheer wish to intimate that disendowment is not contemplated? But disendowment is one thing and disestablishment another. There may be disestablishment without disendowment, and disendowment without disestablishment; but I am certain that noble Lords opposite will not resort to such a quibble as that because the word "disendowment" does not appear in the Resolution disestablishment only is meant, while they at the same moment press on the Government a measure which contemplates both disestablishment and disendowment. Regarding disestablishment I confess I cannot see in what way it is contemplated —whether suddenly or gradually—and if gradually, in what condition the Church in Ireland will be left during the process? The real Leader of the Liberal party, however, (Mr. Bright), addressing a meeting the other day in Liverpool, told his hearers that the Church in North Wales was in a considerable minority with reference to the population, and that the people there might consider it a hardship that they were in the same position as the Roman Catholics of Ireland; and his only excuse for not taking immediate action in Wales was that they had better do one thing at a time; but he promised the Nonconforming majority of Wales its turn in the march of liberation; and he explained what he meant by disestablishment. He said—

> "What will happen will be this — The Irish Episcopal Church would call what in America they call a Convention. In reality, the Archbishops, the Bishops, the clergy, and their congregations, if they can bring them together, would meet in Dublin a 1,000, or 500, or any smaller number of thoughtful, earnest men of the Church, to determine on their future organization. When they come together they can determine all questions of creed and all questions of discipline; and they would require, of course, to originate what they call in the Free Church of Scotland a sustentation fund—that is, a fund to which everybody gives who is able and willing to give—a fund out of which Ministers are supported in remote parishes and districts, where the congregations are too poor to maintain them."

Therefore the whole of the affairs of the Irish Church, which are now subject to the laws of the land and liable to be checked and controlled by Parliament and ecclesiastical authority and subject to the laws of the land, would be handed over to the absolute disposal of the Archbishops, Bishops and clergy, and those 1,000 or 500 faithful men — I do not know how they are to keep the unfaithful out—who would have the absolute power of laying down rules for the guidance of the Church without having any power whatever to carry any one of their resolutions into effect. For my part, I much prefer to such Conventions the mild government of Parliament, or even of the Committee of Privy Council.

My Lords, when you talk about disestablishment it leads me to what I frankly admit is a very delicate subject to touch upon. I am forced to turn to the Coronation Oath despite the deprecatory observations of my noble Friend (Earl Granville). I do not require to be told that the Sovereign can do no wrong and is not responsible for the action of Parliament; but, my Lords, the words of this Oath are real or else the Sovereign of this country is the cipher which some persons would represent her to be. She has her opinions and her obligations, and She has the right to press upon any Ministers whom She may call to her service that She should not be called upon to do acts which are in violation of solemn engagements She has undertaken. Her Majesty has been asked—

> "Will you to the utmost of your power maintain the laws of God, the true profession of the Gospel, and the Protestant reformed religion established by law, and will you maintain and preserve inviolably the settlement of the United Church of England and Ireland, and the doctrine, worship, discipline, and government thereof, as by law established within England and Ireland, and the territories thereunto belonging?"

This Her Majesty has solemnly sworn to do; and, my Lords, these words constitute either a solemn and personal obligation on the Sovereign or else they are unmeaning and even blasphemous. You cannot relieve the Sovereign from that obligation. Her Parliament may pass a measure which in that case She has practically no longer the power of objecting to; but that fact does not relieve the Sovereign from the obligation, the right, and the duty of representing to any Ministry which She may call to her counsels the position in which She would be placed if, acting on their advice, She were to take a step in direct violation of her solemn declaration and Oath that She will maintain inviolate the United Church of Ireland and England. That Oath would be violated if Her Majesty were advised to disestablish; it would not be violated by regulating the Church—it would be violated by disuniting the Church the union of which She has sworn to maintain.

What, then, is the real object aimed at by the promoters of this measure? Who are they whom it is sought to gratify; still more, who is to be satisfied by this measure? Now, my Lords, I confess that, notwithstanding the statement of my noble Friend, I do not believe that the Protestant Church is any grievance whatever to the people of Ireland. I do not deny that by disestablishing and disendowing the Protestant Church you will gratify the Roman Catholic hierarchy—you will gratify them—but you will not satisfy them. You may give them greater opportunity for exercising that preponderating authority which enables them to keep the priests and people in a complete state of servitude—I had almost said, of absolute slavery. I believe that many of the Roman Catholic priests feel that the existence of a Protestant Establishment side by side with their own Church is a security for civil liberty, and protects the Roman Catholic laity against aggression on the part of the hierarchy which would be otherwise intolerable. I am quite certain that there is a growing desire among the lower classes of the Roman Catholics to consider not what they are to gain, but what they are to lose by a measure of this kind. They have now among them in every parish an educated gentleman, of moderate income, the whole of which is spent among his immediate neighbours, and the greater part of it in works of kindness and charity. He is the man to whom they go in times of difficulty—he is the man to whom the labourer takes his money for safe keeping, and whom even the Roman Catholic parishioner frequently consults instead of his own priests. They feel, moreover, that they are at the present moment living in amity and friendship with their Protestant fellow-countrymen; they have no cause of complaint against them; they feel that upon the Protestant clergy they depend for a great portion of their livelihood and for many acts of kindness. Bishop Moriarty himself bears testimony to the character of the Irish clergy. I am perfectly willing to confess that in old days—but those days have happily long since gone by—nothing could be more disreputable, nothing more scandalous, nothing less likely to promote reformation of any kind than the character of the great body of the Irish clergy. That was the case from the days of Spenser to those of Dean Swift, and even later; but during the whole of the present century it has been impossible to find a body of men more pious, better educated, and better informed than the Irish clergy; as I have said, Bishop Moriarty, the Roman Catholic Bishop, bears testimony in the most handsome manner to the pureness of their lives and and to their gentlemanly bearing, and particularly to the charity with which they treat persons of all denominations. And, my Lords, let me ask what is the chief evil under which Ireland labours? Is it not non-residence? And yet you now propose to remove a body of gentlemen who are always resident—often the only resident gentleman who is to be found in many of the parishes of Ireland. Do you think that such a proposal will promote peace and contentment among the inhabitants of Ireland? Will they not feel that you are removing from among them their best friends?

My Lords, I think it has been urged that the Established Church in Ireland has signally failed as a Missionary Church; but your Lordships should remember that the situation of a minister of the Irish Church in a Roman Catholic district is a very hard one. If he confines himself to the diligent superintendence of his own flock, he is told that the great work of the Reformation is making no progress—that he makes no converts, and that the whole of his labour is therefore a failure. If, on the other hand, he acts energetically—if he endeavours to proselytize and spread the doctrines of his Church among his Roman Catholic neighbours—he is denounced as an ecclesiastical firebrand; no term is too opprobrious, no obloquy too great to be bestowed upon him. These are the Scylla and Charybdis between which the Protestant clergyman has to steer. If he confines himself to the duties of his Church he is said to be doing no good. If he is energetic in his conduct the emphatic term of "souper" is bestowed upon him; and, as in the case of the relief administered by the English clergy during the time of the famine, all his communications, actions, and kindnesses to Roman Catholics will be attributed to a desire to proselytize. I say again that the Roman Catholic population of Ireland will, in my belief, lose rather than gain by the removal of the Protestant clergyman—a removal which will in any case be far from contributing to the peace and tranquillity of Ireland. For what will be the result? In place of the clergy you propose to remove—men of whom you complain if they confine themselves to their own flocks—you will have an irruption of agents from the Missionary Societies. These persons, whose zeal is not always tempered by discretion, will suddenly spring into activity, and at once occupy the vacant ground. From the moment that that happens you may have an increase in the number of nominal Protestants, but it will be accompanied by such a storm of animosity as has not been witnessed for many years past. It will give rise to religious feuds and animosity in places where nothing of the kind prevails at the present moment. That, and not universal peace and contentment, will be the result of carrying this measure into effect. One word, my Lords, with regard to the alleged grievance of the Irish Church. And here I shall again quote from what is considered to be the Roman Catholic organ—namely, the *Tablet*. That journal says—

> "The wound of Ireland is, that whereas the great majority of the population of Ireland are Roman Catholics, a very large proportion of the soil of that country belongs to the Protestants, and the Protestants form the majority of those who enjoy superior wealth and the advantage of a high social position. We are convinced that if the Legislature were to confiscate to-morrow every acre of land now belonging to the Protestant Church Establishment in Ireland, and to deprive the Protestant Bishops of every legal privilege they now enjoy by virtue of their belonging to a State Church, the real Irish grievance would not be abated. That grievance can only be removed by the Catholics getting possession of the land held by the Protestants."

Now let me ask are your Lordships prepared to follow that plan? Will you say, that because the Roman Catholic peasantry imagine that they have a right to recover the land of which they believed themselves to be once possessed, that you will take the step thus indicated, because, as is alleged, there will be no peace till the land question is settled—a declaration in which they are much encouraged by certain of the Roman Catholic clergy? If you are prepared to take that step, you will tend to sever all connection between this country and Ireland, and you must be prepared to witness the ruin and destruction that would infallibly overtake Ireland if left to herself. It would be better in that case to wash your hands at once of the whole concern, and to declare that the Union having failed the parting between the two countries ought to be effected in as amicable a manner as possible. That is the conclusion to which such a plan would, in my opinion, inevitably lead; and it is a conclusion which, however injurious to England, would, I am sure, be utterly fatal and ruinous to the interests of Ireland.

I have troubled your Lordships at greater length than I intended, and I have now only a few words to say with regard to the position in which your Lordships stand in respect of this matter. This measure has been passed in a dying House of Commons by a majority that is certainly considerable. If your Lordships refuse to assent to the second reading, the subject will come without prejudice under the consideration of a new Parliament. Your Lordships are, I know, always disposed to yield as far as you can to the deliberately expressed and well-ascertained opinions of the country. For my own part, I may say that it must be a very decided expression of opinion to alter my judgment on such a question as this, but we should, I think, be simply prejudging the case, and dealing unjustly, not only by ourselves, but unjustly by the people of this country, if, before we know what is the opinion of the country, we were at once to adopt the course proposed to us by the Lower House. Your Lordships are perfectly well able to judge for yourselves what course will be most consistent with your principles, your position, and your dignity as an independent branch of the Legislature; and I do not think that your Lordships will be affected by the declaration that by rejecting this measure you will be seeking a cause of quarrel with the other House. If any party is to be made liable for bringing this House into collision with the other House, I must hold it to be that party which, immediately before a General Election, brings questions like this under the notice of Parliament, and calls upon you to pass a measure to which they know you will not consent, merely on the ground that the House of Commons has passed it, and that it is your duty to defer to their opinion. My Lords, there is a portion of the Press, more especially a journal which claims to itself supremacy amongst the journals of this country—a journal which sometimes acts the part of the candid friend, and sometimes in a tone of concealed menace warns the House of Lords as to the course they are to pursue—not, indeed, that it signifies much what course they take except for their own interests—but they must take care not to adopt a course which shall run counter to the declared feeling of the people of this country. But, my Lords, that feeling has not yet been tested or declared: we do not know that it is the feeling—we do not believe it is the feeling—of the people of this country. But we do believe that we are called upon by the promoters of this Bill to do violence to the principles which we hold most dear; to agree to that which in our belief will be injurious to the Protestant religion—a religion which we are determined to uphold; to agree to that which in our opinion is an invasion of the rights of property, and which must ultimately extend to all other kinds of property; which is based upon principles which, being once applied to Ireland, cannot fail in time to be applied to England also; which will create confusion and discontent for a long period, and which will be sure to create angry feeling among different classes on a subject which of all others is most calculated to give rise to those feelings. For my own part, I am told that the course I am taking in resisting this measure is not a popular one. My Lords, I do not pretend—no one, I suppose, does pretend—to be entirely indifferent to the feelings of my fellow-countrymen; but I have never yet courted popularity for the sake of popularity. As long as I am a Member of this House—which is an independent branch of the Legislature—I shall, without caring whom I offend or whom I please, express the honest conviction of my mind; and your Lordships, in dealing with this question, will, I doubt not, be actuated by the same feelings. Your Lordships will, I am sure, adopt whatever you believe to be right in principle, safe in policy, and wise in performance, undeterred by menace on the one hand, and by persuasions on the other. But if you were not to pursue that independent course, and were simply to register the opinions of the House of Commons, it would be better not to be than to exist under such a slavery. I am satisfied that your Lordships will deal with this question according to your consciences and your judgment; and I believe that in so dealing with it, and in rejecting the hasty measure to which you are invited by the House of Commons to give your assent, you will give fresh cause to a grateful country to thank God that they have a House of Lords, and to thank God that by the firmness of that House of Lords incalculable evils have been warded off from the people of this nation.

The Earl of KIMBERLEY: My Lords, I never felt so much in need of the indulgence of your Lordships as in rising to follow the noble Earl, and attempting to answer some of the arguments he has used with an authority and force to which I know I cannot aspire. My Lords, when the noble Earl rose, I thought we should have had some answer to the speech—which I believe was unanswerable—made by my noble Friend who moved the second reading of the Bill (Earl Granville). That speech was certainly not answered by the noble Earl the Lord Privy Seal, nor was it answered by the noble Earl who has just sat down. My noble Friend who moved the second reading recommended the Bill as a measure of justice to Ireland; but the noble Earl who has just sat down (the Earl of Derby) carefully avoided dealing with that argument. He did not even refer to the word "justice"—he referred mainly to the Reformation instead. The main argument of the noble Earl was that this Bill was an interference with property. But there is a great difference in the nature of property; and the argument of the noble Earl condemns not only the course now proposed to be taken, but that which has been taken over and over again in this country. The noble Earl referred to the fact that the family of my noble Friend near me (Earl Russell) possesses many of the former abbey lands. Now we all know that the changes made in the time of Henry VIII. were made with more or less violence; but suppose all the lands then belonging to the great abbeys had remained Church property and had been tied up in mortmain, what would now have been the position of affairs? If anything could have inclined the sober English to revolution, it would have been the perpetuation of such a state of things as was almost recommended by the noble Earl. The noble Earl spoke with great acrimony with reference to the policy of this measure. He said we were going to rob the corporations of their property. Now, I never thought that the property of corporations rested on the same footing as private property. If anything would produce a feeling of insecurity it would be to say that the property of corporations and private property stood on the same footing. I adhere to the distinction which has been drawn between private and corporate property; the former being that to which there are lineal successors, and the latter having no such lineal successors. It is said that the clergy have a vested interest in Church property of the same kind as private property; but if there be no distinction, how did the noble Earl deal with the Irish Church when he took away so many Bishops and made an arrangement with regard to tithes by which 25 per cent of the tithes were deducted from the property of the Church in Ireland? If tithes are private property, it was a robbery of the corporations sole—to use the noble Earl's phrase—so to deal with them. I hardly thought that argument could have been brought forward by the noble Earl. The noble Earl used another argument. He said that the property of the Church of Ireland did not rest on Parliamentary titles. But the noble and learned Lord on the Woolsack used a very different argument last year. My Lords, my view is this—the whole nation are the heirs of property such as that of the Irish Church. You can compensate the present holders of Church property, or you may respect their vested interest; but Parliament has a perfect right to deal with the property of the Church. The noble Earl passed from this subject to an attack upon my noble Friend near me, and especially on the right hon. Gentleman, who was the mover of this Bill in the other House. The noble Earl produced several passages from his speech in order to show his inconsistency, and that of other Members of the late Government. Now, a *tu quoque* argument is not much worth; but I was surprised to hear the noble Earl talk as he did of the extreme impropriety of sudden changes of opinion. I admit that the question now before us is one of the most important ever brought before Parliament; but I think there is another even more important, and that is the political Constitution of the country itself. Now, let me remind the noble Earl of the speeches he made in former times about the necessity of stemming the tide of democracy. That was a very intelligible doctrine, and for some time he adhered to it. But then came the change of the Government. What, then, did he say? He said, I would not have consented to take the head of the Government unless I had had a fair chance of maintaining my position; and in order to do that it was necessary to bring in a Reform Bill. He constructed a Conservative Government—to do what? To bring in a measure in the very teeth of Conservative principles.

THE EARL OF DERBY: Did I bring in a Reform Bill in 1858, or not?

THE EARL OF KIMBERLEY: I need hardly point out that there was some little difference between the Reform Bill of 1858 and that democratic Reform Bill he eventually passed in 1867. I do not for one moment reproach the noble Earl—I have no wish, I have no right to do so; but when he taunts my noble Friend near me with inconsistency, I must say that taunt is not well in his mouth. The noble Earl proceeded to point out that we dealt very differently with the question of the Irish Church in 1865. I admit he was perfectly entitled to that argument; but, my Lords, have no events happened since that time? My noble Friend (Earl Granville) has been rebuked for referring to the Fenian conspiracy as one justification of this measure. But let me remind my noble Friend on the cross-Benches (Earl Grey) that the Habeas Corpus Act was suspended in Ireland in consequence of the Fenian conspiracy in March, 1866; and in the same month my noble Friend brought before the House the whole state of Ireland, distinctly referring to the existence of disaffection as the reason for bringing it forward. My noble Friend who introduced this Bill was therefore perfectly justified in referring so far to the Fenian conspiracy as an argument for considering this Bill.

EARL GREY: My noble Friend who introduced this Bill declared that in 1866 there was no outbreak or acts of violence on the part of the Fenians; and I expressly stated that there was a conspiracy.

EARL GRANVILLE: I must request the noble Earl to confine himself to an explanation of his own speech, and not explain my speech, which he has totally misrepresented.

THE EARL OF KIMBERLEY: The noble Earl draws a distinction between outrages having been committed and outrages not having been committed. But I say the existence of the Fenian conspiracy was as well known then as it is now. And observe, my Lords, how dangerous the argument would be to say that when you know of the existence of disaffection that is not sufficient. Will my noble Friend allow me to ask him at what time those questions ought to be considered? Are we to be told that the people of Ireland are apathetic, and that therefore there is no need of legislation, or that if they are not apathetic they are in a state of conspiracy? Are we to be told that disaffection is not enough, and that we must wait for tumults and rebellion? My Lords, my own view is this—not that we should consider any subject of this kind without regard to consequences, but that when it is manifest that dissatisfaction exists that is a reason why all fair men should consider whether there is not some radical vice in the state of things in Ireland, and if there be, should apply a remedy as soon as possible. Parliament has shown — the present Government have shown quite as much as the former Government—that they can repress disaffection and maintain law in Ireland; but I say that, having done this, Parliament and Government are bound to see whether there are not grievances of which the Irish justly complain, and, if there are, to show an eagerness to consider them—and especially at a time when the civil liberties of the country have been suspended. But to return to the argument of the noble Earl (the Earl of Derby). The noble Earl referred to the policy of William III., and told us that that Monarch could not pursue the same policy in Ireland as he did in Scotland, because the people of England would not allow him. But let me point out to the House what an inconsiderate thing it is to adhere to a policy the greater part of which has been abandoned. The noble Earl joined in measures for the emancipation of the Roman Catholics; but is it logical or wise to preserve one part of a policy and to abandon the rest of it? You think that our ancestors, who perhaps were as wise as ourselves, would not approve our policy. Our ancestors were, I dare say, very good Protestants—I am afraid they would be called "good Protestants" in some parts of the North of Ireland. They thought it their duty to extirpate the Roman Catholics of Ireland; they endeavoured to do so by penal laws and by excluding the Roman Catholics from civil and political rights. No doubt they succeeded to some extent in diminishing the number of Roman Catholics in that country; and if they had been as cruel as the Inquisitors in Spain, or the persecutors of the Albigenses in France, they might have extirpated the Roman Catholics altogether. But what have we done? We have admitted the Roman Catholics to equal political power with ourselves; and is it reasonable, then, to pursue a policy which gives us the advantages neither of the policy of exclusion pursued by our ancestors, nor our own policy of religious freedom? I believe our ancestors would condemn such a policy quite as much as I condemn it. The noble Earl repeated the argument which had been used before—that the interests of the Church of England were bound up with those of the Church of Ireland. But that argument was so well disposed of by my noble Friend (the Earl of Clarendon) that it is scarcely necessary to refer to it. I will ask your Lordships, however, is it a wise thing to make the cause of Protestantism in Ireland identical with that which a large portion of the people of Ireland regard as an injustice? The noble Earl then touched on an argument which he justly said was one of great delicacy, and he referred again to the question of the Coronation Oath of the Sovereign. He said, "Beware lest you recommend a measure which is in direct violation of the Oath of the Sovereign." Now, I ask the House whether this is not a dilemma which the noble Earl should not have raised? What is it but a dangerous dilemma which places the Sovereign in a position in which She may have to submit to a violation of her duty or of her Coronation Oath? That is dangerous ground, which ought not to be lightly entered on. My Lords, the constitutional doctrine is that the Sovereign is left to transact these matters with her responsible Advisers, and Parliament looks for a policy to the responsible Advisers alone. Further than that it is not wise for us to go. If we want a warning, have we not had it in our past history? Cannot the noble Earl remember that one of the most unfortunate circumstances that ever happened in our history was when the scruples of George III. prevented Mr. Pitt and Lord Castlereagh, as they notoriously did, from carrying out the whole of the policy they intended at the time of the Union? That is a precedent the most unhappy that could be quoted—a precedent which, whether by the advice of the noble Earl or any other, I hope no Sovereign of England will ever follow. Before I sit down I wish to refer shortly to the speech of the noble Earl on the cross-Benches (Earl Grey), because he touched on a branch of the subject on which I have expressed opinions not altogether different from his own. And here I may remark that I do not think noble Lords opposite are to be congratulated on the support given them by my noble Friend. Certainly anything more utterly opposed than the views of my noble Friend and those of the noble Earl opposite it is difficult to conceive. My position is not precisely that of my noble Friend, but it is, unhappily for me, nearer to him than that of the noble Earl opposite; and because I approach nearer to him he will no doubt entertain a stronger feeling against me. He it was who first set the question of the Irish Church in motion in the country; and now, when he finds a great party prepared to bring it to a crisis, he calls them a "motley crew;" and the noble Earl, because he finds some difference of opinion among those who upon the whole rather agree, goes at once and joins himself to those from whom he entirely differs. The noble Earl's view is, that the best system of dealing with the Churches in Ireland is by a system of concurrent endowment. Last year, when my noble Friend (Earl Russell) brought this subject under the attention of the House, I ventured to express an opinion that there were considerable advantages which might be derived from the concurrent endowment of the religious denominations in Ireland. I retain that opinion; I think there might be considerable advantages in such a plan, but no such plan can be carried into effect unless with the general concurrence of all parties and of the different religious bodies in this country. The fact of my noble Friend being in favour of such a plan, however important in itself, does not, let me assure him, decide the question. There are a large number of persons who feel deeply on this subject, and I believe the plan is not practicable. I will venture to point out in what manner the proposal has been received, because it gives your Lordships an opportunity of hearing the different views of different classes on this question. Here is the opinion of the Roman Catholic hierarchy in Ireland. They say that—

"Notwithstanding the rightful claim of the Catholic Church in Ireland to have restored to it the property and revenues of which it was unjustly deprived"—

But here let me point out, when the argument from property is relied upon, that the Roman Catholics take a very different view of the subject from what your Lordships do. They look upon much of this property as the rightful property of the Roman Catholic Church, of which they were unjustly deprived at the time of the Reformation. Let me remind my noble Friend (Lord Redesdale), who has dwelt upon this argument, of the Bull *In Cœna Domini* which used to be read at Rome on a very remarkable date, "Maunday Thursday," and which denounces anathema on those who were concerned in depriving the Roman Catholic Church of its property. Now that denunciation exceeds in vehemence anything which is likely to fall from my noble Friend the Chairman of Committees just in proportion as the feeling of Roman Catholics is stronger than that of Protestants, however deeply the latter may feel on the subject. That is the principle of the Roman Catholic Church; but, so far as I understand it, it is not the principle of the Reformed Church. The Roman Catholic hierarchy declared—

"That, notwithstanding the rightful claim of the Catholic Church in Ireland to have restored to it the property and revenue of which it was unjustly deprived, the Irish Catholic Bishops hereby re-affirm the subjoined resolutions of the Bishops assembled in the years 1833, 1841, and 1843; and, adhering to the letter and spirit of those resolutions, distinctly declare that they will not accept endowment from the State out of the property and revenues now held by the Protestant Establishment, nor any State endowment whatever."

That is scant encouragement to those who propose the endowment of the Roman Catholic Church. Again, the Presbyterians have met and have passed the strongest resolutions setting forth their extreme abhorrence of any endowment of the Roman Catholic Church. The last quotation I shall read is equally strong to the same effect from some of the representatives of the Established Church; for a deputation which waited upon the Prime Minister from the Central Protestant Defence Association in Dublin submitted to him the following resolution:—

> "That we strenuously oppose any attempt to endow the Roman Catholic Church or the Roman Catholic priesthood in Ireland, whether out of the so-called revenues of the Established Church or otherwise, and will use our utmost endeavours to defeat any proposition which may be made for the purpose of so endowing the Roman Catholic Church or priesthood, either directly or indirectly."

So the Presbyterians, Roman Catholics, and members of the Established Church, equally repudiate any such endowment. Well, then, we are driven to the alternative which my noble Friend (Earl Grey) mentioned when he said that he should prefer disestablishment to the maintenance of the existing religious inequality in Ireland. That is exactly the position which I take, and to which I think we are driven. I believe that religious inequality is the source of great evils, and may lead to still greater evils. The noble Earl said, "Why should you single out Ireland to be the one country in Europe where the voluntary principle is exclusively to prevail, and where there is to be no connection between Church and State?" I reply, "Why should you single out Ireland to be the one country in Europe in which the flagrant injustice prevails of the Church of the small minority—of one-eighth of the population—being maintained against the wishes of four-fifths of the population; a Church which, instead of being enthroned in the hearts of the nation, is looked upon as a landmark of subjection and disregard of the national sentiment?" That is a position of singularity in which it is most undesirable that the Irish Church should stand. For these reasons, I venture to support the Bill proposed by my noble Friend (Earl Granville); and I cannot do better in conclusion than quote the words of my noble Friend (Earl Grey) who moved its rejection. In 1866, speaking of the principles by which our legislation for Ireland ought to be guided, my noble Friend said—

> "The first is, that we should legislate, as far as possible, according to the wishes of the Irish people; and the second is, that on the important question of the Irish Church, we ought to do full and impartial justice to the Irish people, in the same spirit as, if the circumstances of the two countries were reversed, we should desire the Irish people should do to us."—[3 *Hansard*, clxxxii. 378.]

These, my Lords, are the principles upon which I ask you to act in accepting this Bill. So long ago as the time of Queen Elizabeth, it was said by Spenser in his well-known essay upon Ireland, that no proposals meant for her good could be brought to a good end. I say, act upon principles of justice towards Ireland, dismiss old feelings and prejudices, and you may yet put an end to that fatal spell which has so long estranged from you the hearts of the Irish people.

The Bishop of LONDON: My Lords, I cannot agree with either of the noble Earls, formerly Lords Lieutenant of Ireland, who have spoken this evening, in regretting that the noble Earl on the cross-Benches (Earl Grey) was the person to move the rejection of this Bill. I think it is of the greatest importance that a question such as this should be lifted out of the region of party politics; and, in my opinion the noble Earl has done good service in drawing the attention of the country to the importance of discussing this question quite independently of such party considerations. The noble Earl opposite me (Earl Granville) referred to some words which fell from me on a former occasion, and which I regret that he misunderstood as insinuating improper motives on the part of the originator of this Bill "elsewhere." Far be it from me to impute such motives to one for whose ability and character it is impossible not to entertain the highest admiration. What I did mean to say was that the circumstances under which this great question has been brought before the country have been such as to raise in the minds of many a feeling that it has been made more of a party question than is desirable, seeing it involves so many great and sacred interests. I trust that in discussing this question I shall approach it with an earnest desire to act in a spirit, not only of justice but, of conciliation towards those who are supposed to be oppressed by the existence of the Established Church in Ireland. I think I may say, in the name of my right rev. Brethren, that every concession which it is right to make we are quite ready to make; but we are not convinced that the particular measure which lies before us is likely to benefit either Ireland or the Empire. In the course of this debate we have heard very little about the Bill. Indeed, I doubt whether, short as it is, the Bill has been carefully read, except by a few persons here present. The Bill is a very short one, but it is not so unimportant as the noble Earl who moved its adoption seemed to think. It does not appear to me to be, as has been said, a mere corollary of the Resolutions passed in the other House of Parliament. The noble Earl on the cross-Benches (Earl Grey) pointed out that, whether intentionally or not, it is so devised as to kill the Irish Church by a lingering death. Now, it is generally declared that the Bill is founded upon the precedent of the Act of 1833. I altogether deny that statement. What was done in 1833? At that time Parliament deliberately considered what changes should be made in the Irish Church, and they embodied those changes in an Act specifying certain sees which were not to be filled up, and declaring that the occupants of certain other sees were to perform all the spiritual duties of the lapsed bishoprics. There was no suspension of spiritual functions in the Irish Church. Everything was regularly provided for. But what is proposed here is that after August, 1868—and probably for an indefinite period—there shall be no appointment whatever in the Irish Church; and I maintain that no provision is made for carrying on the spiritual concerns of any diocese which may fall vacant in the meantime. No doubt I shall be told of the clause which in case of vacancies embodies certain provisions in the Act of 1833. But who is the person to act in case of a vacancy? Not a Bishop at all. He is the dean, the vicar general or the archdeacon; and by the Act of 1833 he is not called upon to carry on the spiritual work of the diocese but to refer certain things to the Ecclesiastical Commissioners, and do certain things which are in no way a carrying on of spiritual work in the diocese. What I maintain is, that, whereas the Act of 1833 provided for the complete performance of spiritual duties in the diocese, the measure now before your Lordships is so constructed, whether *per incuriam* or from *malice prepense*, that it entirely stops, and that for an indefinite time, the action of the Church in whatever diocese may fall vacant. Now, let us suppose that within the period specified in this Bill the diocese of Dublin becomes vacant. I hope that my most rev. Brother may preside over that diocese when this Bill is forgotten; but if a vacancy should occur there who is to administer the spiritual affairs of that great Protestant community? Everything will be thrown into confusion; and on that ground alone I should oppose the Bill in its present form. But this Bill is totally different from any other Suspensory Bill I ever heard of. What is a Suspensory Bill? We are told that one is to be laid before us with reference to Jamaica; and it will, no doubt, as in other Suspensory Bills, say that any person appointed to any office after a certain time will take that office subject to any pecuniary changes which may be hereafter made by Parliament. So in the case of a Suspensory Bill proposed with regard to certain offices connected with education; but there is no example, so far as I know, for saying in a matter which concerns a great and important body like the Irish Church that, whereas five-sixths of the livings, benefices and dignities in Ireland are in public patronage, no future appointments are to be made to these offices. The Bill is really one which in this single clause provides for the abolition of the Irish Church, and whether you mean disestablishment or disendowment is, therefore, a matter of little importance. Let me now refer to another suspension, which has not been mentioned in the course of the debate—namely, that proposed in the Bill in the case of the College of Maynooth. The Bill deals in a more kindly spirit with the interests of Maynooth than with those of the Established Church. Instead of saying that no man is to be appointed to any office at Maynooth, the Bill says—as ought to be said in regard to the Established Church—that the persons who might be appointed should hold office subject to any pecuniary arrangement which might hereafter be made by Parliament. And not only is that so with respect to the Roman Catholics but also with respect to the lawyers. There are certain ecclesiastical lawyers who must always be thought of in these cases. They likewise are under a suspensory provision; but the way in which they are treated is that their pecuniary interests are to be subject to the revision of Parliament, but the offices are still to be continued and persons appointed to them. This shows us that there must be some mistake somewhere as to the mode in which this Bill has been drawn up, and it confirms the impression which the noble Earl on the cross-Benches expressed, that it is a hurried piece of legislation of which few can tell the result if it should be carried. But now with regard to the general principle on which alone this Bill, even if altered and its defects removed, can be justified—namely, that it is desirable to disestablish the Irish Church—there is a great difficulty in knowing what is meant by disestablishment. But, besides that, it surely is not a thing to be adopted without having some plan before us. How in the world is a body like this House to give its assent to a mere name, without understanding what is intended by it? What the noble Earl on the cross-Benches called on your Lordships to require was that the scheme should be produced; and when produced I am sure there is no Member of the right rev. Bench who will not be glad to give it his full consideration in the hope that some satisfactory solution of the very difficult questions connected with the Irish Church may be arrived at. But, my Lords, to disestablish and disendow the Irish Church does not, I confess, appear to me, so far as I can form any notion of the process, a measure which is likely to do good to Ireland. The noble Earl referred to the case of Canada, and mentioned in glowing terms the great success that had attended the Canadian Church after it had undergone that process; but I do not know that the Canadian Church has ever been disestablished. According to my understanding of that case it was this—that whereas the clergy in Canada were in possession of certain lands, by a Bill brought into Parliament those lands were commuted for a money payment of some eighteen years' purchase; and it was generally understood that a very good bargain had been made by the Canadian clergy, who were quite willing to accept the arrangement, and who found themselves in pretty nearly as comfortable a position as they occupied before the change. There was a transmutation of their lands for a large sum of money vested in the Church Society, which paid them good interest for it. Thus far as regards the disendowment of the Canadian Church. Then as to its disestablishment. I know that the present Bishop of Montreal was appointed by the Crown; and I believe until very recently every Bishop was appointed by the Crown. I know that a recent Act of the Canadian Legislature enables the Church to carry on its affairs; but I do not know that there is not still an appeal from its Courts to the Privy Council at home. I do not believe anyone can say for certain that that power of appeal is destroyed in the Canadian Church. Therefore, this disendowment and disestablishment of the Canadian Church is certainly very unlike the position which many of those who have been most anxious to press forward this question—I do not say their Leader—have contemplated as the future position of the Irish Church. As to the Church in Australia, its Bishops are still appointed by the Crown. Are we to understand that after the Irish Church is disestablished and disendowed the Crown is still to go on appointing its Bishops? If so, I do not think the Roman Catholics will find themselves to be in a very different position from that which they now occupy. In fact, there is such a confusion of thought as to the proposition that it is impossible for anyone to tell what it means; and your Lordships are almost asked to assent to a scheme without having it explained to you what it intends. And, my Lords, I must doubt whether the Irish people are really anxious for this measure, whatever it may be. Where is the proof that they are anxious for it? The Irish people are to be considered in two aspects. I suppose there is no doubt there is a large body of agitators in every country, and that in Ireland there are more of them than exist elsewhere. Those agitators in Ireland are to be divided into two classes—some of them are political, some ecclesiastical agitators; but the body of industrious, honest, and moderate men who are the mainstay of every country, whether they be Catholics or Protestants—where is the proof that they are in favour of this measure? I know that a document has been published declaiming against the Protestant Establishment; and I know that when a manifesto like this is put forward it becomes a question of honour, and it is difficult for persons to desert their co-religionists by refusing to put their names to the document; still, I believe that the great body of the moderate Roman Catholics of Ireland are not in favour of this proposal. I believe most fully, with the noble Earl, that there are no persons who benefit more by the existence of the Established Church in Ireland than the moderate Roman Catholic body. Your

Lordships are aware that a great change has occurred lately, not only in Ireland but in the whole of Europe, with regard to the position and the sentiments of the Roman Catholic body; that in every country perhaps of Europe there is a growing progress of the Ultramontane party—that so influential are they even in this country that they were able, not long since, to silence the *Home and Foreign Review*, a work conducted by some of the ablest and most liberal Roman Catholics in the country. And where the Roman Catholics are left entirely under the dominion of the Ultramontane party, there they cease to retain their liberties. The existence of a power like the Established Church in Ireland is by no means unfavourable to their liberty. But, my Lords, I do not know why the feelings of the Protestants of Ireland are to be left out of view in considering whether this measure is desirable or not. Your Lordships may have seen a book written by one of the Masters in Chancery in Ireland, and read the testimony he bears to the way in which the Protestants of that country form the marrow, the sinews, and, indeed, the life of its industry. Is it then to be thought that if this measure is looked upon by them as a slight and an injury we are to pay no heed to their feelings? I believe that what Ireland wants is peace and quietness, and the carrying forward of that admirable policy which has been going on ever since the late Earl Grey was Prime Minister of this country—the policy of gradually bringing up together those who have hitherto been estranged in a combined system of education, which the persons you desire to gratify are determined to destroy—a combined system of education both for the poorer and the upper classes. Who are the opponents of the national system of education in Ireland but this Ultramontane party, who alone seem to be satisfied with this measure? Who are the great enemies of the Queen's Colleges, and of the combined system of education in them, but that very party? So that those measures which seem to me the best remedial measures for Ireland will be inevitably stopped by the triumph of that party. As to the future of Ireland, my hope for it is that Parliament, calmly considering all the difficulties of the case, hearing the Report of the Commissioners, which is likely to be laid before us in the course of the next month, should make such changes as are dictated by a desire for conciliation and for justice—the Established Church in Ireland still continuing, perhaps on a very modified scale, to do its work in the same way as now, but with greater facilities from there being no sinecures left in the whole Church—doing its work, I say, much in the same spirit as now; for I was glad to hear the testimony of the noble Earl (the Earl of Clarendon) who has left the House, and the high opinion he had formed during his Viceroyalty of the manner in which the clergy of Ireland did their work. He fell, indeed, into the common error that the Church was inefficient because it does not make converts, and he talked of sending over civil engineers or commissioners as more fitted for the wants of Ireland than a clergyman. I regret that he used such words. If the Irish parish clergyman is a man of Christian character, known to the whole of his neighbours as a good man, a charitable man, looking on his Catholic and Protestant parishioners in the same kindly spirit, my Lords, I believe that is the sort of person who does more in the way of conciliation by his bounty out of the smallness of his store, than all the civil engineers or other agents who could be sent out from England to ameliorate the condition of the people. I trust for the sake of the poor in the desolate parts of Ireland that these, their best friends, will not be removed from among them. Remove if you please those who have almost no parishioners, or join their parishes to others; make whatever change you like in the dioceses—but do not say you will disestablish, disendow, and destroy their Church. I believe if such changes were made in a wise and conciliatory spirit, we should have every hope of seeing Ireland pursue that course of prosperity which, with whatever accidental interruptions, has now been proceeding for some thirty years. If, on the other hand, you rashly destroy an ancient institution without any reason assigned, except that you wish to establish religious equality, which is perfectly impossible in dealing with the Roman Catholic Church, you are likely to produce far more harm than good. As to religious equality, there can be no equality between a disendowed Protestant body and a powerful Roman Catholic body with a foreign Prince at its head, who has the power of conferring titles of honour, and placing the chief dignitaries of his Church in a position which no clergyman of a disendowed Protestant Church can possibly assume. It is vain therefore to say that you are simply going to remove the Established Church and bring about religious equality. What you are going to do if you do not take care is this—to hand over Ireland altogether to the Roman Catholic Church, leaving the Protestant Church to do its work as best it can, principally supported by contributions from societies in England. In the course of a short time in three-fourths of Ireland the Protestant religion, I do not say will disappear for it will not do that, but it will be maintained by great effort; whereas you will have the rival and dominant Church in the most exaggerated form of its doctrines, most difficult for you to manage, always working on to the further questions of the land and of the repeal of the Union.

On the Motion of Lord LYTTELTON,

Further debate adjourned till *To-morrow.*

House adjourned at half past Twelve o'clock, A.M., till half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, June 25, 1868.

MINUTES.] — NEW MEMBER SWORN — William Unwin Heygate, esquire, *for* Stamford.

SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES—Class V. VI.

PUBLIC BILLS—*Ordered*—Drainage and Improvement of Lands (Ireland) Supplemental (No. 2)*; Clerks of the Peace, &c., (Ireland) *.

First Reading—Contagious Diseases Act (1866) Amendment* [193]; Clerks of the Peace, &c., (Ireland)* [194]; Drainage and Improvement of Lands (Ireland) Supplemental (No. 2)* [195].

Second Reading—Railway Companies (Ireland) Advances* [177]; New Zealand (Legislative Council)* [185]; University Elections (Voting Papers)* [187]; Consular Marriages* [188].

Committee — Election Petitions and Corrupt Practices at Elections (*re-comm.*) [63] — R.P.; Courts of Law Fees, &c., (Scotland)* [158]; Renewable Leasehold Conversion (Ireland) Act Extension (*re-comm.*)* [182].

Report — Registration* [167-190]; Local Government Supplemental (No. 3)* [121-191]; Curragh of Kildare* [134-192]; Courts of Law Fees, &c., (Scotland)* [158]; Renewable Leasehold Conversion (Ireland) Act Extension (*re-comm.*)* [182].

Considered as amended — Entail Amendment (Scotland)* [140].

Third Reading — Representation of the People (Ireland)* [71]; Petroleum Act Amendment* [171]; Railways (Ireland) Acts Amendment* [123], and *passed.*

BRISTOL ELECTION.—REPORT.

House informed, that the Committee had determined,—

That John William Miles, esquire, is not duly elected a Citizen to serve in this present Parliament for the City of Bristol.

That the last Election for the said City is a void Election.

And the said Determinations were ordered to be entered in the Journals of this House.

House further informed, that the Committee had agreed to the following Resolutions:—

That the said John William Miles was, by his Agents, guilty of bribery at the last Election for the City of Bristol, but such bribery was committed without the knowledge or consent of the said J. W. Miles.

That it was proved to the Committee that treating prevailed to some extent at the said Election; but it was not proved that such treating took place with the knowledge of the said John William Miles.

That the Committee have no reason to believe that Corrupt Practices extensively prevailed at the said Election, regard being had to the number of Registered Electors for the said City of Bristol.

Report to lie upon the Table.

Minutes of Evidence taken before the Committee to be laid before this House.—(*Mr. Howes.*)

METROPOLIS—NEW COURTS OF JUSTICE.—QUESTIONS.

MR. BENTINCK said, he wished to ask the Secretary to the Treasury, Whether the Judges of the Designs for the New Courts of Justice were unanimous in recommending the design of Mr. Street as the best for external elevation; and, if not, whether he will give the names of the Judges who supported the recommendation; whether the votes of Messrs. Shaw and Pownall were taken on the question, and whether they or either of them concurred in the decision come to; whether the Lord Chancellor, as Head of the Courts of Justice Building Committee, has not announced that the object of the competition was to test generally the relative merits of the architects, so that Mr. Street's design was consequently adopted as the best architectural composition; and, whether the Secretary to the Treasury will exhibit Mr. Street's successful design in the Library, in order that the House may test the decision of the Judges?

MR. SCLATER-BOOTH said, he regretted that he was not in a position to answer the first two Questions of the hon. Gentleman, not being aware whether the Judges were unanimous, or whether the votes of Messrs. Shaw and Pownall, the professional Judges employed, were taken or not. All the information in the possession of the Treasury would be laid upon the table in a day or two. He saw no possible advantage in placing Mr. Street's design in the Library. It had been publicly exhibited for many weeks, if not months, in juxtaposition with the other designs for the Courts of Justice.

MR. LAYARD said, he wished to know, Whether the designs had been exhibited to the public at large or to privileged persons?

MR. SCLATER-BOOTH said, he believed that the public had the opportunity of gaining admission to the exhibition of the designs.

MR. BENTINCK: Would the hon. Gentleman take any steps to ascertain whether the Judges were unanimous?

MR. SCLATER-BOOTH said, he could not admit that it was any part of his duty to answer that Question.

MR. M. CHAMBERS said, he wished to ask the First Commissioner of Works, If the intention of the Government to appoint Mr. Street (whose design was approved by the Judges for elevation only) sole Architect of the New Law Courts was communicated to the Royal Commission, and whether the Royal Commission has expressed any opinion on the appointment?

LORD JOHN MANNERS said, that the intention to appoint Mr. Street was communicated to the Royal Commission without delay. The Commissioners had since held no meeting, and they had therefore expressed no opinion on the subject.

GENERAL CARRIERS' ACT.

QUESTION.

MR. CARTER said, he wished to ask the Vice President of the Board of Trade, Whether Her Majesty's Government in withdrawing from the Railways' Regulation Bill the Clauses they had inserted in it for amending, in certain respects, the General Carriers' Act, were satisfied that the provisions of that Act, passed nearly forty years since, are suitable to the requirements of the present day; or whether the Government still remain of opinion that the Carriers' Act requires amendment, and ought to be revised by Parliament?

MR. STEPHEN CAVE said, in reply, that the Board of Trade had given great consideration to the question, and had come to the conclusion that the Carriers Act, passed in 1830, was unsuited to the existing state of things, especially in regard to railways; but, nevertheless, their experience had shown that the points in which the Act required to be amended were so much disputed, that any attempt at legislation without previous inquiry seemed to be quite hopeless. It was very evident that such an inquiry could not take place during the present Session; but he hoped that a Select Committee would be appointed early in the ensuing year for the purpose of reviewing the provisions of the Carriers' Act, with a view to bringing them more into conformity with the requirements of the present day.

UNITED STATES—POSTAL CONVENTION.—QUESTION.

MR. BAXTER said, he wished to ask the Secretary to the Treasury, What is the present position of the negotiations between Her Majesty's Government and that of the United States on the subject of a new Postal Convention; and, whether the Government, in making new Contracts for the Conveyance of the Mails, intend to place all the Companies on the same footing as to terms of payment and conditions of service, carrying out the declaration of Mr. Chancellor of the Exchequer on the 20th of March, "that the present arrangement was faulty, because it was wrong that the Companies carrying Mails to America should be under different terms with the Government?"

MR. SCLATER-BOOTH said, in reply, that the negotiations between Her Majesty's Government and that of the United States had been somewhat delayed by the state of business in Washington at the time the officer from this country arrived there. The matter was, however, still pending; and during the negotiations it would not be desirable that he should make any statement on the subject. In reply to the second Question of the hon. Gentleman, he had to state that it was the intention of the Government in making new contracts for the conveyance of the Mails to place all the companies on the same footing as to terms of payment and conditions of service.

COOLIE EMIGRATION.—QUESTION.

MR. W. E. FORSTER said, he would beg to ask the Secretary of State for Foreign Affairs, Whether Her Majesty's Government is taking any steps, in conjunction with France and other civilized Powers, to induce the Portuguese Government to stop the Slave Trade carried on between Macao and Cuba and Peru, under the name of Coolie Emigration?

Lord STANLEY: Sir, the abuses attending on the practice of Coolie emigration from Macao are grave and notorious. We have from time to time brought the matter under the notice of the Portuguese Government, and we have invited Portugal to co-operate with France, England, and other Powers in endeavouring to come to some satisfactory arrangement with the Chinese Government on the question of Coolie emigration generally. To that communication we have as yet received no answer from the Portuguese Government. With reference to the parallel drawn by the hon. Member between the Coolie emigration and the slave trade, I may remind him that in the case of the slave trade, wherever it is carried on, we have the right to interfere by treaty either with Portugal or with any other Power that may be concerned. In the case of the Coolie emigration, we have no right of interference whatever, except that right which every Government has to give such friendly advice to any other Government as it thinks fit. But beyond that we have no power.

ARMY—SUPERANNUATION ALLOWANCES.—QUESTION.

Colonel NORTH said, he wished to ask the Secretary to the Treasury, Whether his attention has been called to the hardship inflicted upon Officers of the Army, Ordnance, Navy, and Marines in respect of Civil Services performed by them, by Clause 16, c. 24, 4 & 5 *Will.* IV., which regulates the superannuation allowances granted to those Officers; and, if so, will he give the subject his best consideration?

Mr. SCLATER-BOOTH, in reply, said, his attention had been very recently called to the operation of the clause in question, and it was the opinion of many persons well-qualified to judge that that operation involved some hardship upon meritorious officers. The clause had been continually interpreted in one sense only, and that interpretation could not be altered except by an Act of Parliament. It would be a very serious question to re-open the whole question of superannuation allowances; and he was not prepared at present to bring in a Bill to effect the object of his hon. and gallant Friend; but, having heard of the dissatisfaction which had arisen under this clause, he would undertake to watch its operation closely, and to give the subject his best consideration.

MONEY ORDERS AND STAMPED RECEIPTS.—QUESTION.

Mr. CARNEGIE said, in the absence of his hon. Friend (Mr. Miller), he wished to ask the Secretary to the Treasury, By what authority the Board of Inland Revenue permits the Postmaster General to accept receipts for sums contained in Money Orders of £2 and upwards without payment by the recipient of the Stamp Duty of One Penny, in contravention of the Act 16 & 17 *Vict.*, c. 59; and, whether the same privilege would be accorded to a Company conducting money order business, and charging the public a lower rate for commission than is charged by the Post Office?

Mr. SCLATER-BOOTH, in reply, said, the authority under which the Postmaster General was relieved from the obligation in question was a letter from the Treasury of the 20th of October, 1853. The whole subject was fully considered then, and it was decided there was no ground whatever for requiring the use of stamped receipts. A company conducting a money order business would not be at all in the same position as the Postmaster General; and it must be remembered that a minimum commission of 3*d.* was paid upon a Post Office money order, and this paid the Stamp Duty and left yet a large margin for commission.

ARMY—CASE OF CAPTAIN BROOKE. QUESTION.

Captain ARCHDALL said, that no one deprecated more than he did the putting of Questions in that House on questions that had come before the Horse Guards; but he must beg to ask the Secretary of State for War, If he can state to the House, whether, in the opinion of his Royal Highness the Commander-in-Chief, any reflection rests upon Captain Brooke's honour, as an officer and gentleman, in consequence of the dispute which has taken place between him and Captain Peel (late of 11th Hussars), and his subsequent arrest and reprimand? He wished further to ask, Whether the right hon. Gentleman can state for what Captain Brooke was reprimanded?

Sir JOHN PAKINGTON: I think, Sir, the House, and I think my hon. and gallant Friend behind me, will feel that this Question is put in an unusual form. I cannot refrain from saying I observe with some regret the great frequency with which military questions of this kind are made the subject of Questions and Motions in this House; because I cannot help fearing that the tendency of that great frequency is to impair and endanger military discipline. The dispute which arose between Captain Brooke and Captain Peel had relation entirely to a question of a private nature. The consequence of that dispute was, that Captain Brooke was led to use language of such great impropriety that when the subject was brought before the Commander-in-Chief his Royal Highness thought it necessary to make it the subject of a reprimand. I may add that, with a knowledge of the circumstances, I do not think that his Royal Highness could have taken a milder course than he did take, and further than that I do not think I am called upon to go.

CUSTOMS—EXAMINING OFFICERS. QUESTION.

Mr. BUTLER said, he wished to ask the Secretary to the Treasury, Whether the Petition presented to the Lords of the Treasury by the Acting Examining Officers in Her Majesty's Customs, praying to be heard before the Committee of Inquiry, will be granted?

Mr. SCLATER-BOOTH, in reply, said, he was unable to answer the Question of the hon. Member precisely, and could only say generally that the petition had been received and considered, and would again come under consideration in due course. He could not say that as yet any decision had been come to respecting it, nor could he say that the Commission would be able to examine the officers personally; but the subject at all events was under consideration.

THE NATIONAL ASSEMBLY OF SERVIA. QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the Secretary of State for Foreign Affairs, Whether there is a cordial understanding between the Protecting Powers and the Porte that the National Assembly of Servia should be left at perfect liberty, on the occasion of the present catastrophe, to take such measures for providing for the succession to the Government as may appear to be in accordance with the wishes of the people?

Lord STANLEY: Sir, I think the best Answer I can give the hon. Member is, that it is not the intention of Her Majesty's Government to attempt to influence in any way the Servian Government or the Servian people in the choice of a Prince, so long, of course, as they observe those international obligations into which they have entered; and there is every reason to believe that they intend to do so. I have every reason to suppose, so far as I can judge from anything that has yet reached me, that a similar decision will be come to and a similar course pursued by the other great Powers.

RULE OF ROAD AT SEA.—QUESTION.

Mr. HOLLAND said, he wished to ask the Vice President of the Board of Trade, When the Papers having reference to the "Rule of Road at Sea," and laid upon the Table in December last (but the issue of which has been delayed in consequence of some important Correspondence with the French Government on the subject), will be placed in the hands of Members?

Mr. STEPHEN CAVE: Sir, the reply of the French Government has been recently received, expressing entire concurrence in the memoranda and diagrams proposed by the Board of Trade in reference to the "Rule of the Road at Sea." The Papers are now in the printer's hands, and I hope may be ready for distribution by the end of next week.

VALUATION (IRELAND).—QUESTION.

The O'DONOGHUE said, he would beg to ask Mr. Chancellor of the Exchequer, If the Government, having regard to their declaration that it is their intention to introduce a Bill for the general valuation of Ireland next year, have instructed the Revenue Department not to enforce an arbitrary rule for fixing the charge for licences in Ireland, based on an admittedly unequal valuation?

The CHANCELLOR of the EXCHEQUER said, in reply, that he was not aware of any formal undertaking of the Government to introduce a Bill next year. He had stated that he thought it desirable one should be introduced in due course, but he was not aware that he gave any distinct promise. No instructions had been sent to the Revenue Department in accordance with the suggestion of the hon. Gentleman, nor were any instructions of that nature required; because, as he had formerly stated in answer to a Question, persons who complained had a remedy in their own hands. They were able to go to the Office and demand a re-valuation; and if they did so and proved that they had paid too high a duty the excess would be returned to them.

SCOTLAND—JUDICIAL SYSTEM.

QUESTION.

Mr. BAXTER said, he wished to ask the Lord Advocate, If the Royal Commission about to be issued regarding the Judicial System of Scotland is to be a full and searching inquiry into the constitution, relative position, practice, and procedure of all the Civil Courts Superior and Inferior; and, if, in his opinion, the passing of the Court of Session Bill now before the House will tend to delay legislative action on the Report of that Commission?

The LORD ADVOCATE, in reply, said, that a Royal Commission was to be issued for the purpose of instituting an inquiry into the entire judicial system of Scotland; and he could also state that the passing of the Court of Session Bill would not tend to delay the Report of the Commission.

METROPOLIS—PARK LANE.

QUESTIONS.

Mr. GODDARD said, he wished to ask the First Commissioner of Works, Whether there is any probability of the long-pending arrangements with reference to improving the approaches to Park Lane from Piccadilly being shortly carried out, and which the large and increasing traffic through that narrow thoroughfare, as well as the improvements already effected in the upper portions of it, renders so very desirable on behalf of the public interests?

Lord JOHN MANNERS said, he must refer the hon. Member to what happened two years ago, when the Metropolitan Board of Works promoted a Bill, for opening Hamilton Place, which was referred to a Committee, by whom it was rejected, and a year ago when another Bill on the subject and two other Metropolitan Improvement Bills were referred to a Select Committee, presided over by the hon. Member for the Tower Hamlets, which recommended that a new improvement rate should be coupled with the continuance of the Coal duties. The late Government were considering the proposal when the change of government occurred; the Session was then so far advanced that the present Government could not take the opinion of Parliament upon the financial part of the question, and they were, therefore, obliged to drop the Bill. This year a Select Committee, to which the Bill for widening Park Lane was referred, rejected it, and recommended that Hamilton Place should be opened, and that the houses on its east side should be pulled down, in order to enable a roadway of sufficient width to be made. What course the Metropolitan Board of Works would be prepared to take in consequence of that recommendation of the Select Committee he could not say; but it would, he thought, be their duty to take the matter into their consideration.

Sir WILLIAM GALLWEY said, he wished to ask the First Commissioner of Works, although he had not given Notice of the Question, Whether, in any alterations that may be made, they will be so contrived as to avoid taking down half of Hamilton Place? He would suggest that an improvement might be made by removing a house and stables in Piccadilly, and running a new Street in a straight line from Piccadilly into Park Lane at Stanhope Gate.

Lord JOHN MANNERS said, the hon. Baronet has not given me Notice of his Question; but, so far at least as regards a part of it, I should imagine that it ought to be directed to one of the representatives of the Metropolitan Board of Works.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE PEEL STATUE.—RESOLUTION.

Lord ELCHO said, he rose to make a Motion which had stood in his name for a long time. When Parliament met last February, the first thing that greeted hon. Members on their way to the House was a strange apparition in a dirty sheet, standing close to the railings by the carriage entrance in New Palace Yard. That apparition they ascertained upon inquiry to be the Peel Statue, and he ventured to give Notice—for a great many persons thought the site which had been selected for the statue a very bad one—that he would bring the matter before the House. The statue seemed to have been frightened by that Notice, for it one night suddenly disappeared, and remained away for some time. After the lapse of a fortnight, however, it came back again covered as before in a sheet, which was subsequently removed, and it now stood open to the public view, he could not say an object of beauty. The whole subject of the erection of statues throughout the country was one which, in his opinion, was well worthy of consideration. How were statues generally got up? Some distinguished Member of Parliament died, or retired from public life, and his friends and admirers deemed him to be sufficiently distinguished to have a statue of him erected. They formed a committee, collected subscriptions, and selected an artist to carry out that object, and, of course, the size of the statue depended very much on the amount of the subscriptions. The statue completed, they endeavoured to procure the best site in the metropolis in which to place it; and the whole proceeding was conducted in the absence of all system laid down by the Government or any other authority. Some years ago, for instance, there was in Trafalgar Square a statue of Dr. Jenner, which public opinion declared not to be well-matched with other statues in its vicinity, and it was, in consequence, removed to Kensington Gardens. Again, there were the statues of Sir Charles Napier and Sir Henry Havelock, the former of which, persons competent to judge, very generally disapproved; while in the neighbourhood of the United Service Club the admirers of Lord Clyde erected a statue, which represented that distinguished soldier standing on a sort of capstan with an impossible Victory, and a still more impossible lion by his side, and in its vicinity another statue with which it in no way matched. Again, there was the statue erected to the Duke of Wellington at Hyde Park Corner, than which he knew of nothing more monstrous, and which he had ventured to call the apotheosis of bad art in this country. Since he had seen the Peel Statue, however, he felt disposed to admit that there might be something even worse. But that which he rose chiefly to impress upon the House was the absolute want of system which prevailed in this country in connection with our public statues, which were of such a character, and the sites for which were so ill-chosen as to render them a disgrace rather than an ornament to the metropolis. When Lord Llanover was in Office, a proposition had been made to change the pedestal of the statue of Charles I., which he thought was the best thing of the kind in the metropolis. This want of system with regard to statues extended to other matters. Was there any control, for instance, over the construction of railways passing through the metropolis, and as to the nature of the viaducts crossing the streets and river? Cardinal Wiseman gave an interesting lecture some time before his death on this subject, and he drew an analogy between the way in which ancient Rome dealt with aqueducts, and the manner in which railways were allowed to be made in modern London. Cardinal Wiseman observed that if the acqueducts went near any ancient building, the Romans endeavoured to incorporate that building harmoniously with the new work. The little temple of Vesta was preserved, though threatened by three viaducts—while railways cut ruthlessly through any building, however beautiful. When the Commission in reference to the Royal Academy was moved, he ventured to suggest that in a reformed Royal Academy, by the addition of the element of lay honorary members, a sort of council of advice in these matters for the First Commissioner of Works might be obtained. The idea found favour with the Commission; but the Royal Academy had not been reformed in that sense, though the Professor of Architecture suggested that a Committee on public statues and works should be established. In order to avoid the great mistakes which were made, it was desirable to have some control not in opposition to, but as an aid to, the First Commissioner of Works, somewhat analogous, in fact, to that which the Council of India exercised over his right hon. Friend the Secretary of State for India. The Americans were said to build ships by the mile, and to cut them off as they were wanted, and it appeared to him that Peel's statue was made on the same principle. He was told that a regular system of manufacturing public statues had grown up in this country. When a man died, and his admirers desired to erect a statue to him, a sculptor got notes of his dress, and then clothed a lay figure in habiliments similar to those worn by the deceased, the lay figure being stuffed or not to suit the appearance of the person to be represented. A cast of the whole was then taken, and a head was then modelled and put on the old clothes. No one could maintain that Peel's statue was an ornament to the metropolis; and who it was that placed it in its present position, or what was now to be done with it, he could not pretend to say. It had been suggested that it should be buried, and another suggestion was that it should be put under the "Buxton extinguisher," which was close by. He was a subscriber to the statue, though he had never been consulted about it; and he would venture to suggest that it should be put into the smelting pot, and that another and different statue should be cast, and then they might hope to have a better statue of Sir Robert Peel. The question of a statue to Cromwell had been raised, but it would be a mercy for Cromwell to be without one if it were to be of the kind in question. As regarded the statues in Westminster Hall, he thought it would be much better without them. He had thought of asking for a Return of the statues outside the building in which they were assembled, for they were so numerous that it was almost impossible to identify them. He hoped the House would remove from the precincts of Parliament this disgraceful statue of that great man, Sir Robert Peel, and he concluded by moving "That, in the opinion of this House, the Peel Statue ought to be removed from its present site in New Palace Yard."

MR. BERESFORD HOPE seconded the Motion of his noble Friend with great pleasure, and for three reasons. The first was because it led up the general question of a more efficient Ministry of Arts. The second was his regard for the memory of the amiable and accomplished artist, so lately dead, who had unfortunately produced this statue. The third reason was his veneration for the great name of Peel, which was exposed to perpetual ridicule in connection with that unhappy effigy. He did not believe that it was possible to find greater general lack of art, or more overpowering mediocrity and heaviness than in that figure, stuck up in the corner of Palace Yard, as if it were an Inspector of Police taking the numbers of the cabs and seeing that the Members were not run over. He agreed with his noble Friend that it might be a desirable experiment to strengthen the hands of the Architectural Department by a Consultative Council; but at the same time he must, by way of caution, observe that due care would have to be taken for the infusion of new blood, and the gradual change of its *personnel*, otherwise it would become a focus of jobbery and prejudice, while it would only conduce to the stereotyping for long epochs of some passing phase of art, if the Councillors who had been named at the mature ages of forty or fifty years were to hang on as effete septuagenarians. But there was a further reform equally needed, which he had already advocated, and which he would continue to urge until he had won for it the attention which it deserved. The Science and Art Department must be separated from the Department of Elementary Education with which it is now so ill-mated, and must be combined with the cognate Commissionership of Works, and then the new office of Works, Science, and Art should be raised to the position of a first-class Ministry, whose tenant should be capable of sitting in the House of Lords. The last consideration was very important; for the other House is a body which has leisure to attend to such questions, and yet perpetually finds itself pulled up from never having within itself any Official charged with this responsibility. There would then be an Under Secretary, who would probably belong to the House of which the Minister himself was not a Member; so that both Lords and Commons would possess a Member of the Government charged with the official care of questions which were every day increasing in importance. In this case the Metropolitan Board might also be relieved of somewhat of its overgrown power, and the Imperial Government resume, as it ought to do, its general supervision of the improvement of the Imperial capital. In conclusion, he was surprised that his noble Friend had not pointed his case with a reference to Leicester Square, out of which the Court of Exchequer had a few days before ousted the Metropolitan Board, by a decision which affirmed that the garden, with its wooden-legged statue and all the accumulated abominations was private property.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the Peel Statue ought to be removed from its present site in New Palace Yard,"—(*Lord Elcho,*)

—instead thereof.

MR. CARDWELL said, he was not one of those who pretended to any particular understanding of matters of art, and therefore his few words would be directed to the facts of the case and to the arguments of his noble Friend (Lord Elcho). The way in which the statue originated was this—when Sir Robert Peel died his friends naturally met and subscribed to pay him that tribute of respect which no man ever better deserved, and a Committee was appointed to carry into effect the wishes of the subscribers. Of that Committee his right hon. Friend the present Chancellor of the Duchy of Lancaster (Colonel Wilson Patten) was now the only survivor. The other members were the Earl of Aberdeen, Lord Hardinge, Lord Canning, Sir James Graham, Mr. Sidney Herbert, and Lord Ashburton. He (Mr. Cardwell) had the honour to be the honorary secretary. The Committee unanimously selected Baron Marochetti as the sculptor; his model was publicly exhibited at the Crystal Palace, and he made a statue in conformity with it; but when it was completed it was the opinion of Sir Charles Barry that it was too large to be placed in the immediate neighbourhood of the Houses of Parliament, which was the only suitable locality. Baron Marochetti most handsomely offered at his own expense, to make a new statue, and accordingly executed the one which was now in Palace Yard; but he did not live to see it placed on the site first selected, though he approved of the site. The Committee asked the late Commissioner of Works to give them a site, and he gave them the one on which the statue was first erected with the sanction of Baron Marochetti. When, however the railings, the pillars and lamps were erected, the Committee were of opinion that the site was not a suitable one. The present Committee, consisting of the Duke of Buccleuch, Lord Stanhope, Lord Hardinge, Mr. Gladstone, and the Chancellor of the Duchy of Lancaster consulted Mr. Barry as to the most suitable site, and he selected the one on which the statue now stood, and the Chief Commissioner very handsomely gave it to the Committee. The argument was that there should be some control in these matters; but would they have more responsibility by having a Minister in that House or by having some Council such as that which had been suggested by his noble Friend? If they were to have such a Council they would have a number of amateurs who would give very good or very bad opinions; and no doubt everybody would object to what everybody else had done, but there would be no responsible authority.

Lord ELCHO explained that he did not wish to alter the responsibility; he only wished that the Head of the Department should have a Council.

Mr. CARDWELL said, he thought that a Minister who chose his own advisers was much more responsible than one who had a Council sitting by him with a sort of *quasi* authority, and whose own authority was only partial, imperfect, and undefined. He thought that the best course was to leave the matter in the hands of the responsible Minister, and not to establish an amateur committee to advise him.

Mr. BAILLIE COCHRANE agreed as to the miserable system on which art matters were managed in the metropolis between the Metropolitan Board of Works on one hand and the Government Office of Works on the other. The statement of the First Commissioner of Works showed that there was no sympathy between the two Departments, and consequently no great work was carried on properly, while, at the same time, the expenditure incurred was enormous. According to the Report on Public Buildings they were about to spend £4,000,000; and surely a system of management ought to be adopted which would be satisfactory to the House of Commons and the country. Let them look for a moment at the ornaments round that House—they were perfectly absurd. Mr. Ruskin had written a book called *The Seven Lamps of Architecture*, but in that neighbourhood they had seventy lamps of architecture, and the whole plan which had been adopted was very different from that of Sir Charles Barry. But he would not make any lengthened remarks on the subject now, as he had given Notice that he should in the course of next week call attention to a Report which had been laid on the table in reference to the Public Departments. He would then take the opportunity of going into the whole question.

Mr. LAYARD said, that he would confine himself to the matter before the House. He quite agreed with what had been said by his noble Friend (Lord Elcho); but when, some time ago, in Committee of Supply, he made a few remarks on the Peel Statue, he was quite ignorant that Baron Marochetti was the sculptor. Having been on terms of intimacy with the Baron, and being acquainted with his good qualities, both social and artistic, it was with very great pain that he felt called upon to protest against the statue. This was a question of even more importance than the memory of the sculptor. The statue was, in his opinion, entirely unworthy of the site it occupied and of the person to whom it had been put up. It was ill-formed and clumsy, and possessed no artistic qualities whatever. He thought that the site first chosen was not a bad one; but then the architect put up railings and lamps and detroyed the effect of the statue, and thus the statue was made to be subordinate to the lamps and the iron railings. As to the new site, everyone would admit that they should not place a statue upon sloping ground, which gave the impression that the whole thing was sliding down. He did not agree that a Council was necessary for matters of this kind. The sculptor should know the site upon which his work was to be placed, so that he might study it with the view of producing a good effect. The statue of Lord Clyde was first placed behind the parade ground; but the position was so absurd that the Chief Commissioner was obliged to remove it to its present site. He begged to suggest the desirability of laying down a rule that, previously to the erection of any statue, a model both of the sculpture and pedestal should be placed on the site which it was intended to occupy, so that the opinions and criticisms of the public might be obtained before a final determination was arrived at. The French were about to build another great triumphal arch, and they had gone to the expense of many thousands of pounds in erecting a complete model of the edifice, and it having been fully criticized, they could now go to work with some knowledge as to what they were going to do. He trusted the statue would be removed.

MR. H. BAILLIE said, he wished to observe that his noble Friend (Lord Elcho) had omitted to state that the Wellington Statue at Hyde Park Corner had been placed there in direct defiance of a vote of the House of Commons. What took place was this: the Statue Committee obtained the consent of the Crown to place the statue upon the arch; but an address was voted to the Crown that it should not be placed there. The Committee, however, waited upon Earl Russell, then First Minister, and said that their object was to place the statue on the arch so that the public might have an opportunity of seeing how it would look, and they pledged themselves to remove it if it did not meet with general approbation. The First Minister assented to the arrangement, and, having got the statue there, the Committee said the House of Commons or the Government might themselves move it if they thought fit. He quite agreed that there should be some responsible authority in reference to the erection of statues in the metropolis.

MR. BROMLEY-DAVENPORT thought the Peel Statue ought to be removed, and that it was a disgrace to the memory of his late Friend Baron Marochetti. In his opinion it would be well if the noble Lord the First Commissioner of Works would also remove all the statues from Westminster Hall, instead of adding to their number. He hoped that whatever experiments might in future be made, Westminster Hall would be held sacred.

LORD JOHN MANNERS said, he thought his hon. Friend who had just sat down forgot that a short time ago the hon. Member for Nottingham (Mr. Osborne) brought forward the question of the statues in Westminster Hall, and the House decided by an overwhelming majority that the statues should remain there. The noble Lord the Member for Haddingtonshire (Lord Elcho) had suggested that in matters relating to public edifices and works of art the First Commissioner of Works should be assisted by a Council similar to the Council of India, which he would remind the House consisted of a number of gentlemen who were well paid, and who were debarred from sitting in that House. Probably, however, his noble Friend would wish that the members of his proposed Council should sit in the House; but the only result of that would be that their deliberations would be adjourned from the office to the House of Commons. Not many years ago the office he now held was associated with the Presidency of the Board of Health, and assisted by that kind of council which some were now anxious to associate with the First Commissioner of Works. The result was that when he succeeded to Office in 1852 he found a complete dead-lock. His predecessor, the Duke of Somerset, had taken measures to exclude every member of the Board of Health from his own office, so that no personal communication could occur between the President and the Board of Health. The House found it necessary to revolutionize that Department, and the Board of Health was now placed upon a more sensible footing. If a Council of the nature now proposed were established the result would probably be very much the same. Then, as to advice on æsthetic subjects given by such a body, the House would recollect what happened on the subject of railway bridges. There was one to be taken across the Thames at Battersea Park, near the Suspension Bridge. Many leaders in the world of art—gentlemen who would, probably, form the council to assist the First Commissioner of Works—took the alarm and remonstrated against this monstrous proposal. They presented a protest, but no attention was paid to their æsthetic remonstrances, and the bridge was built. With respect to the suggestions of the hon. Gentleman the Member for Cambridge University (Mr. Beresford Hope) and the hon. Member for Honiton (Mr. Baillie Cochrane) he would remark that one of the wisest things the Legislature ever did was to release the Metropolitan Board from all ties to the office of Works, and if they now attempted to make the Metropolitan Board, whose revenues were provided by taxation upon the people of the metropolis, subservient to the Commissioner of Works, or any other Government office, there would be no end to the confusion and complaint that would ensue, and no metropolitan improvement would ever be carried out. When it was argued that there ought to be some strong Government authority to overbear the local authority in such cases as the delay in widening Park Lane, he would remind the House that such interposition would be at variance with the first principles of constitutional government, and that if a despotic authority were established it could only be by means of funds taken from the expenditure of the country. Unless the House were prepared to place the cost of metropolitan improvements on the Votes of that House, it would be unfair to overbear the free decisions of the local bodies. With regard to the removal of the Peel Statue the right hon. Gentleman the Member for Oxford (Mr. Cardwell) had stated so clearly and succinctly the facts of the case that he was willing to leave the matter in the hands of the House. The noble Lord had not said what he would do with the statue. [Lord Elcho: Melt it.] The noble Lord was a subscriber to the fund, and he might make this or any other communication to the right hon. Member for Oxford. As to the removal of statues in general, he could not defend, nor was it any business of his to defend, many of the statues in the metropolis; but after the public faith had been pledged to the original subscribers a very strong case ought to be made out before the House could sanction such a violation of public faith and induce people to think in the future that Parliament might turn round and order the removal of a statue without finding any fresh site. He thought that the House would do well to accede to the views of the right hon. Gentleman (Mr. Cardwell) and reject the proposition of the noble Lord.

Mr. OSBORNE said, he was not sure what the precise view of the right hon. Gentleman the Member for the city of Oxford (Mr. Cardwell) was. According to what he (Mr. Osborne) heard him say on the subject he was honorary secretary to a committee that had all expired. The right hon. Gentleman had said nothing for the statue, but that it was the work of Baron Marochetti. A most extraordinary speech had been made in reply to the Motion by the noble Lord the First Commissioner of Works. As he (Mr. Osborne) understood that speech the noble Lord's advice to the House was, not to let well alone, but to let ill alone. The noble Lord was desirous to let the horrible abomination remain where it was. He (Mr. Osborne) adjured the House in the name of the greatest Member of Parliament of our time to remove what might have been executed by a "stonemason" in the New Road, but what no one would ever suppose to have been the work of Baron Marochetti. If they had any respect for the memory of Sir Robert Peel they could not allow that dreadful effigy of the great and good man to stand in the place it now occupied. He was not going to enter into the question of the appointment of a Council of Taste or Art. For himself he abhorred all such councils for what they produced realized the "Groves of Blarney"—

> "With Pluto and Venus, and bold Nicodemus
> All standing naked in the open air."

He would appeal to the hon. Member for Peterborough (Mr. Hankey), who had taken such an interest in and endowed those precious statues in Westminster Hall, and whom he might call the leader of art in that House, to support his noble Friend (Lord Elcho) in bringing about the removal of this statue. He had known Baron Marochetti privately, and he had a high opinion of his abilities; but it was evident that when he executed this statue he was in his decadence as a sculptor. If the

House of Commons was insensible to art—as he believed nine-tenths of the Members were—let them at least be sensible of what was due to the memory of a great statesman. Of this statue he said, in the words used by a right hon. Gentleman on another subject, Pull it down, and let it cumber the ground no longer.

MR. GREGORY asked whether they were to allow such a caricature of the lineaments of Sir Robert Peel to stand for all future generations because it was erected by private subscription, and because the Government could not answer the question as to what was to be done with it? He would say let the noble Lord hand it back to the subscribers. It was not their fault, but their misfortune that it was a bad statue. At the latter part of his life Baron Marochetti's works were inferior to his earlier productions. If the First Commissioner of Works would not give way, he trusted that the House would divide. But he hoped that the Government would not make it a political question and whip up their followers in a matter of this kind. He hoped the noble Lord (Lord John Manners) would defer to the manifest wish of the House and consent to the removal of an eyesore.

MR. J. HARDY said, he held that no statue ought to be erected until a model of the same size had been put up, so that a judgment might be formed as to the effect of it. The Peel Statue was most objectionably placed upon a slope, a position which no statue ought to occupy. He would suggest its removal to a place where it could not be seen.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 71; Noes 182: Majority 111.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Resolved, That, in the opinion of this House, the Peel Statue ought to be removed from its present site in New Palace Yard.

METROPOLIS — ST. MARY SOMERSET, UPPER THAMES STREET.

QUESTION.

MR. BENTINCK said, he rose to ask Her Majesty's Government, Whether they will obtain, by purchase or otherwise, the materials of the Tower of St. Mary Somerset Church, Upper Thames Street, now advertised for sale by tender, with a view to the re-erection of the Tower in some fitting locality? He wished to know whether the Government would follow the precedent they had themselves so well set in the case of the screen of Burlington House? The value of the materials of the Tower was, he believed, very small, while the cost of their re-erection in some other locality would not, he was informed, be more than £800 or £1,000. He hoped, therefore, that the Government would take steps to secure that a work which was designed under the superintendence of Sir Christopher Wren would not be altogether lost to the country. He should also like to know whether it might not be possible to re-erect the Tower in the burial-ground near its present site, or some other spot near its present locality?

LORD JOHN MANNERS said, that after the decision just arrived at by the House the Government would be careful in accepting works of art even as a gift. The cost of what was suggested by the hon. Member would be fully £1,500, and he did not think the Government would be justified in proposing to the House a Vote for the erection of the Tower at some future time on some site now unknown. The case of Burlington House stood in a different position to that then before the House, for Burlington House was Government property, and could be dealt with by them. If the Tower could be retained in its present locality that might be a very desirable arrangement; but the question was one which should be settled between the Ecclesiastical Commissioners and the City authorities.

MR. DISRAELI'S SPEECH AT MERCHANT TAYLORS' HALL.—QUESTION.

MR. GRANT DUFF, in rising to put a Question to the Prime Minister in reference to some passages in his speech last week, at Merchant Taylors' Hall, said, the right hon. Gentleman was reported to have used on that occasion the following words:—

> "When we acceded to Office the name of England was a name of suspicion and distrust in every foreign Court and Cabinet. There was no possibility of that cordial action with any of the great Powers which is the only security for peace; and in consequence of that want of cordiality wars were frequently occurring. But since we entered upon Office and public affairs were ad-

> ministered by my noble Friend, who is deprived by a special diplomatic duty of the gratification of being here this evening, I say that all this has changed; that there never existed between England and foreign Powers a feeling of greater cordiality and confidence than now prevails; that while we have shrunk from bustling and arrogant intermeddling, we have never taken refuge in selfish isolation, and the result has been that there never was a Government in this country which has been more frequently appealed to for its friendly offices than the one which now exists."

These were, surely, very wild words for a British Prime Minister to use, and although much might be forgiven to a man, especially to the right hon. Gentleman speaking after dinner, it must be recollected that he was not offending for the first time; for in the spring of 1858 the right hon. Gentleman made a speech at Slough which created at the time very great interest and excitement, and which was very freely commented upon in this House. In that speech the right hon. Gentleman used language which, when compared with that which fell from him the other day, could hardly be excused as the mere inspiration of circumstances, for it seemed to be a sort of common form which he kept by him for these occurrences when a Conservative Government happened to accede to Office. At Slough, in 1858, the right hon. Gentleman was reported to have said—

> "But when I tell you, and I tell you seriously, that the question of peace and war when we acceded to Office was not a question of weeks or days, but of hours, I am sure you will remember that peace has been preserved while the honour of the country has been vindicated."

Now, who, he would ask, was the person who was Foreign Minister in the Administration which went out of Office in the beginning of 1858? Who was that "troubler of Israel" whose designs, whose machinations, whose un-wisdom were such that cordial co-operation between the great Powers of Europe was rendered wholly impossible? That man, if his memory served him right, was Lord Clarendon, the very person of whom Lord Derby was reported as having, in his Ministerial statement on taking Office in 1866, spoken as follows:—

> "And, my Lords, desirous more especially at this critical moment for the public interest that the thread of foreign negotiations should not be abruptly broken, I was anxious that those hands which had so long exercised the power of dealing with foreign affairs should still continue to do so, and therefore the first person to whom I made an offer of Office was my noble Friend the late Secretary of State for Foreign Affairs (the Earl of Clarendon). My Lords, I made that offer in all sincerity, believing that between my noble Friend and myself there existed no material difference of opinion on political matters, and believing also that it was of the greatest importance to the country that in that particular Office his services should be retained,"

Now, he was informed by some Friends of the right hon. Gentleman that when he rose to reply to the Question which he was about to put to him he would say that nothing was further from his intention than to cast any discredit whatsoever on Lord Clarendon, and that Lord Clarendon had been but a very few months at the Foreign Office when the Conservative Government acceded to power. It was however the fact that Lord Clarendon was a Member of the Liberal Cabinet for something like two years, and that during those two years many most eventful occurrences had transpired on the Continent. Lord Clarendon was responsible—and that noble Lord was the last man who would deny his responsibility—for all the acts of the Cabinets of Lord Palmerston and Lord Russell with respect to foreign affairs of any importance after he took Office. He undertook, too, a mission to Paris, which he would hardly have done if he had entertained a feeling adverse to the policy which was being pursued by the noble Lord who was chiefly responsible for the conduct of foreign affairs. Before he sat down he must express a wish which he was sure was shared to the full by the noble Lord the Member for King's Lynn, and to which he was sure he would in his heart give a most cordial "Amen," and that wish was that the First Lord of the Treasury would in his post-prandial speeches confine himself to observations on the internal affairs of the country. We, in England, thoroughly understood the right hon. Gentleman; we watched with interest his linguistic somersaults; we hailed him as the unequalled political Leotard. But, unfortunately, the reverse was the case on the Continent. There were very few persons who followed sufficiently closely the affairs of our country to understand them, and, consequently, the right hon. Gentleman had the misfortune to be constantly regarded as speaking seriously abroad when he did not mean to speak seriously at all. There was some little time ago an unfortunate man on the Continent—a most eminent political writer—who attempted to follow the career of the right hon. Gentleman, and he arrived at the conclusion that he was a demigod. Unfortunately, however, he became insane immediately after. But, among statesme and jurists on the Continent not one in a 100 really understood the exact political situation of England at the present moment. It could, however, he thought, be stated in a sentence. The Parliament of England, wearied with the labours which it had gone through since the passing of the Reform Bill of 1832, had fallen asleep, and fancied in its dreams that the right hon. Gentleman was riding on its breast like a nightmare. The hon. Gentleman concluded by asking the Premier, Whether he had used at Merchant Taylors' Hall the language which he had quoted?

MR. DISRAELI: I think the House will agree with me that it will be convenient not to recur on this occasion to observations which were made ten years ago at a meeting in the county of Buckingham. If we enter into that question, and into discussions as to the political situation at the time, I fear we should have an adjourned debate on foreign affairs in this House, which would not, it seems to me, be desirable, especially as I am informed there is some chance of there being an adjourned debate in the other House of Parliament on a different subject. I think further that the House will agree that if the hon. Gentleman had confined himself to the Question which he had placed on the Paper, and to which I was ready to give an Answer, the time of the House, which is now valuable, might have been spared. Though, I may add, I do not grudge the hon. Gentleman the change which he thought fit to make in his mode of attack, and though I was quite ready to listen to his observations, which I conclude from his criticisms to-night are meant to be models of observations which are not eccentric, it still appears to me that we have hardly been repaid by the exhibition to which we have just listened, for the deviation of the hon. Gentleman from that more modest course of merely putting a Question which he at first proposed to himself to pursue. Really, what the hon. Gentleman wishes to know is whether I made some observations at a banquet in the City, at which I had the honour of being a guest, and whether I am prepared to vindicate them, especially with reference to the noble Lord, who, he told us, has at various times filled eminent posts in the service of Her Majesty, and who has more than once held the office of Secretary of State for Foreign Affairs? So far as I could catch the larger part of the passage read by the hon. Gentleman, and so far as I can judge from that which he printed for the public service in the Notices of Motion, the report appears to me to be substantially correct. I will not criticize expressions, which probably I may not have used, but as far as regards what would be attached to what I said the report appears to me to be substantially correct. In making these observations I spoke, as it was quite evident, of a system of policy that had prevailed for a considerable time, not only for a year, but for many years, and therefore the hon. Gentleman felt, as he was making his observations just now, that the application of my remarks to Lord Clarendon, who really had succeeded to the management of our foreign affairs only for a few months, must be of a slight and limited character. The hon. Gentleman has gone out of his way to connect the career of Lord Clarendon with seven years at least of management of our foreign affairs, respecting which I have expressed my opinion, and I do not think he did a friendly act to Lord Clarendon in so doing. I do not think he at all substantiated his case. Lord Clarendon was Chancellor of the Duchy of Lancaster during two years of that time, and we know very well that the Chancellor of the Duchy of Lancaster does not take an active part in the management of our foreign relations. As for Lord Clarendon's visit to Paris, I do not want to enter into the causes of that visit. It is quite consistent with there being a state of foreign affairs of a very unsatisfactory kind, and which were not managed with adroitness and wisdom by those peculiarly responsible for them, that they should have recourse to the experience of Lord Clarendon to extricate them from their difficulties. As I am asked, I must state without any equivocation whatever that I believe this is substantially a correct version of what I said at the meeting in the City, and I believe that it expresses the literal truth. I believe that for five, six, or seven years, dating from the period when a Nobleman, once a distinguished Member of this House, took the management of foreign affairs in 1859, they were conducted, to use one of his own famous expressions, as they seldom have been, since the accession of the House of Hanover. It was obvious that Lord Clarendon who succeeded to Office for only a few months, could not be responsible for a system which had unfortunately prevailed for many years. Lord Clarendon inherited difficulties and he bequeathed them to his successors.

MR. LAYARD said, that having had the honour of representing the Foreign Office in that House for five years, he trusted the House would allow him to endeavour to elicit from the right hon. Gentleman a straightforward answer to the Question. ["Oh!"] It was not his business to call the attention of the House to the right hon. Gentleman's speech, but it was quite right that his hon. Friend should do so. The statements of the right hon. Gentleman were capable of proof or they were not; but they would not be proved by mere outcry and clamour from the other side of the House. He was concerned in the grave accusation made, and he thought the other side of the House might allow him to say a few words upon the subject. He did not attach much importance to the vapourings of the right hon. Gentleman; they were the subject of much merriment to many persons; but they were the cause of deep sorrow to those who desired to maintain the character of British statesmen whatever their politics might be. The right hon. Gentleman could not get out of what he said by "chaff," of which he was a master. He said—

> "When we acceded to Office the name of England was a name of suspicion and distrust in every foreign Court and Cabinet. There was no possibility of that cordial action with any of the great Powers which is the only security for peace; and in consequence of that want of cordiality wars were frequently occurring.

With regard to Lord Clarendon, the right hon. Gentleman rode off with the excuse that Lord Clarendon had been only a few months Minister of Foreign Affairs; but the right hon. Gentleman kept out of view the fact that Lord Clarendon, holding at that time the office of Chancellor of the Duchy of Lancaster, was constantly consulted upon foreign affairs, and had been sent upon the most important missions. He not only went to Paris, but he represented this country at the Conference upon the Danish question; and on various other occasions he was employed, if one might say so, on matters connected with our foreign policy. The right hon. Gentleman evaded the allusion of the hon. Member for the Elgin Burghs (Mr. Grant Duff) to his speech of 1858, in which he stated that peace or war was a question, not of months and days, but of hours and minutes, to the fact that the Minister who had so nearly involved this country in war was Lord Clarendon, and to the fact that, notwithstanding his knowledge of this, Lord Derby invited Lord Clarendon two years ago to join his Government and take the Ministry of Foreign Affairs. He wished the right hon. Gentleman to state definitely what were the wars that were "frequently occurring" during Earl Russell's tenure of Office, and when he represented the Foreign Office in that House? He did not ask him for a great many, but he would like him to name half-a-dozen? And what were the nations with whom there was that "want of cordiality" which led to these wars? He did not want any "chaff;" he wanted distinct answers—he had a right to demand them, and the House and the country had a right to them. When he was at the Foreign Office there were two wars. One was the civil war in the United States, and he presumed the right hon. Gentleman did not mean to say Earl Russell was responsible for that. Then there was the Danish war, which afterwards led to the Prussian and Austrian war. But what were the "frequent wars" which were caused by the then Government? He would remind the House and the country that the most persistent endeavours were made by the supporters of the right hon. Gentleman to violate the neutrality of this country and to involve us in war with the United States. It was perfectly true that the right hon. Gentleman avoided committing himself; but did he restrain his followers? Why we might have been involved in war with the United States if a Motion upon the *Alabama* question had been carried, and it was defeated by a majority of only 11. Did the right hon. Gentleman on that occasion restrain his followers or urge them on? With respect to the Danish question, did not Lord Russell interfere to bring about peace? [MR. BENTINCK: No, no!] The hon. Member for Whitehaven, who seemed to know everything, said "No;" but he (Mr. Layard) could answer on that point. Lord Russell did not succeed; but no one could deny that his endeavours were to preserve peace. If the noble Lord's endeavours failed, they failed in consequence of the speeches made by the party then in Opposition in the House of Commons—he would not say in consequence of speeches made by the right hon. Gentleman himself, but by his supporters, who brought forward questions and urged the House to go to war in support of Denmark. A noble Marquess—no longer a Member of that House (the Marquess of Salisbury)—who by his consistency was an honour to it, and who, if he were present, would boldly admit the fact, wished to force on war. One of the main causes of the war between Denmark and Prussia and Austria was because the Danish Government were led to believe by their Minister in London that if they went to war they would be supported by the Conservatives, who would have a majority in that House. ["Oh, oh!"] He stated that as a fact, and no one acquainted with the subject would venture to deny it. He knew of no other wars except those he had mentioned occurring on the Continent or elsewhere during the time when Lord Russell was Foreign Minister. The House was aware, that while sitting on the Opposition side of the House, he had himself abstained from taking part in discussions on foreign affairs, as he was not desirous of showing any feeling against the noble Lord the present Foreign Minister, but, on the contrary, had always felt glad when he was able to support the noble Lord. He had never made a speech against the noble Lord, though he had disagreed with him on many points; but when it was said that the late Government were the cause of this and that war, and were never able to maintain cordial feelings with foreign Powers, he had a right to inquire in what respect there had been a change. The Danish war was the inevitable result of events. The great principle involved was German unity, the Danish question being a pretence for the time. But after the war ceased a time of quiet came about, as generally happened in such a case. Since the present Foreign Minister had been in Office no question likely to lead to war had arisen. ["Oh, oh!" *and cries of* "Luxemburg!"] What credit had the noble Lord in settling the question of Luxemburg? The noble Lord had admitted that he had great difficulty in agreeing to mediation. Had it not been for pressure from without the noble Lord would not have mediated; and it was only at the last moment, when the Emperor of the French was about to apply to Holland to exercise a mediation, that the noble Lord at last consented. What happened afterwards? The noble Lord and the Earl of Derby stated that when entering into the guarantee it was not their intention to keep it; for that was the meaning of what was said by them respecting the efficiency of the guarantee. If any German statesman were asked what construction was to be put on the words used by those two noble Lords, he would declare that that announcement destroyed all faith in the mediation of this country. With Turkey the noble Lord opposite had followed the policy which Lords Russell and Clarendon pursued; and, indeed, that was the only policy which could have been adopted. As to the Spanish claims, in regard to the *Mermaid* and the *Tornado*, they were not settled to the present day. The noble Lord had told the House that the English claimants had right on their side, but that he would wait until some British subjects had done wrong to Spain and then he would set one wrong against the other. As regarded the *Alabama* dispute, matters still remained in the same state as when Earl Russell's Government went out of Office. He thought that the country would not accept the Answer which the right hon. Gentleman had given that evening, and he called on the right hon. Gentleman to state what were the wars in Europe, or elsewhere, which had been brought about by want of cordiality between this country and other Powers?

MR. BAILLIE COCHRANE said, he thought that the hon. Gentleman who had just sat down proved the truth of the saying that "Those who complain without cause always complain without temper." He could not compliment the hon. Gentleman on the diplomatic language of his speech. The hon. Gentleman found fault with the expression in the Prime Minister's speech that on the present Government acceding to Office "the name of England was the name of suspicion and distrust in every foreign Court." Was not that the truth? It was by a "meddling and muddling policy" and by going certain lengths in respect to Poland and Denmark and then withdrawing, that suspicion and distrust were excited on the Continent and great evils were produced in this country. Lord Russell, in a memorable despatch, had laid down the principle with respect to other nations that whenever the people of a country thought that they had a sufficient grievance they had a right to rise in arms against their rulers, and after such a declaration was it surprising that Fenian and other disturbances should have broken out?

MR. GLADSTONE: Sir, I had expected that after the remarks of my hon. Friend near me either the right hon. Gentleman opposite, appealing to the indulgence of the House, which is usually accorded under such circumstances, or some other Member of Her Majesty's Government, would have risen in his place and have replied to the observations which have been made from these Benches. I am, of course, assuming that the Members of Her

Majesty's Government do not entirely shrink from accepting the responsibility which attaches to the language used by their Chief. However that may be, I cannot rise on this occasion without expressing my deep regret that occasion should have been given to the hon. Gentleman behind me (Mr. Grant Duff), in the exercise of his discretion as a private Member of this House, and without any concert with me, to challenge the speech which was delivered by the right hon. Gentleman at the Merchant Taylors' Hall. I must confess that whatever appetite for controversy I may possess is usually abundantly satisfied by the occasions for controversy that arise within the walls of this House; and therefore it is to me a matter of the most sincere regret that the First Minister of the Crown should have used language in another place that has led to this discussion. But the hon. Gentleman behind me having brought forward the subject, I must take the opportunity of respectfully but firmly protesting, not merely against the particular passage to which reference has been made, but against the whole strain of this oration, and of many other orations which the right hon. Gentleman, departing in this respect from the practice of his predecessors, has made it his custom to deliver, sometimes to his constituents in Buckingham, sometimes to a sympathizing audience at the Merchant Taylors' Hall, sometimes at demonstrations of Conservative working men, and sometimes to the deputations of the supporters of the Established Church in Ireland, led on by the chief Orangemen of Ireland. In these speeches the right hon. Gentleman has systematically adopted a tone, in the first place, of inflated and exaggerated eulogy of himself and of his policy; and, in the second place, of censure and of condemnation so sweeping and so violent towards those from whom he differs as he rarely ventures to adopt in this House. Having thus entered my protest against the tone adopted by the right hon. Gentleman in his speeches, I will now endeavour to state the facts which appear to me to bear strongly upon the particular passage to which the hon. Member behind me has drawn the attention of the House. The right hon. Gentleman said in that passage that when he acceded to Office the name of England was a name of suspicion and distrust in every foreign Court and Cabinet; and then he proceeded to make other assertions of the same kind with which I will not trouble the House. On his assertions being challenged, and its being pointed out to him that his censure must principally apply to Lord Clarendon, the right hon. Gentleman takes refuge in the allegation that Lord Clarendon had only held the office as Foreign Minister for a few months before the present Government came into power, and he gives us to understand that it was to the policy of the Cabinet—and especially that of Earl Russell, the predecessor of Lord Clarendon—that he intended his observations to apply. I think it is obvious that after Lord Clarendon had been for nine months at the head of the Foreign Office, it is scarcely accurate to say that he was representing any policy but his own. But with respect to the policy of Earl Russell, I think that the censure of the right hon. Gentleman, if it falls anywhere, must fall, not upon the late Government, but upon Parliament, for the right hon. Gentleman himself thought fit to challenge the policy of Earl Russell in a Motion with respect to the Danish question, which, after being discussed many nights, was rejected by this House, which approved the policy of Earl Russell, and rejected that of the right hon. Gentleman. I admit that there is great temptation on occasions similar to that at the Merchant Taylors' Hall to resort to these sweeping censures of the policy of one's opponents. There is nothing so dangerous to a speaker as to know that he is speaking to an audience who cannot detect his errors and his fallacies. The right hon. Gentleman unfortunately yielded to the temptation. It is, however, true, as has been stated by the hon. Gentleman behind me, that this is not an accidental error on the part of the right hon. Gentleman. It is a part of his system. The hon. Member has shown that in 1858 and in 1868 the right hon. Gentleman used the same established formula in passing a sweeping condemnation upon his opponents—a condemnation which in no case should I care to retort; and that on both occasions the statements of the right hon. Gentleman have been contradicted out of the mouth of his own Chief. In 1868 the right hon. Gentleman says that the name of England in 1866 was "a name of suspicion and of distrust in every foreign Court and Cabinet;" to which the hon. Member replies that in 1866—the same year—Lord Derby urgently requested Lord Clarendon to give him that valuable assistance which had made the name of England "a name of suspicion and of distrust in every foreign Court and Cabinet." I ask, had or had not the policy of Lord

Clarendon rendered the name of England "a name of suspicion and of distrust in every foreign Court and Cabinet?" The right hon. Gentleman endeavours to shift out of the words; but the hon. Member who has just sat down does not resort to any such subterfuge; he boldly takes the bull by the horns, and lays the blame upon Lord Clarendon.

Mr. BAILLIE COCHRANE: No; I said that the blame lay upon Earl Russell.

Mr. GLADSTONE: But you told us that it was quite true that the name of England in every foreign Court was a name of distrust and suspicion.

Mr. BAILLIE COCHRANE: Yes; I said it was brought about by Earl Russell's policy.

Mr. GLADSTONE: And the state of things he brought about was continued by Lord Clarendon, who identified himself completely with the policy of Earl Russell. And yet this was the Foreign Minister whom Lord Derby was so anxious to enlist among his ranks upon the formation of his Government. Again, in 1858, the right hon. Gentleman attributed the fact that war was about to break forth in Europe to the fault of the foreign policy of the Government which preceded that of Lord Derby. But Lord Derby in that instance also gave similar testimony, for he had said, in 1855—

> "I stated to Her Majesty that I conceived it would have been an immense advantage to any Government to have among its members one who is perfectly conversant with the whole diplomacy of the last two years, and with the feelings and proceedings of various Courts of Europe." . . . . [That is to say, the feelings of suspicion and distrust.] "I took the liberty to add, with regard to my noble Friend the Secretary for Foreign Affairs, (the Earl of Clarendon) that I entertained the highest opinion of the ability, the industry, and the zeal with which he had discharged the duties of his Office. . . . . . The only part of the course I have pursued to which I look back with the least doubt or incertitude is with respect to the propriety of my abstaining from making any communication either to the noble Earl directly, or to the noble Marquess (the Marquess of Lansdowne) near him." [3 *Hansard,* cxxxvi. 1347-8.]

In 1855 Lord Derby emphatically recognizes the services of Lord Clarendon, and asks him to join his Government; while in 1858 the right hon. Gentleman, referring to the accession of the Conservative Government, declared that war had become a question not of weeks or days, but of hours. In 1866 Lord Derby passes a similar eulogium upon Lord Clarendon; and in 1868 the right hon. Gentleman says that when Lord Derby's Government came into power the name of England was viewed with suspicion and distrust in every foreign Court. I must again protest against the language of the right hon. Gentleman; and it is only because I wish to spare the time of the House that I abstain from entering into a particular review of the speeches and the declarations of the right hon. Gentleman, which much of their matter would go far to justify me in doing. I do not complain of these speeches because I do not think they are injurious to us in a party point of view. On the contrary, I think they are weapons perfectly harmless for any such purpose; and if they have the effect for a moment of exhilarating the spirits of those who pay visits to the right hon. Gentleman, and of causing an agreeable interchange of sympathy and compliments between him and them, I really cannot grudge either him or them any amount of such gratification as they can derive from them, especially when the statements of the right hon. Gentleman have been so fully contradicted by Lord Derby. An attempt has been made by the right hon. Gentleman to shift the gist of his attack from Lord Clarendon to Earl Russell; but before I sit down I must remind the House of one thing that had almost escaped my memory. Late in the days of the late Government, the right hon. Gentleman made a special and heavy attack, not upon Earl Russell, but upon Lord Clarendon. But it was impossible for him then, as it is now, to injure that distinguished statesman—strong as he is in the admiration and affection of this country and the esteem of foreign Powers—so long as we can place against these Phillipics an emphatic and point-blank contradiction from the mouth of Lord Derby, the Prime Minister under whom he served.

Lord STANLEY: Sir, I am sure the House will feel that it is with the greatest reluctance that, holding my present Office, I take a part in this discussion. But I must say that if a general debate is to be raised on the foreign policy of this country it should be raised in a form more convenient than that which the hon. Member for the Elgin burghs (Mr. Grant Duff) has adopted on the present occasion. In a matter of this kind I do not complain of the want of Notice, because a Minister ought always to be prepared to defend his policy; but at the same time I must be permitted to express my opinion that a desultory discussion brought on in this way and dealing with half a dozen topics at a time is not a discussion that can result in any practical good. Now, the remarks of my right hon. Friend at the head of the Government, whatever they may be held to import, were not in any way a charge against either the capacity or the character of Lord Clarendon. The foreign policy of the Liberal party during their seven years' tenure of Office was in the main the policy of Lord Russell. For my own part I will abstain from criticizing that policy, although I think a great deal might be said against it, especially with reference to Poland and Denmark In regard to the American Civil War, on the other hand, I give Lord Russell credit for having endeavoured to maintain a position of neutrality for this country. The hon. Gentleman opposite (Mr. Layard) says, what I will do him the justice to say is correct, that during the term of my administration of foreign affairs he has abstained as a rule from party criticism on subjects of foreign policy, and has seldom called the acts of that Department into question; but I must say I think he has made ample amends to-night for his customary silence. The charges he has brought forward are, to say the least, as sweeping as any which have been attributed to my right hon. Friend; and I think I can show that they are as unfounded as they are sweeping. First of all, the hon. Gentleman referred to the question of the Spanish claims, and said, "What have you done with them; have you settled any one of them?" Now there are but three Spanish claims of any importance which have turned up since I have been at the Foreign Office. First of all there was the case of the *Queen Victoria,* which was settled by diplomatic action on the spot. Then there is the case of the *Mermaid.* Now I will not stop to comment on the interpretation put upon certain words which I used in the debate on that subject, for the important fact to be borne in mind is that within six weeks after that discussion in this House the Spanish Government determined, as I all along believed and hoped they would do, to refer the matter to arbitration, and accordingly it has been so referred, and the arbitration is now going on. Then there is the case of the *Tornado.* What was done in regard to that? I do not wish to prejudice the position of any of the parties who are now before the legal tribunals, but I think that everyone who reads the voluminous Parliamentary Papers on the subject must admit that that is not a case which would have justified us in pressing for more from the Spanish Government than that strict letter of the law to which the parties were entitled. Then the hon. Gentleman has referred to the *Alabama* question, and has stated that it remains in the position in which it was in 1866. Now I admit that the claims of the American Government are not settled, and, indeed, I stated in this House not long ago what was the actual position of the question; but it is simply the reverse of fact to say that the *Alabama* claims now stand in the same position as they did two years ago. I am not going to enter into detail as to events which happened before I accepted the Seals of the Foreign Office; I admit that the circumstances were different. But in 1866 the Government had given a refusal to the proposal to arbitrate. The position which the question at present occupies is as follows:—We have accepted frankly and freely the principle of arbitration, and there is now only one remaining point of difference between the two Governments. The American Government desire to couple that arbitration with one condition which I think is not very material to the real issue to be tried, but which we consider as inadmissible. At all events I believe the matter is placed in such a position that there is no probability of an international quarrel, or an acrimonious dispute arising out of it. Then the hon. Gentleman entered into another wide question of Luxemburg. He said, "It is all nonsense for you to pretend that you maintained the peace of Europe." Now I never made any such pretension, because I do not believe that any one individual or any single Government can, under such circumstances, claim to have preserved the peace of Europe. But I contend that in a critical moment, and under circumstances of great difficulty, we did all that it was possible for us to do, with due regard to the interest and the security of England, in order to preserve the peace of Europe, and that with the assistance of other Governments we succeeded in attaining our object. Of course, if France and Prussia had determined to go to war, we could not have prevented them; because no one can suppose that we intended to take an active part in the conflict, and it could only have been by a threat of such interference that we could have succeeded in compelling them to keep the peace. What happened was this—both France and Prussia were committed to a position from which it was difficult for them to recede, and under those circumstances they naturally looked for the friendly assistance of a third State in order to be extricated from it without loss of honour. What the hon. Member says as to the reluctance which I felt in giving the guarantee is perfectly true; I think any Minister in the same position would have felt it, and that anyone who did not feel it would have shown a reckless indifference to the interests of the country. I gave the guarantee unwillingly and as the only means left, as I believed and still believe, of preventing —I will not say a war, but at least, a rupture between the parties. To say, however, that it was given under any external pressure is entirely a misapprehension. I must say that the hon. Gentleman's survey of foreign politics, though rapid, was exceedingly comprehensive. But there now remains only one question for me to touch upon—namely, that of the East. The hon. Member seems to think that I recommended when out of Office a different policy from that which I have adopted since I have held my present position. Now that is not the case. I believe the Greek nation have a great future, and I shall be very glad to see them attain it; but I think we should not be justified in breaking through long-standing and recognized international agreements out of sympathy with any nation or any race of men. If I have seemed to show favour to the Porte at the expense of Greece I am not conscious of it; and if I have ever seemed to be so, it has not been from a desire to favour one side as against the other, but from a desire to adhere as strictly and rigidly as I could to the engagements into which England has entered, and to the principle of an impartial neutrality.

SUNDAY LABOUR IN THE POST OFFICE.

OBSERVATIONS.

MR. M'LAREN said, that the Lords of the Treasury in 1850, on the recommendation of the Commissioners appointed by their Lordships to consider the question of Sunday labour in the Post Office, communicated to the Postmaster General the following regulation for his guidance:—

> "That, in retaining a Sunday delivery of letters in a rural district, the Postmaster General be guided by the prevalent feeling of the locality; and that where the prevalent feeling of the district is opposed to such delivery, the Postmaster General, after satisfying himself of the fact, take the requisite steps for suspending it."

He complained that the Postmaster General had in effect violated this regulation by insisting upon a majority of six-sevenths of the householders being obtained in each case against the Sunday delivery. In his opinion a majority of two-thirds would be quite sufficient. He trusted that the Treasury would make inquiry as to this nonobservance of their own regulations, and ascertain whether it was the fault of the subordinate local officers or of the high authorities in London.

MR. SCLATER-BOOTH said, he would inquire whether the Treasury regulations had been in any degree departed from. The matter could not be authoritatively decided except by the officials responsible for carrying out the regulations of the service. He doubted whether a majority of two-thirds of the householders ought to prevent the delivery of Sunday letters; because they might be persons who never received letters, and they would debar those who might have important correspondence to conduct from receiving a due share of the facilities offered by this very efficiently managed service. Such a rule would cause great inconvenience, and would lead to a strong expression of discontent against the suspension of Sunday letters at all. The rule that six-sevenths of the householders should unite in a memorial against Sunday delivery had, he believed, worked well; but he would inquire whether the present regulation was in conformity with the spirit of the direction laid down by the Treasury, and also as to the mode in which it was carried out.

SUPPLY—CIVIL SERVICE ESTIMATES.

Resolved, That this House will immediately resolve itself into the Committee of Supply.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

> "That a sum, not exceeding £21,386, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for Nonconforming, Seceding, and Protestant Dissenting Ministers in Ireland.

MR. HADFIELD said, that the House had by a Bill and Resolution suspended all new appointments, whether to the Established Church, Maynooth, or the *Regium Donum*, and this proceeding placed him in rather a peculiar position. In 1834 the allowance to these ministers was only £26,100; in 1868 it had risen to £41,386. During the interval a feeling of distrust had sprung up in many quarters against this system of begging from the State, and he had himself presented a petition from the remonstrant body in Ireland who were opposed to it. To that portion of the grant which was allowed to widows and orphans of ministers of the synod of Ulster—£366—he did not object; but he should move that the entire grant be reduced to that amount.

Motion made, and Question proposed,

"That a sum, not exceeding £366, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1869, for Nonconforming, Seceding, and Protestant Dissenting Ministers in Ireland."—(*Mr. Hadfield.*)

Mr. PEEL DAWSON acknowledged the consistency of the hon. Member for Sheffield in again bringing forward this Motion; but expressed his own opinion that the present time was most inopportune for the consideration of the question. The Northern district of Ireland was a model of what a British settlement should be, and much of this happy state of things was due to the Presbyterian Church. The Vote was a very small sum to give for the advantages which the State receives in return; for wherever Presbyterianism predominates the gaols are empty, and the number of police is infinitesimally small. As the larger question of the Established Church in Ireland had been taken up, it could not be expected that the smaller question of Presbyterian endowment could escape hostile criticism. Retaining the opinions he had often expressed, he should vote against the Amendment of the hon. Member for Sheffield. The grant was paid in consequence of an agreement entered into between the State and the Presbyterian body, when they were induced to undertake the colonization of the North of Ireland in the reign of James I. He submitted that, considering the alteration in the value of money in course of years, there should be an augmentation of the original endowment.

Sir COLMAN O'LOGHLEN said, as the circumstances had been much altered since the Notice of this Motion was put on the Paper, discussions on the Irish Church and the *Regium Donum* having taken place, and Resolutions having been passed which could not then have been anticipated, he hoped the hon. Member for Sheffield would not press this Motion to a division. If he did so, as the elections were approaching, every Member for Ulster would feel bound to speak in favour of the *Regium Donum*; but if he withdrew it, those speeches would be made from the hustings.

Mr. DILLWYN said, that the clause relating to the *Regium Donum* in the Suspensory Bill, which he hoped would pass, would prevent any fresh rights accruing under the grant. But for that clause he would have pressed for a division; as it was he would advise the withdrawal of the Amendment.

Sir HERVEY BRUCE objected to the statement of the hon. Member for Sheffield (Mr. Hadfield), that the *Regium Donum* caused the Presbyterians to cringe at the feet of the Ministry. He should give a decided opposition to the Amendment.

Sir JOHN GRAY said, he had always supported the hon. Member for Sheffield (Mr. Hadfield) in this proposition; but would now suggest to him that, owing to altered circumstances, he would do well not to divide the Committee on this occasion. The hon. Member for Londonderry (Mr. Peel Dawson) said the *Regium Donum* had been given to carry out the policy of James I. That policy was that no Catholic should be permitted to exist in Ireland, and that the whole of the land should be held by imported Englishmen and Scotchmen. When it was assumed that the Presbyterians were so exclusively loyal, he begged to remark that within the memory of living men a serious rebellion had been organized in Ulster by Presbyterians.

Mr. CANDLISH recommended to the hon. Member for Sheffield to withdraw the Amendment; but he hoped that a subsequent Amendment against any increase in the grant would be adopted.

Mr. HADFIELD was understood to intimate his willingness to withdraw the Amendment.

Sir FREDERICK HEYGATE protested against the Motion being withdrawn after the hon. Member had made a speech on the subject. Other hon. Members were thus debarred from expressing their opinions. The Dissenting congregations of Ireland were too poor to provide anything like the amount that was raised by the Free Church of Scotland. The voluntary system could not exist in Ireland to such an extent as to make it successful. He thought that it would be a great breach of faith to take away the grant, which, instead of being left dependent on annual Votes, ought to have been placed on the Consolidated Fund. He protested against the principle of leaving it to the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone), or to any individual, however high his authority or ability, to say in his mercy what amount of compensation ought to be given to the clergy of the Established Church or of the Presbyterian Church. He contended that the Presbyterians had as much right to compensation if the *Regium Donum* was abolished as the clergymen of the Established Church would have if that Church were to be disestablished.

MR. M'LAREN protested against the principle that the grant was one which entitled parties on its withdrawal to compensation. The whole system connected with this grant was a rotten one, and he believed that no party would be more benefited by the abolition of the grant than the Presbyterians ministers themselves. Within the last month a meeting of the whole body of Presbyterian ministers in Ireland was held, and a motion was made to strike at the grant, and it was lost only by a majority of about 30 in a very large assembly; and he had no doubt they would find next year that there would be a majority of that body itself against the grant. As to Ireland being too poor for the voluntary system, he could only say that even in the poorest parts of Scotland the voluntary system flourished in the highest degree. The Free Church had raised on the voluntary principle last year upwards of £390,000—just nine times the pittance which the Presbyterians in Ireland came to beg from that House, to be paid by taxes out of the pockets of those who already paid for the support of their own ministers.

MR. VANCE said, that the House, instead of grudging this miserable pittance, ought to feel ashamed that the sum granted was so small. £150 ought to be the least stipend granted to any minister.

MR. NEWDEGATE said, the principle upon which the *Regium Donum* was voted was a sound one. They had a curious illustration of the manner in which the provision for the Irish Presbyterian Church and the endowment of the Established Church in Ireland was assailed. The Motion of the hon. Member for Sheffield (Mr. Hadfield) was supported by the hon. Baronet the Member for Clare (Sir Colman O'Loghlen), who was the Leader in the House of the Roman Catholic section, and perhaps also a leader of the Liberation Society. There was an unnatural alliance between those who represented opinions in favour of extreme voluntaryism and the Roman Catholic section, who were opposed to the whole body of Protestants in this country. That alliance had proved fatal to foreign countries, and would prove fatal to this if the people were not made aware of the aims and ends of the allies.

MR. ALDERMAN LUSK observed, that the voluntary system worked admirably in Ireland; but, under all the circumstances, it would perhaps be better now to agree to the Vote, on the understanding that the matter would be fully discussed next Session.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(2.) £3,701, to complete the sum for the Treasury Chest.

(3.) £19,656, to complete the sum for Bounties on Slaves and Tonnage Bounties, &c.

MR. ALDERMAN LUSK said, he wished to ask a few questions respecting the Vote so far as it concerned liberated Africans. He found that in 1864 six slaves were liberated, and in 1865 none, and yet he found that in 1864, the sum granted for prize money was £7,061; and even in the years when no negroes at all had been captured, prize money was granted. He wanted to know how that happened? He thought the prize system was a bad system, and led to much inconvenience.

COLONEL SYKES wished to know what had become of the negroes who were captured on the East Coast of Africa?

MR. SCLATER-BOOTH said, he had given a full explanation of this subject a short time since, and was not prepared to enter into the question again without Notice. He might, however, remind the hon. Member for Finsbury (Mr. Alderman Lusk) that the prize money was principally derived from the sale of the slave ships captured by Her Majesty's ships. The cost of these captured slaves was a decreasing cost. The Vote originally was very large. It was not merely for captured negroes, but also for captured slave ships. The slaves captured on the East Coast of Africa were disposed of in an economical way by being sent to islands in those seas. The great item was the Vote for the maintenance of the establishments necessary to keep up in connection with our captures.

Vote *agreed to.*

(4.) £200, to complete the sum for Coolie Emigration to French Colonies.

(5.) £4,360, to complete the sum for Mixed Commissions (Slave Trade).

(6.) £126,178, to complete the sum for Consular Establishments Abroad.

Mr. CHILDERS said, that since 1866-7 the Vote had increased at the rate of about £20,000 a year. A considerable number of the establishments might, with great propriety, be suppressed. Some of the consuls, to his knowledge, in Spain and elsewhere, had literally nothing whatever to do. He last year mentioned the case of Seville, and he could mention it again as a place where the English consul had nothing to do. By not filling up many of the appointments when they became vacant, the expenditure might be reduced by between £30,000 and £40,000 a year.

Lord STANLEY said, he doubted whether the Vote had really increased to the extent mentioned by the hon. Gentleman. He would also remark that the fact of there being a certain amount of security in these consular appointments induced gentlemen to accept them on comparatively low pay. He thought that when they had sent a man out upon a salary to a post which he had a right to consider a permanent post, they could not very well withdraw him from his employment. Such a course would inflict great injury upon the public service; but he could assure the hon. Gentleman that in every case where he had to appoint a consul he considered first whether there was anything for him to do, and, secondly, whether the salary was excessive for the work required of him. It should also be borne in mind that a sovereign did not represent so much now as it did twenty-five years ago. The cost of living and of house-rent had increased greatly all over the world of late years.

Colonel SYKES said, he saw a Vote of £600 for house-rent, &c., for the consul at Massowah. Was there any reason why this Vote should be continued, seeing that the consul had been re-called years ago?

Lord STANLEY said, there was no intention to send a new consul to Abyssinia. Consul Cameron had been re-called; but the hon. Member was aware that he had been detained in Abyssinia by causes not within his own control.

Colonel SYKES said, he believed Consul Cameron had been recalled when Earl Russell was Foreign Minister.

Mr. BOUVERIE said, it was quite right that these Consular Estimates should be carefully scanned; but it must be borne in mind that our consuls were not Diplomatic agents of the Foreign Office, but were appointed to look after the interests of our enormous trade, and as that trade increased, so it must be expected that the Vote for Consular Services would increase also. His impression was that this country was often very fortunate in obtaining the services of intelligent and respectable gentlemen in foreign forts at a very moderate salary.

Mr. Serjeant GASELEE said, that there was an item for Mr. Consul Cameron's salary and house-rent in Abyssinia, whereas he had been re-called two or three years ago. As to his house-rent he always understood that he had been provided with house-room by King Theodore.

Lord STANLEY said, that the letter of re-call was written by his predecessor at the Foreign Office, but it never reached Consul Cameron as he was in confinement. A somewhat nice question thereupon arose whether Consul Cameron had been re-called or not. He had borne a severe and painful imprisonment. Whether he had been well-advised or not, he had acted to the best of his judgment, and having suffered very seriously it would not be the wish of the Committee that he should be dealt with hardly.

Vote *agreed to.*

(7.) £300,000, Post Office Packet Service (on account).

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

ELECTION PETITIONS AND CORRUPT PRACTICES AT ELECTIONS (*re-committed*) BILL.—[Bill 63.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Gathorne Hardy, Sir Stafford Northcote.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Bill *considered* in Committee.

(In the Committee.)

Clause 5. (Establishment of Court of Elections.)

Mr. CRAUFURD moved, on behalf of the hon. Member for Berwick-on-Tweed (Mr. Alexander Mitchell), in Clause 5, page 2, line 30, to leave out the words "Court of Common Pleas," in order to insert "House of Commons." He thought before transferring their jurisdiction in such cases the House ought to be satisfied that the new tribunal proposed would be superior to the present one. The opinion of the Select Committee might be quoted against his Amendment; but it ought to be recollected that that Committee took no evidence on the subject, and that the first proposal to transfer the jurisdiction to the Queen's Bench had been withdrawn. It was not to be expected that at particular times—for instance, immediately after a General Election—two gentlemen would be sufficient to determine upon all the cases that would present themselves. He saw no case for parting with this jurisdiction. The decisions of Committees of the House were generally fair and impartial; and if anyone asked for proof of the satisfactory action of the present mode of trial, he would point to the decision of the Election Committee that very day in the case of the Bristol Election Petition. He believed that an Election Committee, the Members of which had gone through the ordeal of an election, and who understood all the artifices used to prevent agency from being found out, were more likely to discover cases of bribery than the tribunal proposed to be established by the Bill. It was said that by the proposals of this Bill expense would be saved, but he saw no proof of this. If there were defects in the present system let them be removed. They should direct legislation so that a man guilty of bribery should be considered as guilty, not merely of a legal, but of a moral offence. He called upon the House not to part with a jurisdiction which they had possessed so long, and which had worked so well.

Amendment proposed, in page 2, line 30, to leave out the words "Court of Common Pleas," in order to insert the words "House of Commons."—(*Mr. Craufurd.*)

Mr. GATHORNE HARDY said, that the speech of the hon. Member was addressed to the whole principle of the Bill; for it was again raising the question that had been raised upon the second reading; and on going into Committee. The Bill was set down for to-night with a view of proceeding with the details. If the House was disposed to stop the Bill it could do so, but it was advisable that they should come to a decision whether they should discuss the clauses or debate the principle of the Bill at that late period.

Mr. SANDFORD said, he thought that the House, in affirming the principle of the Bill, declared not that it was prepared to part with its jurisdiction, but that it would feel itself justified in laying down more stringent regulations on the subject of Corrupt Practices at Elections. He was glad that the question was raised whether the House was prepared to part with its jurisdiction in reference to Election Petitions. The general feeling among the independent Members was in favour of the jurisdiction of the House being retained. He must say that he thought the argument of the Judges, that too much work would be imposed upon them, and that their office would be lowered if they were mixed up with elections, was unanswerable. It was said that the expense would be diminished by trying these questions on the spot; but he believed that it would cost more to take counsel down than it would to bring witnesses up. Moreover, it was intended to continue the system of Commissions for general inquiries, so that the Judges would be limited to particular inquiries. It would be derogatory to the dignity of that House part with its jurisdiction to try Election Petitions, and to hand such inquiries over to Judges who were the nominees of the Crown. Was it right that it should be left to nominees of the Crown to determine who were and who were not the representatives of the people in that House? It was unconstitutional, and if they wished to find anything like it they must go back to the days of the Star Chamber. There was, moreover, no necessity for adopting it; for he believed that the proceedings of the House on Election Petitions had generally been fair and just. The only thing wanting to their decisions was uniformity, and this could be obtained by having Judges or lawyers, in whom they ought to place confidence, to sit as assessors to Committees. The Bill proposed that the Judges should decide, without the assistance of a jury, questions both of law and fact. The present moment also was an unhappy one for adopting such a change, before they knew how the new constituency would work.

Mr. P. WYKEHAM MARTIN said, that all other representative assemblies retained in their own hands the power of verifying the election of their own Members, and on what ground was that House called upon to part with that power? He had observed, during twelve years, that the impartiality of Election Committees had not been questioned. If he were to be tried for his life he should be perfectly satisfied to trust his case in the hands of a Committee of that House. With regard to the case which had been decided that day, he should not have been at all surprised if the decision had been the other way, as the case in favour of the Petition was not very strong; yet still the Committee had considered it their duty to decide in favour of the Petitioners. He had not the confidence which some professed in the superhuman attributes of Judges; and he believed that, by changing one tribunal for another, you would not secure infallibility. At present the Judges were beyond suspicion, but he did not think they would long remain unsuspected if they were called upon to decide matters of fact in reference to elections. He was prepared to sit, if necessary, to the end of September in order to pass an effectual measure to put down bribery and corruption; but before visiting a man with the proposed disqualification, he would have him really convicted of bribery. In the Bristol case there had been no conviction of moral bribery, but only of an act made illegal by our preposterous laws—the paying of a lost day's pay—which was an old-established practice in other places besides Bristol. He admitted it was a vicious practice, but would any one say it was an offence against morality? He would punish the corrupt candidate as much as possible, but not the man who had no intention of breaking the law. The other day when he was going down to vote at a county election, to save him from inconvenience an hon. Member offered him a night's hospitality, and he believed that might have been treated as a case of corruption. He wished for certainty, which could not be obtained without a good definition of bribery; and he thought the present tribunal, at all events with a legal Chairman, was better than that proposed. But if a case was to be tried locally by a Judge, then he would give him a jury to decide questions of fact.

THE SOLICITOR GENERAL said, that the greater part of the speech of the hon. Member for Rochester (Mr. P. Wykeham Martin) was applicable to subsequent clauses, and had nothing to do with the present clause, which did not deal with punishment. He assured the hon. Member that there was not the smallest symptom of bribery or corruption in the incident he had mentioned; and he wished to explain that the unseated Member for Bristol had not been convicted of, but wholly absolved from bribery. His agents had been guilty of it, and therefore he lost his seat. That was not a new law, and it might be considered severe or wholly unnecessary; but it was a different thing from a gentleman himself being convicted of anything corrupt, and there was nothing in the Bill to condemn a person whose agents only had been guilty of corruption. The clauses only affected persons who were proved to have been knowingly guilty of bribery. Turning, however, from this digression of the hon. Member to the question really before the Committee, it must be obvious that all the argumenst adduced this evening were based upon the old objection to the Bill—namely, the objection to give up what was termed the authority and power of the House in the decision of election disputes. For his own part he had always been unable wholly to appreciate the force of the objection; for, in point of fact, the House did not really exercise any authority or power in deciding whether a Member should be displaced or not. This was obvious when it was considered that if the tribunal was a just and an efficient one, it had no choice at all; because, after the facts had been proved before it, the result followed as a matter of course. The truth was, that the House gave up its power 100 years ago, when it first allowed Election Petitions to be tried under a statute, instead of being investigated by the House itself. It had been urged in the course of the present debate that the House was not in a position to arrive at a decision on this question, as no evidence had been taken; but he begged to remind the House that the whole matter had been fully and carefully investigated by the Select Committee last year. Then it was said that the letter of the Lord Chief Justice was a conclusive answer to the view taken by the Committee. He wished, however, to point out that that letter was grounded on a misapprehension. One of the main objections raised by the Lord Chief Justice to the proposal of the Government was that the Judges would be required to inquire into Petitions which alleged general corruption, and that they would consequently be withdrawn from their ordinary duties for inconveniently long periods of time; but, in reality, the

Committee carefully distinguished between the case of two Members claiming a seat and an inquiry into the subject of general corruption; for in the latter case it was proposed to continue the practice of sending Commissioners to the spot to investigate the subject. When they sent down Commissioners to the country to inquire into the existence of general corruption they did not send them down to act as Judges and to try cases, but only to collect evidence and make certain inquiries with a view to ulterior proceedings. He believed that the objections of many of the Judges were founded on the same misapprehension, and therefore he thought the letter of the Lord Chief Justice ought not to weigh very much with the Committee. It had also been stated that the proposed tribunal would be inefficient, as the two Judges appointed by the Bill would be unable to try all the Petitions after a General Election. Now, he did not think it was ever intended that Judges should be specially created for the sole purpose of trying Election Petitions. On the contrary, he had always imagined the intention to be that two of the existing Judges should be selected for the purpose, and he believed there would be no difficulty in securing the services of the senior Judges. It had been said that it would be a degradation to a Judge to try questions of fact as well as questions of law; but this objection was easily disposed of, as every one connected with legal proceedings must be aware that the Equity Judges were constantly trying questions of fact without ever supposing that they were thereby degraded. The questions which the Judges would have to try would be comparatively simple, and he could not see that they would soil their ermine by trying election cases more than they did in trying any other cases. It had further been urged that the proposed tribunal would be ineffective; but could anyone declare that the present tribunal was effective? The great defect in the existing tribunal was that it sat in London. It was well known to lawyers of experience that the trial of a case in the town where the facts had arisen was of the utmost consequence in getting at the truth. When a witness was examined in his own town with the people standing before and around him, who all knew what he had been doing, it was almost impossible, from the instant murmur or gesture that arose, for the witness to tell an untruth. The case was often very different when the witness was examined in London, and the Committee were quite right in saying that a local inquiry in election matters was of the greatest importance in getting at the truth. It was said that a local inquiry would add to the expense, instead of diminishing it, because the fees paid to counsel who went into the country would be larger than the expense of bringing the witnesses to London. This was a question of fact, and not of opinion. As to the fees which it was said would have to be paid to counsel, the hon. Member ought to know that nothing was more exaggerated than the supposed amount of fees often said to be paid to counsel. Any one who had ever looked over an attorney's bill must know how small a proportion counsels' fees usually bore to the rest of the bill. With regard to the expense of bringing witnesses to London he had unfortunately had some experience in Election Petitions, and he could state that the great expense arose from bringing witnesses to London and keeping them there. They expected for some reason or other to be maintained in a lavish manner, and to be kept in a state of constant good humour and amusement. He did not imagine, as the hon. Member seemed to suppose, that the first counsel of the day would be brought down in these cases, because the services of other counsel could be obtained at a much cheaper rate. The main principle of the Bill was the change of tribunal. Three-fourths of the clauses referred to that subject, and if the Committee thought there ought to be no change of tribunal they might as well give up the Bill. The House had considered this question more than once; and would, he thought, do well to accept the principle of the Bill, and give up a power which added nothing either to its real influence or its dignity.

MR. DENMAN said, the discussion convinced him that it would have been better to have listened to his suggestion on a former occasion and have postponed all the clauses relative to the new tribunal, in order that those clauses might go before the Committee again. They would then have been in a better position to deal with the question of tribunal. His proposal need not have proved fatal to the Bill. The words now in question were of no vital moment, because they might as well enact for the present that an Election Petition should be presented to the House of Commons as to the Court of Common Pleas. If the words "House of Commons" were substituted for Court of Common Pleas, the next step would be the consideration of the Amendments of the right hon. Member for Kilmarnock (Mr. Bouverie). Though he had some Amendments on the Paper, he had placed them there with no intention of delaying the passing of the measure; all he wanted was to improve the measure, and make it such as would command the approval of the House. It was now admitted that the two Honorary Judges would not be sufficient for the trial of Election Petitions after a General Election. But here arose the point on which he joined issue with the Government. The Bill proposed that the Government should have the power of taking out two more Judges besides the Honorary Justices, and these two Judges were to be engaged for the nonce and for the job, and taken away from the trial of murders and other circuit business to hold Election Inquiries on the spot. Everyone must regard this as a proposal of a very monstrous nature, and it was to prevent such an interference with the business of the Courts and of the country by the nomination of two of the Judges by the Minister of the day, that he proposed to substitute the appointment of those who when there was a great deal of Assize business were thought well qualified to sit and assist the Judges. He did not care whether they were appointed by the Speaker and the two Honorary Judges, or by the latter alone; but they should be well-qualified barristers, say of twelve years' standing, who might assist in holding the inquiries that might be necessary after a General Election. The other Amendments he proposed were to provide that the tribunal should contain the element of a jury as well as that of a Judge. He asserted that it was most objectionable that an inquiry of this kind should be held before a single-seated Judge. Although there were tribunals of the Court of Chancery, where a single Judge tried questions of law and fact, there was no instance of a single-seated Judge having a very extensive and important criminal jurisdiction. The Bankruptcy Commissioners exercised, indeed, a somewhat analogous power; but could there be anything more ridiculous and unsatisfactory than the way in which that jurisdiction had worked? He believed that something in the nature of a jury would be requisite; and when there was a very expansive power of getting such jury among the Members of that House, they ought not to sacrifice the power of getting it from that body. There should be one person responsible for the law, and a body to decide as to the fact of guilty or not guilty.

Mr. VANCE said, he looked upon the Bill as the Bill of a Select Committee rather than of the Government, and he did not hesitate to say that the Bill, if passed, would defeat its own object. It would put an end to Petitions. There was scarcely any borough which could stand the test of an inquiry instituted before a local tribunal; and the consequence would be that candidates unwilling to kill the goose which laid the golden eggs would hesitate to petition against the return for a borough which they might hope to represent at some future period. Another disadvantage connected with a local tribunal would be that the services of a competent bar would not be likely to be secured. Then, the single Judge, from the fact of his sitting singly, must be open to suspicion.

Mr. J. STUART MILL said, that, in the course of the rather severe criticisms which had been made upon the Bill, it seemed to have been forgotten that, whatever might be its defects, it provided one of the most important remedies for bribery and corruption—a local investigation. His own opinion was that the worst plan which involved such an investigation would be better than the best plan without it. But if there were a local investigation the jurisdiction must be altered; and the question was whether a tribunal should be constituted composed of one of the Judges of the land as proposed in the Government plan, or of a Judge sitting with a jury as suggested by the right hon. Gentlemen the Member for Kilmarnock (Mr. Bouverie)? However that might be he was anxious to impress on the House that any such tribunal would be only fit to be a tribunal of appeal, and that it would be necessary to have besides a tribunal of investigation. The best plan, therefore, to adopt, seemed to him that of which he had given Notice, and which he had drawn up with the assistance of Mr. Serjeant Pulling, providing that the Revising Barrister, an officer conversant with elections, and having a considerable acquaintance with the locality, should be the person to hold the investigation in the first instance. The investigation should take place before the return of the writ, and there should be a scrutiny. They must endeavour to put an end to excessive expenditure; and he thought the expense of the preliminary investigation should be borne by the public, either out of the borough rate or be charged on the Consolidated Fund. If the Amendment were pressed to a division he should vote for the provision in the Bill as against the Amendment.

MR. CHILDERS said, that the plan of the hon. Member for Westminster (Mr. J. Stuart Mill) would require 400 Revising Barristers, and he thought the appeal to the Court of Common Pleas was objectionable. Local inquiry was admitted to be very desirable, and at the same time there was an objection to get rid of the jurisdiction of that House in the trial of Election Petitions. There could be no question, especially after the speech of the Solicitor General, that local inquiry diminished expense. ["No, no!"] He spoke from some experience, for when he first came into Parliament, it was after an inquiry conducted in his own borough, the parties immediately engaged in which were solicitors on the spot. But he thought that House should not be the first Legislature in the world to give up its jurisdiction in reference to disputed elections. They ought to ensure local inquiry on the one hand, and the retention of jurisdiction on the other. At a time when a review of the whole of our Courts of Justice was imminent, it was most inopportune to create two new Judges. He would therefore suggest that on the presentation of an Election Petition, a barrister should be appointed by some impartial authority to go down to the spot to which the Petition referred, and there take evidence. The barrister should then act before the Election Committee of that House as assessor, being in a position to afford them information as to the manner in which the evidence had been given. No additional evidence should be taken by the Election Committee, unless it was substantiated before them that for special reasons such evidence was desirable. The Committee would retain the entire power of deciding whether the election was or was not an undue election. His scheme was not yet completed, and he should therefore support the Amendment to retain the jurisdiction, with the view of bringing up a clause at a future time to carry out his view.

MR. HIBBERT said, that the plan just suggested of a double inquiry would double the expense. What the House desired was that there should be a Court constituted which would give satisfaction, not only to the House, but to the public. He did not think that the inquiry before an Election Committee afforded entire satisfaction, and he would, therefore, give his support in a considerable degree to the proposal in the Bill. He conceived that it would be desirable to have Election Petitions tried by Judges of the land, as they were removed from the region of party; but, instead of having two Judges appointed for the special purpose, it would be better to make controverted elections a matter of criminal inquiry, and to let them be tried by Judges taken from the whole Bench. That would be much better than appointing special Judges for this purpose. The mere fact of the Judge going down to the spot to investigate the case would have a great tendency to check corruption, as the Inquiry would be held under the eyes of the borough. He could not support the Amendment by which it was proposed to retain the jurisdiction of the House upon this matter.

MR. PAULL said, he could not agree with those hon. Members who advocated local inquiry, which would have the effect of reviving the animosities attendant upon the election, instead of allowing them to die out. Moreover, the appearance of one of Her Majesty's Judges in a borough for the purpose of conducting an inquiry of this nature would tend to prolong the saturnalia which hon. Members strongly condemned as one of the vices of the present system. Although inquiries into bribery might be of the highest importance in one sense, yet the questions which were raised upon such an inquiry could hardly be classed with the social questions which usually came before the Judges. They would be taken from their important duties to decide matters of minor importance, and such inquiries, conducted without the assistance of a jury, would tend to bring the Judges into disrespect. It would be said perhaps that a Judge was influenced in consequence of his having recently been a barrister upon that particular circuit, or of his having recently given up a seat in the House in order to take his place upon the Bench. These matters should induce them to pause before they cast this duty upon Judges.

MR. LOWE said, that last year the House of Commons delegated this most difficult question to seventeen of its Members, who entered into the inquiry free from all political bias, with the determination of seeing whether something could not be done to put down this crying evil, and those seventeen Members came to a unanimous Resolution which was in substance in favour of the principles embodied in the Government Bill. Under these circumstances, it would not be handsome nor even fair to the Government who had adopted their plan, if the Members of that Committee did not come forward and state the reasons which had induced them to come to the conclusions at which they had arrived. The shortest way of laying the matter before the House was for him to state what questions came before the Committee, and the decision at which they had arrived respecting them. He might state, in the first place, that every point that had been mentioned in that debate was well and fully canvassed by the Committee before they came to the unanimous resolution of placing the matter in the hands of one of the Judges. The Committee did not feel much embarrassed with reference to the question of taking away the jurisdiction of the House, because they felt that the House had already parted with it. It was true that the House retained the power of appointing from among its own Members a Court to try these Petitions, but having done that its power was exhausted. The Court thus appointed was as independent of that House as if its Members were sitting in Quarter Sessions. The Committee thought under these circumstances that the question of transferring the jurisdiction of the House was settled, and that all they had to consider was, whether the existing tribunal was the best and the most efficient that could be obtained? When they came to look at these Courts they found them thus constituted—they found—and he said so with no desire to speak slightingly of the decisions of these tribunals—that they were composed of persons who, from the very necessity of their situation, were political partizans, and were consequently liable to be suspected of political bias; and, indeed, it was not out of the question that they might be affected by an honest political bias. Another objection to the existing tribunals was that they could not be appointed until after the House had assembled, and therefore they could not meet to investigate the cases until months after the offences had been committed. They felt that the inquiry to be efficient must be speedy, so that there should be no time to tamper with the witnesses to see how the inquiry could be evaded or to square the petitioners. They felt, besides, the immense benefits that would arise from local inquiry. It appeared to the Committee that if the existing tribunals were to be retained all those advantages must be given up, and that they must make up their minds whether they would recommend the House, at such a sacrifice, to retain the shadow of jurisdiction that it possessed, or, by giving up that shadow, to obtain the realization of a satisfactory tribunal for the decision of these cases. The conclusion the Committee came to was that the House having already wisely and justly parted with any sort of power or direction over these inquiries, which nobody could be so unfit to exercise as this purely political body, the business of the Committee was to look out for the best tribunal that could be found—one combining certain specified conditions, such as a thorough acquaintance with the rules of law, and the power of controlling and shortening proceedings and of preventing time and money being wasted by irrelevant argument. Considering the enormous importance of the questions at stake, the Committee thought there was no tribunal too high or dignified to re-place Committees of the House; and therefore the question with him, and he believed with the rest of the Committee, was simply whether the present jurisdiction of the House should be retained, or whether that jurisdiction should be transferred to the very highest authority that could be found. The Committee were not prepared to recommend any compromise, and they were not prepared to delegate anything to barristers. The insuperable objection to the plan of the hon. Member for Pontefract (Mr. Childers) appeared to be that a barrister would have immense power and latitude of conscience without responsibility, because, although he might manipulate the evidence cleverly, and advise on legal points, the decision would be that of the Committee. It was always wise, where it was possible, that the men who had to decide upon the evidence should hear it; for evidence taken secon-dhand never had the same weight as when you had listened to and watched the witnesses. It was a very different thing to read the evidence from a stupid blue book, sitting half asleep over the fire in dressing-gown and slippers. With great respect for the Gentlemen who had spoken he had heard nothing to shake his views. He could understand the House wishing to adhere to the existing plan; but he did hope that no compromise would be adopted. Let the House either boldly throw out the Bill or adhere to the present system. The opinion of the Committee was that the number of Judges should be increased, that there should be no selection, and that no one should know beforehand who would try a case. He would like to treat Judges in this matter as we treated jurors, who came out of and sunk back into the body of the community, thereby avoiding speculations as to their bias, politics, and private life which would be indulged in if jurors were always the same. Unfortunately this was not the course adopted in the Bill, owing mainly, perhaps, to the letter of the Lord Chief Justice of the Queen's Bench. This was a minor matter; but it would be better if the number of Judges could be increased. When there was a desperate duty to discharge the Duke of Wellington always took for it the regiment that was most available; he would not by selection make any distinction; and no doubt in that way he sustained the *morale* and confidence of every part of the army by showing that he had equal confidence in all regiments. On that principle he took objection to the measure of the Government. To conclude, a really efficient inquiry must be local and speedy, and must not wait for the meeting of Parliament. It could be obtained only by delegating the duty to Courts of Justice; and, therefore, he hoped the House would approve the decision of the Committee, which was most conscientiously arrived at with the single desire of doing what was best.

SIR ROUNDELL PALMER said, that the statement of his right hon. Friend had not shaken the opinion which he had formed when this Bill was first laid on the table of the House, and which all his subsequent reflection had confirmed. If the choice lay between the Bill, the plan of the Committee, and the present system, his own judgment would be in favour of adhering to the present system. He thought it was an error to say that the House—when it regulated by Act of Parliament the mode in which it would, by its Committees, decide upon Election Petitions—had already parted with its jurisdiction in the same sense, and with the same consequences, as it was now asked to do. When the Whole House decided on Petitions, it was party rallying against party, and it was impossible that an inquiry should be conducted judicially; but it was otherwise when a small number of Members, properly selected, were sworn to do their duty, with the eye of the House and the public resting upon them, within the walls, and, as it were, in the atmosphere of the House. The House still retained cognizance of what went on, and took constant interest in it, so that it could detect and check any tendency to corruption. In that way the House retained the control it ought to have over everything affecting its constitution, and he was decidedly of opinion that that authority should be retained, in whatever mode an inquiry might be conducted. Nor did he agree as to even the alleged incidental inconveniences of the present system, nor as to the tendency of the new remedy to correct the evils stated. Was it part of the plan that every Petition should be presented within a fortnight? To shorten the time for presenting a Petition would in many cases be as likely to have the effect of playing as much into the hands of corruption as it would be to have that of preventing the malpractices referred to. If the time were not shortened the people concerned would still manage things in their own way, much as they did at present. He did not hesitate to express his opinion that the plan proposed would diminish the number of cases in which corruption would be exposed and punished. It might be that an inquiry by a Committee was conducted more loosely than an inquiry by a Judge —but, if a Committee was not strict in applying technical rules, its very laxity tended to the discovery of truth in these matters. He was apprehensive that if a Judge was sent down to try these cases, according to the strict rules of procedure, the advantage would be altogether on the side of those who stood in the position of defendants. He apprehended it would be found that in many cases corruption might escape even in a more flagrant manner than it did under the present system. No doubt, in some cases, local inquiry would be most valuable and important, but not necessarily in every case; and he should like to see power given and machinery supplied to the Committees of the House to enable them to conduct such local inquiry when they deemed it necessary. As to the proposal of the Government respecting the appointment of two Judges, he ventured to say that of all the proposals which human ingenuity could possibly have thought of, it was the very worst. These two Judges would, in point of fact, be called upon to determine all matters relating to the constitution of the House, and of course they would not be removable unless they were guilty of grave misconduct. Judges, like other men, had their politics; but, at present, cases in which political bias might be supposed to affect their minds were rare, although in those cases they frequently gave their judgments according to their politics. Indeed, this happened in almost all ecclesiastical cases. Still even in cases of this kind the public reposed confidence in the Judges, being aware of their high character, and the admirable manner in which they generally discharged their duties. But if two particular Judges whose politics would be well known were to be chosen to investigate Election Petitions, he ventured to predict that there would be an universal outcry in the country. A special jurisdiction was always an evil, and here it would be found in its worst and most exaggerated form. Then, two Judges could not get through the work with the necessary despatch; and if the whole Bench were employed, as was proposed by the Committee, they would be withdrawn from their ordinary duties in a manner most inconvenient to the public service. Therefore, if this proposal were adopted, it would soon become necessary to supplement it by the appointment of those barristers to whom his right hon. Friend (Mr. Lowe) so much objected. In conclusion, he protested against a hurried change of this kind in a moribund Parliament. He believed that it was impossible by any machinery that could be invented, in the way of trial or punishment, to prevent corruption until there rose up in the constituencies a spirit opposed to corruption.

Sir STAFFORD NORTHCOTE said, he agreed with what his hon. Friend (Sir Roundell Palmer) had said as to the real remedy for corrupt practices; but he wished to point out that the present scheme of a local inquiry, surrounded by judicial forms, had been adopted with the view of changing the spirit of the constituencies by striking at the root of corruption. Local inquiry afforded the best chance of effecting the object they all wished to secure.

Sir GEORGE GREY said, that having been a member of the Select Committee which sat last year, he was unable to agree with the right hon. Gentleman the Member for Calne that the decision of that Committee was arrived at unanimously. The Committee was unanimous only to this extent—that if the jurisdiction were transferred from the House it ought to be conferred on the highest existing judicial tribunal in the country, and not on a body of Commissioners or barristers. He himself had voted in conjunction with the hon.

Member for Sandwich (Mr. Knatchbull-Hugessen) in favour of a proposal that the House should retain its jurisdiction over Election Petitions until they were ready to be sent for trial to a tribunal to be fixed upon by the House. His opinion was that, as the Court of Chancery was able to direct an issue on a point of law, the House should be able to refer any questions respecting an inquiry of that sort to such Court as they might think best suited to try them. With regard to the scheme now under consideration he could not see how the jurisdiction could be transferred till the House knew what was proposed to be done as to Ireland and Scotland, for the Bill, it should be borne in mind, applied to England alone.

Viscount AMBERLEY said, he must acknowledge the value of local inquiry; but the House ought not to be misled into the belief that a mere transfer to a local tribunal would be necessarily an improvement. The House, he thought, should not be in a hurry to give up its jurisdiction without knowing that the tribunal which it was proposed to substitute for the present one would be an improvement. He should support the Amendment.

Mr. T. CAVE said, there was one argument which ought to carry weight. ["Divide!"] There were thirteen lawyers who had addressed the Committee, and only three from the general body; and since hon. Members would not listen to him he should move that the Chairman report Progress.

Mr. DISRAELI hoped the Motion for the adjournment would would not be persisted in. He never knew a Committee in riper mood for discussion. The subject had been discussed with great ability on both sides, and if they did not come to a decision that night he should begin to despair of progress. He was sure that the House would be quite prepared to listen to the hon. Member who had just sat down, and who had perhaps unnecessarily spoken; but if he would only condense his observations he was sure the Committee would not refuse to hear what he had got to say.

Mr. T. CAVE said, that an hon. Baronet opposite had spoken of the borough which he (Mr. T. Cave) represented as "one of those nasty little corrupt boroughs like Bridgwater." Did not hon. Members expect the representatives of boroughs thus classed to show a little self-respect when a Bill like this was before the House. Well, his argument was this—they were about to pass a Bill which offered two more prizes to the legal profession, and they would consequently have their House besieged by the profession more than it was at present. Practical men of business who sat in that House saw that the front Bench on both sides was flattered by one body of lawyers and bullied by another. He said that the Bill must be a bad one, because it offered two more prizes to lawyers, who obtained promotion by their speaking powers.

Motion, by leave, *withdrawn.*

Question put, "That the words 'Court of Common Pleas' stand part of the Clause."

The Committee *divided:*—Ayes 178; Noes 158: Majority 20.

AYES.

Adderley, rt. hn. C. B.
Akroyd, E.
Antrobus, E.
Archdall, Captain M.
Arkwright, R.
Bagge, Sir W.
Barrington, Viscount
Bass, M. T.
Beach, Sir M. H.
Beach, W. W. B.
Beaumont, H. F.
Beaumont, W. B.
Biddulph, M.
Bingham, Lord
Bourne, Colonel
Bowen, J. B.
Brett, Sir W. B.
Bruce, Major C.
Bruce, rt. hon. H. A.
Buller, Sir A. W.
Burrell, Sir P.
Cartwright, Colonel
Cave, rt. hon. S.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cavendish, Lord G.
Clay, J.
Clive, G.
Cobbold, J. C.
Cole, hon. H.
Cole, hon. J. L.
Collier, Sir R. P.
Cooper, E. H.
Cox, W. T.
Crawford, R. W.
Dent, J. D.
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
Du Cane, C.
Duff, M. E. G.
Du Pre, C. G.
Dyke, W. H.
Eaton, H. W.
Edwards, Sir H.
Egerton, hon. A. F.
Egerton, E. C.
Enfield, Viscount
Evans, T. W.
Fane, Lieut.-Col. H. H.
Fawcett, H.
Fellowes, E.
Fergusson, Sir J.
Foljambe, F. J. S.
Forde, Colonel
Galway, Viscount
Goddard, A. L.
Goldney, G.
Gordon, rt. hon. E. S.
Gore, W. R. O.
Gorst, J. E.
Gower, hon. F. L.
Grant, A.
Graves, S. R.
Greenall, G.
Greene, E.
Grenfell, H. R.
Griffith, C. D.
Gurney, rt. hon. R.
Gwyn, H.
Hamilton, Lord C.
Hardcastle, J. A.
Hardy, rt. hon. G.
Hardy, J.
Hay, Sir J. C. D.
Hayter, A. D.
Henderson, J.
Herbert, rt. hn. Gen. P.
Hervey, Lord A. H. C.
Hesketh, Sir T. G.
Heygate, W. U.
Hibbert, J. T.
Hildyard, T. B. T.
Hogg, Lieut.-Col. J. M.
Hood, Sir A. A.
Hope, A. J. B. B.
Horsfall, T. B.
Howard, hon. C. W. G.
Huddleston, J. W.
Hunt. rt. hon. G. W.
Hurst, R. H.
Ingham, R.
Karslake, Sir J. B.
Kavanagh, A.
Kendall, N.
Keown, W.
Knightley, Sir R.
Labouchere, H.
Lechmere, Sir E. A. H.
Legh, Major C.
Lennox, Lord H. G.
Liddell, hon. H. G.
Lindsay, hon. Colonel C.
Lindsay, Colonel R. L.
Lowe, rt. hon. R.
Lowther, W.
M'Lagan, P.
M'Laren, D.
Mainwaring, T.
Manners, Lord G. J.
Manners, rt. hn. Lord J.
Majoribanks, Sir D. C.
Mayo, Earl of
Melly, G.
Mill, J. S.
Moffatt, G.
Monk, C. J.
Montagu, rt. hn. Lord R.
Montgomery, Sir G.
Morgan, hon. Major
Morgan, O.
Morrison, W.
Mowbray, rt. hn. J. R.
Nicol, J. D.
North, Colonel
Northcote, rt. hon. Sir S. H.
Otway, A. J.
Packe, Colonel
Pakington, rt. hn. Sir J.
Parker, Major W.
Patten, rt. hon. Col. W.
Pim, J.
Pollard-Urquhart, W.
Potter, E.
Powell, F. S.
Price, W. P.
Pritchard, J.
Pugh, D.
Rebow, J. G.
Repton, G. W. J.
Robertson, P. F.
Royston, Viscount
Russell, A.
Russell, Sir C.
Schreiber, C.
Sclater-Booth, G.
Scourfield, J. H.
Severne, J. E.
Seymour, G. H.
Simeon, Sir J.
Smith, A.
Smith, J.
Somerset, Colonel
Somerset, E. A.
Stanley, hon. F.
Stanley, Lord
Stirling-Maxwell, Sir W.
Stone, W. H.
Stopford, S. G.
Stronge, Sir J. M.
Stuart, Lt.-Col. W.
Sykes, Colonel W. H.
Taylor, P. A.
Thompson, M. W.
Torrens, R.
Tracy, hn. C. R. D. H.
Trevor, Lord A. E. H.
Turner, C.
Villiers, rt. hon. C. P.
Walpole, rt. hon. S. H.
Walsh, hon. A.
Warren, rt. hon. R. R.
Waterhouse, S.
Weguelin, T. M.
Welby, W. E.
Whitbread, S.
Woodd, B. T.
Wynn, C. W. W.

TELLERS.

Noel, hon. G. J.
Whitmore, H.

NOES.

Acland, T. D.
Adam, W. P.
Allen, W. S.
Amberley, Viscount
Anstruther, Sir R.
Aytoun, R. S.
Bagwell, J.
Baines, E.
Barclay, A. C.
Barnes, T.
Barnett, H.
Barttelot, Colonel
Berkeley, hon. H. F.
Biddulph, Col. R. M.
Blennerhassett, Sir R.
Bouverie, rt. hon. E. P.
Bowyer, Sir G.
Bright, J. (Manchester)
Bruce, Lord C.
Bruen, H.
Buller, Sir E. M.
Buxton, C.
Candlish, J.
Cardwell, rt. hon. E.
Carter, S.
Castlerosse, Viscount
Cave, T.
Chambers, M.
Cheetham, J.
Childers, H. C. E.
Cholmeley, Sir M. J.
Cogan, rt. hn. W. H. F.
Colebrooke, Sir T. E.
Coleridge, J. D.
Colthurst, Sir G. C.
Cowen, J.
Cowper, hn. H. F.
Cowper, rt. hon. W. F.
Crossley, Sir F.
Dalglish, R.
Davenport, W. B.
Denman, hon. G.
Dering, Sir E. C.
Dillwyn, L. L.
Dunne, rt. hn. General
Dyott, Colonel R.
Edwards, C.
Edwards, H.
Ellice, E.
Erskine, Vice-Ad. J. E
Esmonde, J.
Ewing, H. E. Crum-
Eykyn, R.
Fane, Colonel J. W.

Fildes, J.
FitzPatrick, rt. hn. J. W.
Floyer, J.
Fordyce, W. D.
Forster, C.
Foster, W. O.
Gaselee, Serjeant S.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldsmid, Sir F. H.
Goldsmid, J.
Gore, J. R. O.
Goschen, rt. hon. G. J.
Graham, W.
Gray, Sir J.
Gregory, W. H.
Grey, rt. hon. Sir G.
Grey, hon. T. de
Grosvenor, Capt. R. W.
Grove, T. F.
Guinness, Sir A. E.
Hankey, T.
Hanmer, Sir J.
Harris, J. D.
Hay, Lord J.
Headlam, rt. hn. T. E.
Heneage, E.
Henley, rt. hon. J. W.
Henley, Lord
Henniker-Major, hon. J. M.
Hodgkinson, G.
Howes, E.
Hughes, W. B.
Hutt, rt. hn. Sir W.
Johnstone, Sir J.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Lacon, Sir E.
Lamont, J.
Langton, W. G.
Leader, N. P.
Leatham, E. A.
Leatham, W. H.
Lee, W.
Leeman, G.
Locke, J.
Lopes, H. C.
Lorne, Marquess of
Lusk, A.
Lyttelton, hon. C. G.
Martin, P. W.
Milbank, F. A.
Mills, J. R.
Milton, Viscount
Monsell, rt. hn. W.
More, R. J.
Morris, G.
Murphy, N. D.
Neate, C.
O'Brien, Sir P.
O'Loghlen, Sir C. M.
Onslow, G.
Padmore, R.
Paget, T. T.
Palmer, Sir R.
Parry, T.
Paull, H.
Pease, J. W.
Pelham, Lord
Pemberton, E. L.
Philips, R. N.
Potter, T. B.
Ramsay, J.
Rearden, D. J.
St. Aubyn, J.
Salomons, Mr. Ald.
Samuda, J. D'A
Samuelson, B.
Sandford, G. M. W.
Saunderson, E.
Seymour, A.
Sherriff, A. C.
Speirs, A. A.
Stacpoole, W.
Stuart, Col. Crichton-
Surtees, C. F.
Sykes, C.
Synan, E. J.
Talbot, C. R. M.
Thynne, Lord H. F.
Vance, J.
Vanderbyl, P.
Verney, Sir H.
Vernon, H. F.
Waldegrave-Leslie, hon. G.
White, J.
Winterbotham, H. S. P.
Wise, H. C.
Woods, H.
Wyld, J.
Young, R.

TELLERS.
Craufurd, E. H. J.
Bonham-Carter, J.

Question proposed, "That the Clause stand part of the Bill."

Mr. BOUVERIE said, he rose to express his willingness to proceed with the discussion of the Amendments which stood on the Paper in his name. At that late hour, however, he doubted whether it would be convenient to do so.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Bouverie.*)

Mr. DISRAELI: I have no objection to reporting Progress if the right hon. Gentleman will allow this clause to pass.

Mr. Serjeant GASELEE said, he had given way to several hon. Gentlemen that evening who had no more right than himself to address the House on the question before it. He had not sufficient confidence in himself to go against the feeling of the House; but he must say that after the discussion which had taken place he saw no good reason why Progress should not at once be reported.

Sir ROBERT COLLIER said, he hoped that the right hon. Member for Kilmarnock would withdraw his Motion and allow the clause to pass.

Sir RAINALD KNIGHTLEY thought the right hon. Gentleman's object in making the Motion must have been to stop the progress of the Bill.

Mr. FAWCETT said, that if the Motion were not withdrawn a very bad impression would be produced in the country. It would be thought that the House was not sincere in the desire to put down corruption.

Mr. DENMAN said, that it was too bad that hon. Gentlemen should rise in their places and talk of what might be said by the country. What did that House, he should like to know, care about such threats? Its object was to put down bribery and corruption, and that could not be done by passing this Bill which was absurd as it stood. It was therefore necessary that the Amendments should be fairly discussed. It was too late an hour to proceed with so important a subject with advantage.

Mr. OTWAY said, that questions had been repeatedly addressed from his side of the House to the Government with respect to the Bill, and great eagerness professed that it should pass this Session. The Government, in his opinion, had shown themselves most sincere in their endeavour to carry out that object, and yet the obstructions to the progress of the Bill that evening came from Members of the Liberal party. He for one was anxious to dissociate himself from such a line of conduct.

Mr. ESMONDE said, he hoped the Motion for reporting Progress would be persevered in. As far as he was concerned, at the risk of being accused of factious opposition, the clause should not pass tonight. The Bill, should it pass, would, he felt convinced, be received in Ireland with the utmost dissatisfaction and dismay. He would warn hon. Members that it was a measure which would dangerously touch the tenure of their seats.

The Committee *divided*: — Ayes 68; Noes 201: Majority 133.

Mr. ESMONDE moved that the Chairman do leave the Chair.

The CHANCELLOR of the EXCHEQUER: I hope this course will not be pursued. On several occasions hon. Gentlemen opposite have expressed the greatest anxiety that this Bill should be proceeded with. By no one has that anxiety been expressed more strongly than by the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone). Well, Sir, having just passed what have been called the Supplementary Reform Bills, we have taken the earliest opportunity to proceed with this Bill. But what do we find? That the right hon. Gentleman the Member for South Lancashire votes to report Progress, so as to obstruct the passing of this measure. No doubt hon. Gentlemen have expressed in speeches and by votes their objections to particular portions of this Bill; but those objections afford no reason why we should report Progress. My hon. and learned Friend the Member for Tiverton (Mr. Denman) said he did not care about the country.

Mr. DENMAN: I beg your pardon, I said nothing of the kind; what I said was I did not care about the impression that was produced.

The CHANCELLOR of the EXCHEQUER: I am in the recollection of the House. The words which I caught were that the hon. Gentleman did not care about the country.

Mr. DENMAN: That I did not care what the country would say.

The CHANCELLOR of the EXCHEQUER: I accept the statement of what the hon. and learned Gentleman intended to say; but, for my part, I confess I am anxious about the impression produced in the country. I am anxious that the country should understand who it is desires to obstruct the Bill, and who it is desires that it should proceed. I do hope that, having had several hours' discussion and a division substantially affirming the principle of the Bill, we shall now be allowed to pass the clauses of the Bill, and not be met by alternate Motions for reporting Progress and the Chairman leaving the Chair.

Mr. GLADSTONE: Sir, if the right hon. Gentleman the Chancellor of the Exchequer, on the part of the Government, is anxious to promote the progress of the Bill, I must say I never heard a speech more indiscreetly framed with reference to that object than the speech which he has just delivered; and in the defence which I shall endeavour to make against the charge he has so unexpectedly brought against me my principal aim will be that what I may say shall be as unlike as possible to what he has just said. Now I must tell the right hon. Gentleman that for thirty-six years this is the first time I have ever heard it stated in this House, even by any private, inexperienced, and independent Member, much less by a Minister of the Crown, that the vote for reporting Progress on a single Motion at one o'clock in the morning upon a Bill of great difficulty was a factious proceeding, which the Minister was justified in denouncing and exhibiting to the country as an obstruction of the Bill. Were I to approach the question in the spirit which the right hon. Gentleman has approached it, I should examine the proceedings of the Government, and should go night by night over the arrangement of the Business, and should make minute inquiries as to the signs which that arrangement shows of the anxiety of the Government to proceed with this Bill. But I refrain from such a course because I know well that when the right hon. Gentleman launched his unwise and unjustifiable charges, if I, with a not less plausible excuse, were to reiterate them the effect out-of-doors would be greatly to discredit Parliament in the face of the country. I will tell the right hon. Gentleman that which he has very little title to ask from me—the reason for my vote. We have just rejected, though not by a large majority, the Amendment of my hon. Friend the Member for Ayr (Mr. Craufurd). My right hon. Friend the Member for Kilmarnock (Mr. Bouverie) has a medium scheme, between that for retaining and that for parting with the jurisdiction of this House, which was completely excluded from consideration in the late debate. My right hon. Friend the Member for Kilmarnock is a Gentleman who has held the Office which you, Sir, so ably fill. He has sat in this House for many years, and he is certainly entitled as well as any Member in this House to be heard upon any question connected with its proceedings. He desires to have the opportunity of explaining fully to the House the particulars of his plan, for which I may say I have no violent prepossession, and to do this at a time when the House is not exhausted by lengthened statements. And what I contend is that to divide with my right hon. Friend upon a single Motion with a view to obtain for him the opportunity which he asks does not in any respect justify the extraordinary charges which have been made. The right hon. Gentleman ought to know much more of this House and of its proceedings before he ventures to make such charges; and if there are those who object to that statement, I want to know what title their experience or close observations of the proceedings of this House gives them to utter opinions in so singular a manner. This, I venture to say to the right hon. Gentleman—let him show me one single case where any man occupying his high position—I will go as far as to use the word presumed—[" Oh!"]—yes, has presumed —["Oh, oh!"]—has taken on himself, if you like it better, to charge a Member of this House with faction and obstruction, because of a single vote to report Progress at one o'clock in the morning, in order to have a new question fully and fairly discussed. Let him show me one single case of such a charge made by a Minister of the Crown, and I will retract and apologize to him. But the right hon. Gentleman will find no such case; and in its absence I will venture to say that it does not become him to create a precedent so adverse to the liberty and independence of Members of the House. My sentiments with regard to the Motion just made are the same as those of the right hon. Gentleman. I am not in favour of alternate Motions such as the right hon. Gentleman has so unreasonably supposed are part of a scheme for obstructing the progress of this Bill. I challenge any hon. Gentleman opposite, and particularly the Chancellor of the Exchequer, to point out any case where a similar charge of obstruction has been put forward by a Minister of the Crown. I cannot consent to have my liberty in any degree diminished or impaired by the right hon. Gentleman or by anybody who desires to pursue a similar course.

Mr. PAULL said, it was not astonishing that the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) should exhibit extraordinary anxiety to clear himself from the charge of factious proceedings, seeing that, after what had occurred, both the House and the country must be disposed to entertain a very strong opinion. When anybody—to use the right hon. Gentleman's own word—"presumed" to get up and rate a Minister, he ought to be very careful as to the facts in his own statement; and the facts in this case were that it was at half-past twelve, and not at one o'clock, that the Motion to report Progress was made.

Mr. BOUVERIE said, he thought the Chancellor of the Exchequer could not understand the exact position of the question, or he would courteously have complied with the suggestion to report Progress. To pass this clause would put an end to the plan he (Mr. Bouverie) had to propose. Having been in the House nearly ever since twelve o'clock yesterday he felt tired, and he thought it not unreasonable to defer bringing forward at so late an hour a new and important Motion, which was favourably viewed by many influential Members of the House.

The CHANCELLOR of the EXCHEQUER: I do not think there is any misunderstanding upon my part. The plan of the right hon. Gentleman depends upon whether Petitions are to be presented to the House of Commons or to the Court of Common Pleas; and that question has been already decided. That decision has disposed of the plan of the right hon. Member for Kilmarnock (Mr. Bouverie). That being the case, it is utterly impossible that the right hon. Gentleman can propose his plan at all; and it seemed to me that decision having been virtually come to on the clause, to report Progress in order to prevent the clause being carried was really trying to cause delay for no purpose whatever.

Mr. CARDWELL: I have been most extremely anxious to hear the plan of my right hon. Friend the Member for Kilmarnock (Mr. Bouverie) argued in this House. It has been long before the public, it has been advocated by high authorities out of doors, and by persons holding Conservative opinions; and, although I do not wish to pledge myself to it, I am extremely desirous of hearing it argued, as we have just heard another plan argued. Although that which has been argued has been supported by all the strength of the Government, they have only had a majority of 20 in a full House; and in the opinion of many of us the plan was effectively disposed of in the speech of the hon. and learned Member for Richmond (Sir Roundell Palmer). Before we finally put the clause into the Bill we want to hear the other plan discussed; and fairness and the forms of the House are on our side. The Bill does not embody the original plan of the Government, but only an alternative one, substituted on the receipt of the letter from the Lord Chief Justice. If we insert the clause in the Bill we are shut out from discussing the plan of my right hon. Friend, who is in fair play entitled to an opportunity for its discussion; and in granting it we shall only be doing justice to our view as Members anxious to suppress corrupt practices.

MR. DISRAELI: There seems to be a desire on the part of many Members of the Committee to discuss the plan of the right hon. Member for Kilmarnock (Mr. Bouverie). Looking at the great quantity of Business that remains, and also at the period of the Session, perhaps the best thing we can do is to report Progress, and ask leave to sit again.

MR. SERJEANT GASELEE complained that the Bill had purposely been kept back until a late period of the evening.

Motion *agreed to.*

House *resumed.*

MR. FAWCETT said, he wished to know when the Committee would be resumed, and whether the Bill could be taken at a Morning Sitting?

MR. DISRAELI: I have put the Bill down for Monday; but, candidly, looking at the Business on the Paper, I see little prospect of its being brought on. I think it, however, most convenient to put it down for that day. With regard to Morning Sittings for this Bill, no doubt there is a time when Morning Sittings will considerably help us; but until we have settled the general principles of the Bill I prefer that discussion should be confined to Evening Sittings.

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DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) SUPPLEMENTAL (NO. 2.) BILL.

On Motion of Mr. SCLATER-BOOTH, Bill to confirm a Provisional Order under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same, *ordered* to be brought in by Mr. SCLATER-BOOTH and The Earl of MAYO.

Bill *presented,* and read the first time. [Bill 195.]

CLERKS OF THE PEACE, &C. (IRELAND) BILL.

On Motion of The Earl of MAYO, Bill to make provision for the payment of Salaries to Clerks of the Peace and Clerks of the Crown in certain Boroughs in Ireland, *ordered* to be brought in by The Earl of MAYO and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 194.]

House adjourned at a quarter before Two o'clock.

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l. Presented; read 1ª* *May* 25 (No. 116)

Moved, "That the Bill be now read 2ª" (*The Earl of Longford*) *June* 9, 1298; after short debate, Bill read 2ª

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- Ireland—Royal Residence in, Motion for an Address, 358
- Representation of the People (Ireland), Comm. *cl.* 18, 1593; *add. cl.* 1779; Motion for Adjournment, 1801, 1802, 1804, 1805; Consid. 1892

Brett, Sir H. B., *see* Solicitor General, The

Bright, Mr. Jacob, *Manchester*
- Elementary Education, 2R. 1993
- Married Women's Property, 2R. 1360
- Supply—University of Glasgow, 402

Bright, Mr. John, *Birmingham*
- Barrett, The Convict, 832
- Boundaries of Boroughs, Motion for a Commission, 427, 428, 431
- Boundary, Comm. 263, 281; Preamble, 1273, 1275; *cl.* 4, 1409, 1413
- Electric Telegraphs, 1231
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- Ministerial Statement, 626
- Nova Scotia—British North American Confederation, Motion for an Address, 1658, 1694
- Representation of the People (Scotland), Comm. *cl.* 3, 477, 485; *cl.* 8, 875; *cl.* 9, 966, 971, 972, 980; Schedule A, 1252, 1254, 1256

Bristol Election
- Petition of Electors of the City of Bristol referred to the General Committee of Elections *May* 12, 175
- Select Committee nominated; List of the Committee *June* 17, 1740
- Report of the Committee; Minutes of Evidence to be laid before this House (*Mr. Howes*) *June* 25, 2130

Bromley, Mr. W. Davenport- *Warwickshire, N.*
- Boundary, Comm. *cl.* 4, 1425
- Peel Statue, The, Res. 2146
- Public Schools, Re-comm. *cl.* 16, 1940

Broughty Ferry Provisional Order Confirmation Bill (*The Lord Clinton*)
- *l.* Committee *; Report *May* 11 (No. 86)
- Read 3ª * *May* 12
- Royal Assent *May* 29

Browne, Lord J. T., *Mayo Co.*
- Burials (Ireland), Comm. *cl.* 1, Amendt. 1381
- Representation of the People (Ireland), Comm. *cl.* 3, 1584; *cl.* 18, 1590, 1592; *add. cl.* 1779, 1780, 1797
- Representation of the People (Scotland), Comm. *cl.* 3, 476, 478

Bruce, Rt. Hon. H. A., *Merthyr Tydvil*
- Boundary, Comm. *cl.* 4, 1425, 1440
- Education—Revised Code, 952
- Elementary Education, 2R. 1983, 1995
- Mines, Accidents in, 1498
- Supply—Education, Public, 1139, 1143, 1160, 1161
  - Science and Art, 1170

Bruce, Sir H. H., *Coleraine*
- Burials (Ireland), Comm. *add. cl.* 1384
- Representation of the People (Ireland), Comm. 1578, 1805
- Supply—Nonconforming, &c. Ministers, 2168

Bruce, Mr. C. L. Cumming-, *Elgin & Nairnshire*
- Representation of the People (Scotland), Comm. *cl.* 4, 854; *cl.* 8, 864; *cl.* 10, 984; *cl.* 11, 996

Buckingham, Duke of (Secretary of State for the Colonies)
- Army Chaplains, Comm. 1393
- Cotton Statistics, Comm. 918
- New Forest—Deer Removal, &c. Act, Motion for a Commission, 696
- Newfoundland—Grants of Land on French Coast, 706, 707

Burial Societies—Frauds upon
- Question, Mr. P. A. Taylor; Answer, Mr. Gathorne Hardy *May* 26, 920

Burials (Ireland) Bill
(*Mr. Monsell, Mr. Sullivan*)
- *c.* Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" (*Mr. Monsell*) *June* 10, 1378; after short debate, agreed to; Committee—r.p. [Bill 5]

Butler, Mr. C. S., *Tower Hamlets*
- Customs—Examining Officers, 2135

Buxton, Sir T. F., *King's Lynn*
- Navy Estimates—Wages, 91

Buxton, Mr. C., *Surrey, E.*
- Libel, Comm. 603

Cairns, Lord (see Chancellor, The Lord)

Cambridge, Duke of (Field Marshal Commanding-in-Chief)
- Abyssinia—Return of the Army, 1812

Campbell, Lord
- Nova Scotia, 1749

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- University Tests, 1024

Canada—Alleged Flogging in a Prison
- Question, Mr. Rearden; Answer, Mr. Adderley *June* 17, 1698

Candlish, Mr. J., *Sunderland*
- Boundaries of Boroughs, Comm. 433
- Burials (Ireland), Comm. *cl.* 1, 1382
- Merchant Shipping Acts, 1852
- Poor Relief Assessment Returns, 1470
- Postal—Cape Mail, 923

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Candlish, Mr. J.—*cont.*
- Representation of the People (Ireland), Comm. *cl.* 18, 1594
- Representation of the People (Scotland), Comm. *cl.* 8, 858; Schedule A, 1254
- Supply—Nonconforming, &c. Ministers, 2168
  - Science and Art, 1171
- Supply—Government Prisons, 1106; Amendt. 1107, 1108
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Canterbury, Archbishop of
- Army Chaplains, Comm. 1385
- Established Church (Ireland), 2R. 2089
- Ritual, Reports of the Commission on, 333

Cape of Good Hope—Basuto Land
- Question, Mr. Cardwell; Answer, Mr. Adderley *May* 12, 114

Capital Punishment within Prisons Bill
(*The Duke of Richmond*)
- *l.* Read 3ª *May* 11, 14 (No. 83)
- Amendt. "To provide that all prisoners who might be within the walls of the prison at the time when an execution took place, should be present when the punishment was inflicted" (*The Lord Ravensworth*); after short debate, Amendt. negatived; Bill passed
- Royal Assent *May* 29 [31 *Vict.* c. 24]

Cardwell, Right Hon. E., *Oxford City*
- Boundary, Comm. 281
- Cape of Good Hope—Basuto Land, 114
- East Worcestershire Election, 1120
- Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 5, 2196
- Lake Superior and the Pacific, &c., Motion for a Commission, 1350
- Nova Scotia—British North American Confederation, Motion for an Address, 1688
- Parliament, Dissolution of, 1076
- Peel Statue, The, 2142, 2144
- Representation of the People (Ireland), Consid. *add. cl.* 1905
- Representation of the People (Scotland), Comm. *cl.* 8, 885; *cl.* 9, 970

Carlisle, Bishop of
- Army Chaplains, 2R. 1300
- Consecration of Churchyards Act Amendment, 2R. 508

Carnarvon, Earl of
- Army Chaplains, Comm. 1392
- Courts of Justice, New, 1845
- Newfoundland—Grants of Land on French Coast, 700
- Nova Scotia, 1749
- Parliament—Construction of the House, Reappointment of Commission, 510
- Poor Relief, Comm. *cl.* 9, 1623, 1627
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- Vagrants—Guildford Union, Motion for Correspondence, 95, 100, 102

Carnegie, Hon. C., *Forfarshire*
- Agriculture, Motion for a Commission, 587
- Court of Session (Scotland), 2R. 1521
- Money Orders and Stamped Receipts, 2134
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Carriers' Act, General
- Question, Mr. Carter; Answer, Mr. Stephen Cave *June* 25, 2131

Carter, Mr. S., *Coventry*
- General Carriers' Act, 2131

Cattle Plague
- *Foreign Cattle Market,* Question, Mr. Shaw-Lefevre; Answer, The Chancellor of the Exchequer *June* 11, 1395
- *Importation of Foreign Cattle,* Question, Mr. Russell Gurney; Answer, Lord Robert Montagu *May* 11, 18; Question, Mr. Corrance; Answer, Lord Robert Montagu *May* 12, 115; Questions, Sir Robert Collier; Answers, Lord Robert Montagu *May* 18, 424; Question, Mr. Horsfall; Answer, Lord Robert Montagu *June* 18, 1758
- *Zurich Veterinary College,* Question, Sir J. Clarke Jervoise; Answer, Lord Robert Montagu *June* 18, 1755; Question, Sir J. Clarke Jervoise; Answer, Lord Stanley *June* 22, 1852

Cave, Rt. Hon. S. (Paymaster of the Forces and Vice President of the Board of Trade), *New Shoreham*
- Alkali Act (1863) Perpetuation, 2R. 1296
- Cattle, Importation of, 115
- County Courts (Admiralty Jurisdiction), Comm. 164
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- "Garonne," Loss of the, 1042
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- Merchant Shipping Acts, 513, 1853
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- Sea Fisheries, Lords' Amendts. 1859, 1863, 1869
- Weights and Measures (Metric System), 2R. 204

Cave, Mr. T., *Barnstaple*
- Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 5, Motion for Adjournment, 2188
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Cavendish, Lord F. C., *Yorkshire, W.R.—N.*
- Elementary Education, 2R. 2008

Cecil, Lord E. H. B. G., *Essex, S.*
- Main Drainage—Inhabitants of Barking, 954, 1853

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Crops in, Question, Mr. Watkin; Answer, Mr. Adderley *June* 18, 1755
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CHAMBERS, Mr. M., *Devonport*
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CHAMBERS, Mr. T., *Marylebone*
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CHEETHAM, Mr. J., *Salford*
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CHILDERS, Mr. H. C. E., *Pontefract*
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City of London Gas Bill—*Formerly* **Metropolis Gas Bill**
(*Mr. Morrison, Mr. Locke, Mr. Gorst*)
c. Re-comm.*—R.P. *May* 18 [Bill 115]
Re-comm.*; Report *May* 19
Considered * *May* 20
Read 3° * *May* 21
l. Read 1ª * (*The Lord Stanley of Alderley*) *May* 22 (No. 109)
Read 2ª * *June* 8
Committee * *June* 25 (No. 168)

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Regulation of Railways, Report, *cl.* 14, 412, 415; *cl.* 15, Amendt. 418; *add. cl.* 421; 3R. 708

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Regulation of Railways, Comm. *cl.* 15, 9; *cl.* 19, Amendt. 12, 13; Report, *add. cl.* 417
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Sea Fisheries (Ireland), Comm. *cl.* 5, 237, 239, 242; Re-comm. 916
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Established Church (Ireland), 1R. 1741; 2R. 2079
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CLAY, Mr. J., *Kingston-on-Hull*
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Clerkenwell Prison, The Attack on—The Convict Barrett
Question, Mr. Bright; Answer, Mr. Gathorne Hardy *May* 25, 832

Clerks of the Peace, &c. (Ireland) Bill
(*The Earl of Mayo, Mr. Attorney General for Ireland*)
c. Ordered; read 1° * *June* 25 [Bill 194]

CLEVELAND, Duke of
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CLINTON, Lord (Under Secretary of State for India)
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CLIVE, Mr. G., *Hereford City*
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Coal Mines—The Committee on
Question, Mr. Greene; Answer, Mr. Ayrton; short debate thereon *May* 29, 1081

COCHRANE, Mr. A. D. R. W. Baillie, *Honiton*
Abyssinia—Batta to the Army, 1756
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COGAN, Right Hon. W. H. F., *Kildare Co.*
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Coinage—Half-Crowns
Question, Sir Frederick Heygate; Answer, The Chancellor of the Exchequer *June* 22, 1849

COLE, Hon. J. Lowry, *Enniskillen*
Burials (Ireland), Comm. *add. cl.* 1384

COLEBROOKE, Sir T. E., *Lanarkshire*
Court of Session (Scotland), 2R. 1520
Government of India Act Amendment, 1567; Comm. *cl.* 1, 1889
Governor General of India, 2R. 1602
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Supply—Register House (Edinburgh), Report, 1176

COLERIDGE, Mr. J. D., *Exeter*
Libel, Comm. 600
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Sea Fisheries, Lords' Amendts. 1862

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Boundaries of Boroughs, Comm. 433
Boundary, Comm. 285
Cattle, Importation of Foreign, 424
Darling, Sir C., 1397
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Libel, Comm. *cl.* 3, 608, 617
Registration of Voters Act, 382

Colliery Accidents
Moved, "That an humble Address be presented to Her Majesty, that She will be graciously pleased to issue a Royal Commission to inquire into Colliery Accidents" (*Mr. Greene*) *May* 26, 939; after short debate, House counted out

Colliery Prosecution—Dismissal of Inspectors' Summons
Question, Mr. Locke; Answer, Mr. Gathorne Hardy *June* 15, 1558

Colville, Lord
Regulation of Railways, Report, *cl.* 14,413, 415

Commissionaires, Corps of—Employment in Civil Departments
Question, Sir Charles Russell; Answer, Mr. Sclater-Booth *May* 14, 246

Compulsory Church Rates Abolition Bill
(*The Earl Russell*)
l. Report* *June* 12 (Nos. 55-144)

Consecration of Churchyards Act (1867) Amendment Bill
(*The Lord Bishop of Oxford*)
l. Moved, "That the Bill be now read 2ª" (*The Lord Bishop of Oxford*) *May* 19, 507; after short debate, Bill read 2ª (No. 16)
Committee; Report *May* 26, 897 (No. 124)
Read 3ª* *May* 28
c. Read 1°* *June* 4 [Bill 152]
Read 2°* *June* 8
Committee*; Report *June* 10
Considered* *June* 11
Read 3°* *June* 12
Royal Assent *July* 13 [31 & 32 *Vict.* c. 47]

Consolidated Fund (£17,000,000) Bill
c. Ordered; read 1°* *May* 18
Read 2°* *May* 19
Committee*; Report *May* 20
Read 3°* *May* 21
l. Read 1ª* *May* 22
Read 2ª*; Committee negatived *May* 25
Read 3ª* *May* 26
Royal Assent *May* 29 [31 *Vict.* c. 16]

Consular Marriages Bill
(*Sir James Fergusson, Mr. Secretary Gathorne Hardy*)
c. Ordered; read 1°* *June* 24 [Bill 188]
Read 2°* *June* 25

Contagious Diseases Act, 1866
Question, Viscount Lifford; Answer, The Duke of Marlborough; short debate thereon *May* 15, 324; Question, Sir J. Clarke Jervoise; Answer, Mr. Gathorne Hardy *May* 18, 425
Moved, "That a Select Committee be appointed to consider the Contagious Diseases Act, 1866;" Motion agreed to; List of the Committee *May* 19, 511

Contagious Diseases Act (1866) Amendment Bill
(*Sir John Pakington, Lord Henry Lennox*)
c. Ordered; read 1°* *June* 25 [Bill 193]

Coolie Emigration
Question, Mr. W. E. Forster; Answer, Lord Stanley *June* 25, 2132

Corrance, Mr. F. S., *Suffolk, E.*
Cattle, Importation of, 115
Local Charges on Real Property, Res. 143
Local Rating, Motion for a Committee, 1483, 1498
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Corry, Right Hon. H. T. L. (First Lord of the Admiralty), *Tyrone Co.*
Navy Estimates, 19;—Wages, 34, 75, 79, 87
Navy—Questions, &c.
F. G. Captains' Reserved List, 1223
"Glatton" and "Hotspur," The, 652
Greenwich Hospital, 1184, 1185
Iron-clad Fleet, 32

Cotton Statistics Bill
(*Mr. Bazley, Mr. Milner Gibson, Mr. Horsfall, Mr. Watkin, Mr. Cheetham*)
c. Committee*; Report *May* 13 [Bill 96]
Considered* *May* 15
Read 3°* *May* 18
l. Read 1ª* (*The Marquess of Salisbury*) *May* 19
Moved, "That the Bill be now read 2ª" (*The Marquess of Salisbury*) *May* 22, 709 (No. 102)
After short debate, Amendt. to leave out ("now") and insert ("this Day Six Months")
On Question, That ("now") &c.; Cont. 13, Not-Cont. 6; M. 7; List of Cont. and Not-Cont. 710
Bill read 2ª *May* 22
Committee *May* 26, 918 (No. 126)
Report* *May* 28 (No. 133)
Read 3ª* *June* 8
Royal Assent *June* 25 [31 & 32 *Vict.* c. 33]

County and Burgh Police (Scotland)
Moved, "That a Select Committee be appointed to inquire into the County and Burgh Police Systems of Scotland" (*The Earl of Minto*) *May* 11, 1; after short debate, Motion agreed to; List of the Committee, 5

County Courts (Admiralty Jurisdiction) (*re-committed*) Bill
(*Mr. Norwood, Mr. Headlam, Mr. Candlish*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *May* 12, 161
Amendt. to leave out from "That" and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. Gorst*); after short debate, Question, "That the words, &c;" put, and agreed to; main Question agreed to
Committee; Report *May* 12 [Bill 94]
Considered* *May* 19
Read 3°* *May* 20
l. Read 1ª* (*The Earl Granville*) *May* 22
Moved, "That the Bill be now read 2ª" (*Earl Granville*) *June* 15, 1553; after short debate, Bill read 2ª (No. 108)

County Financial Arrangements
Select Committee nominated; List of the Committee *May* 11, 93

County General Assessment (Scotland) Bill (*The Lord Advocate, Mr. Secretary Gathorne Hardy, Sir James Fergusson*)
c. Read 2° * *May* 29 [Bill 84]
Committee * Report *June* 15 [Bill 172]
Re-comm *; Report *June* 22

Court of Justiciary (Scotland) Bill (*The Lord Advocate, Mr. Secretary Gathorne Hardy, Mr. Attorney General*)
c. Read 2° * *June* 12 [Bill 46]
Committee *; Report *June* 15 [Bill 174]

Court of Session (Scotland) Bill (*The Lord Advocate, Mr. Secretary Gathorne Hardy, Mr. Attorney General*)
c. Moved, "That the Bill be now read 2°" (*The Lord Advocate*) *June* 12, 1516; after short debate, Bill read 2° [Bill 45]
Committee *; Report *June* 15 [Bill 173]

Courts of Chancery and Exchequer (Ireland) Fee Funds Bill (*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer*)
c. Ordered; read 1° * *May* 28 [Bill 146]
Read 2° * *June* 8
Committee *—R.P. *June* 11
Committee *; Report *June* 12
Considered * *June* 18
Read 3° * *June* 22
l. Read 1ª * (*The Lord Clinton*) *June* 23 (No. 171)

Courts of Justice, The New
Observations, Lord Denman; Reply, The Lord Chancellor *May* 12, 105; Observations, Mr. Alderman Lawrence; short debate thereon *May* 14, 287; Observations, Mr. Denman; Reply, The Chancellor of the Exchequer; short debate thereon *May* 15, 362; Question, Mr. Pease; Answer, Mr. Sclater-Booth *May* 21, 653; Observations, Mr. Baillie Cochrane; Reply, Mr. Cowper; short debate thereon *May* 29, 1045
National Gallery, Question, Viscount Hardinge; Answer, The Earl of Malmesbury *May* 12, 93; Questions, Mr. Goldsmid, Mr. Bouverie; Answers, Mr. Sclater-Booth *June* 11, 1396; Question, Mr. Waldegrave-Leslie; Answer, Mr. Sclater-Booth *June* 15, 1563; Question, The Marquess of Salisbury; Answer, The Lord Chancellor; short debate thereon *June* 19, 1834; Questions, Mr. Bentinck, Mr. Layard, Mr. M. Chambers; Answers, Mr. Sclater-Booth, Lord John Manners *June* 25, 2130

Courts of Law (Scotland) [Fees, &c.] Bill (*Mr. Dodson, The Lord Advocate, Sir Graham Montgomery*)
c. Resolution reported; Bill ordered * *May* 29
Read 1° * *June* 8 [Bill 158]
Read 2° * *June* 15
Committee *; Report *June* 25

Cowper, Right Hon. W. F., *Hertford*
Courts of Justice, New, 367, 1049
Supply—Burlington House, 398
Public Offices Site, 391
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Cranworth, Lord
Courts of Justice, New, 1844
Religious, &c. Buildings (Sites), 2R. 238; Comm. *cl.* 2, 1742

Craufurd, Mr. E. H. J., *Ayr, &c.*
Boundaries of Boroughs, Comm. 1011
Court of Session (Scotland), 2R. 1524
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 5, 2173
Land Writs Registration (Scotland), Comm. *cl.* 1, 1526
Libel, Comm. *cl.* 1, 606, 607; *cl.* 3, 617
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Representation of the People (Scotland), Comm. *cl.* 3, Amendt. 840, 841; *cl.* 4, Amendt. 854, 856; *cl.* 5, 857; *cl.* 9, 981; *cl.* 10, 982, 983; Amendt. 986, 991; *cl.* 11, 995; *cl.* 12, 1008; *cl.* 15, Amendt. *ib.*; *cl.* 6, Motion for Adjournment, 1010; *cl.* 41, 1234; *add. cl.* 1235, 1236, 1237, 1246; Schedule A, 1252; Consid. *add. cl.* 1445, 1446
Sea Fisheries, Lords' Amendts. 1863
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Crawford, Mr. R. W., *London*
Electric Telegraphs, 2R. 1314, 1326
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Supply—Public Buildings, 294

Criminal Law
Clerkenwell Explosion, Compensations, Question, Mr. Neate; Answer, The Chancellor of the Exchequer *June* 23, 1923
Clerkenwell Prison, The Attack on—The Convict Barrett, Question, Mr. Bright; Answer, Mr. Gathorne Hardy *May* 25, 832
(See *Supply*)

Crossley, Sir F., *Yorkshire, W.R.—N.*
Boundary, Comm. 273; Preamble, 1289; Schedule, 1443

Curragh of Kildare Bill (*The Earl of Mayo, Mr. Attorney General for Ireland*)
c. Ordered; read 1° * *May* 21 [Bill 134]
Moved, "That the Bill be now read 2°" (*The Earl of Mayo*) *June* 15, 1620
After short debate, Moved, "That the Debate be now adjourned" (*Lord Otho Fizgerald*); Motion withdrawn
Bill read 2°, and committed to a Select Committee of Eleven Members, Six to be nominated by the House and Five by the Committee of Selection
Committee nominated; List of the Committee, 1620
Report * *June* 25 [Bill 192]

Customs
Examining Officers, Question, Mr. Butler; Answer, Mr. Sclater-Booth *June* 25, 2135
Extra Clerks, Question, Mr. H. B. Sheridan; Answer, Mr. Sclater-Booth *May* 22, 713
Outdoor Officers of, Question, Mr. Locke; Answer, Mr. Sclater-Booth *May* 19, 513
(See *Ireland*)

Customs and Income Tax Bill
c. Read 2º* *May* 11 [Bill 108]
Committee*; Report *May* 13
Read 3º* *May* 14
l. Read 1ª* *May* 15 (No. 100)
Read 2ª* *May* 18
Read 3ª* *May* 19
Royal Assent *May* 29 [31 *Vict.* c. 28]

Dalglish, Mr. R., *Glasgow*
Representation of the People (Scotland), Comm. *cl.* 3, 480, 513; *cl.* 5, 857; *cl.* 8, 883, 894; *cl.* 9, 963, 978; Schedule A, 1252; Consid. *add. cl.* 1446
Supply—University of Glasgow, 401

Dalhousie, Earl of
Scotland—County and Burgh Police, Motion for a Committee, 3

Dawson, Mr. R. Peel, *Londonderry Co.*
Representation of the People (Ireland), Comm. *cl.* 18, 1595
Supply—Nonconforming, &c. Ministers, 2167

De Grey and Ripon, Earl
Army Chaplains, 2R. 1299; Comm. 1467
Ritual, Reports of the Commission on, 338, 340

Denison, Right Hon. J. E., *see* Speaker, The

Denman, Lord
Courts of Justice, New, 105

Denman, Hon. G., *Tiverton*
Courts of Justice, New, 362
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 1, 657; Motion for Adjournment, 658, 667, 680, 682; *cl.* 5, 2178, 2192, 2193
Married Women's Property, 2R. 1372
Registration, 2R. 1616
Supply—Burlington House, 399

Derby, Earl of
Alkali Act Continuance, 2R. 509
Artizans' and Labourers' Dwellings, 2R. 913
Established Church (Ireland), 2R. 2091, 2106, 2116
Whitsuntide Recess—State of Public Affairs, 1032

Devon, Earl of (President of the Poor Law Board)
Poor Relief, Comm. *cl.* 5, Amendt. 947; *cl.* 22, 948; *cl.* 9, 1622, 1623, 1626; Report, 1743, 1744; 3R. *add. cl.* 1911
Poor, Relief of the, Address for a Commission, 1464
Scotland—Motion for a Paper, 920
Vagrancy—Guildford Union, Motion for Correspondence, 97

Devonshire, Duke of
Regulation of Railways, Comm. *cl.* 14, 8; *cl.* 15, *ib.*; *cl.* 16, Amendt. 9, 10; *cl.* 23, Amendt. 13
University Tests, 1020

Dickson, Major A. G., *Dover*
County Courts (Admiralty Jurisdiction), Comm. 168

Dillwyn, Mr. L. L., *Swansea*
Libel, Comm. 603
Militiamen, Families of, 1475
Public Accounts, Res. 116, 134, 136
Supply—Chapter House, Westminster, 396
Nonconforming, &c. Ministers, 2168
Science and Art, 1162, 1169
Sheriff Court Houses (Scotland), 400
University of Glasgow, 401

Diplomatic Service—Votes for
Moved, "That, in the opinion of this House, all sums required to defray the expenses of the Diplomatic Service ought to be annually voted by Parliament, and that Estimates of all such sums ought to be submitted in a form that will admit of their effectual supervision and control by this House" (*Mr. Labouchere*) *May* 26, 927; after short debate, A. 76, N. 72; M. 4

Disraeli, Right Hon. B. (First Lord of the Treasury) *Buckinghamshire*
Abyssinian Expedition—The Despatches, 1565
Boundaries of Boroughs, Comm. 432
Boundary, Comm. 255, 275, 278, 279; Preamble, 1283, 1287, 1293, 1444
Boundary Commission, Report, 1181; —Amended Plans, 1230
Corrupt Practices at Elections, 1040
Derby Day—Adjournment, 925
Ecclesiastical Titles, 1866
Edinburgh, Duke of, Attempted Assassination of, 1230
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 1, 677, 678, 682; *cl.* 5, 692, 2188, 2192, 2197
Established Church (Ireland), 512; 2R. 787, 801, 1043
Eyre, Ex-Governor, Prosecution of, 838, 1334, 1335, 1471
Gladstone, Mr., and the East Worcestershire Election, 1110, 1117, 1118
Ireland—Questions, &c.
Cullen, Cardinal, 16
Railways, 712
University Education, 1042
University of Dublin, 1044
Ireland—Royal Residence in, Motion for an Address, 359
Ministerial Statement, 619
Music, Royal Academy of, 1753
Parliament—Questions, &c.
Dissolution of, 1065, 1076
General Election, 925
Progress of Business, 494
Parliament—Public Business, 1130; Res. 1567, 1570, 1571, 1758, 1760, 1761
Parliament—Rules of the House, Res. 1080

[*cont.*

DISRAELI, Right Hon. B.—*cont.*
Registration—Small Tenements Act, 1228
Representation of the People (Ireland), Comm. 1581; *cl.* 10, 1586, 1597, 1762; *add. cl.* 1801, 1802, 1804; Consid. *add. cl.* 1902, 1904
Representation of the People (Scotland), 18, 19, 346; Comm. 451; *cl.* 3, Motion for Adjournment, 484, 513, 619; *cl.* 8, 867, 889, 890, 892, 893, 894, 895, 955; *cl.* 9, 960, 972; *cl.* 11, 997; *cl.* 20, 1009; *cl.* 6, 1010; *add. cl.* 1246, 1249, 1567
Revenue Officers Disabilities Removal, 1565
Speech at Merchant Taylors' Hall, 2153
Supply—Miscellaneous Expenses, 1174
  University of Glasgow, 402
Whitsuntide Recess, 927
Windsor, Volunteer Review at, 1566

Divorce and Matrimonial Causes Court Bill
(*Mr. C. Forster, Mr. Headlam, Mr. Karslake*)
c. Committee*; Report *May* 18 [Bill 50]
Re-comm.*; Report *May* 22 [Bill 119]
Read 3°* *May* 25
l. Read 1ª* (*The Lord Westbury*) *May* 26 (No. 123)

DIXON, Mr. G., *Birmingham*
Adulteration of Food or Drink Act Amendment, Leave, 1351
Elementary Education, 2R. 1989, 1992

Documentary Evidence Bill [H.L.]
(*The Lord Clinton*)
l. Read 1ª* *May* 11 (No. 92)
Read 2ª* *May* 22
Committee* *May* 26 (No. 88)
Report* *May* 28
Read 3ª* *May* 29
l. Royal Assent *June* 25 [31 & 32 *Vict.* c. 37]

DODSON, Mr. J. G. (Chairman of the Committee of Ways and Means), *Sussex, E.*
Boundary, Comm. Preamble, 1275
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 1, 658, 682
Libel, Comm. *cl.* 3, 614
Metropolitan Foreign Cattle Market, 1180
Navy Estimates—Wages, 83
Registration, 2R. 1617
Representation of the People (Ireland), Comm. *cl.* 26, 1597; *add. cl.* 1771, 1777, 1801, 1802
Representation of the People (Scotland), Comm. *cl.* 8, 858, 860, 875, 884, 885; *cl.* 9, 959, 971, 981; *cl.* 11, 1005; *add. cl.* 1245, 1247, 1250
Supply—Foreign Office, New, 313
  National Gallery Enlargement, 393

Drainage and Improvement of Lands (Ireland) Supplemental (No. 2) Bill
(*Mr. Sclater-Booth, The Earl of Mayo*)
c. Ordered; read 1°* *June* 25 [Bill 195]

Drainage Provisional Order Confirmation Bill (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*)
c. Ordered; read 1°* *June* 11 [Bill 169]
Read 2°* *June* 12
Committee*; Report *June* 15
Read 3°* *June* 16
l. Read 1ª* (*The Lord Clinton*) *June* 18 (No. 158)

Duchy of Cornwall Amendment Bill [H.L.]
(*The Lord Portman*)
l. Presented; read 1ª* *May* 11 (No. 94)
Read 2ª* *May* 14
Committee*; Report *May* 19 (No. 107)
Read 3ª* *May* 22
c. Read 1°* *May* 22 [Bill 136]
Read 2°* *May* 28
Committee*; Report *May* 29
Re-comm.*; Report *June* 11
Considered* *June* 12
Read 3°* *June* 15
Royal Assent *June* 25 [31 & 32 *Vict.* c. 35]

DUFF, Mr. M. E. Grant, *Elgin, &c.*
Disraeli's, Mr., Speech at Merchant Taylors' Hall, 2150
India—Educational Service in Bombay, 426
Representation of the People (Scotland), Comm. *cl.* 8, 883; *cl.* 10, 990; *add. cl.* 1250
Stone, Police Sergeant, Case of, 1482

DUNNE, Major-Gen. F. P., *Queen's Co.*
Army—Clerks in the Engineer Department, 1124
Army Reserve, Motion for a Commission, 1958
Ireland—Post Office, 1562
Representation of the People (Ireland), Comm. 1576; *cl.* 3, 1584; *cl.* 13, 1588; *cl.* 20, 1596
Representation of the People (Scotland), Comm. 466
Sea Fisheries, 287; Lords' Amendts. 1861, 1868
Supply—Science and Art, 1166

Durham County Courts
Question, Mr. Henderson; Answer, Mr. Sclater-Booth *May* 25, 816

East Worcestershire Election—Mr. Gladstone's Letter
Question, Sir Thomas Bateson; Answer, Mr. Gladstone *June* 4, 1110; Observations, Mr. Gladstone; Reply, Mr. Disraeli; debate thereon, 1112

EBURY, Lord
Ritual, Reports of the Commission on, 335

Ecclesiastical Buildings and Glebes (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Gathorne Hardy, Sir Graham Montgomery*)
c. Committee*; Report *June* 4 [Bill 58]

Ecclesiastical Commissioners Bill
(*Mr. Secretary Gathorne Hardy, Mr. Mowbray, Sir James Fergusson*)
c. Ordered ; read 1° * *June* 11 [Bill 168]
Read 2° * *June* 18

Ecclesiastical Titles Bill
(*Mr. MacEvoy, Sir Joseph M'Kenna, Mr. Leader*)
Question, Mr. Schreiber; Answer, Mr. MacEvoy *June* 5, 1181
Moved, "That the Bill be now read 2°" (*Mr. MacEvoy*) *June* 16, 1696
After short debate, Moved, "That the debate be now adjourned" (*Colonel William Stuart*); A. 142, N. 85 ; M. 57 ; Debate adjourned
Question, Mr. MacEvoy ; Answer, Mr. Disraeli *June* 22, 1856
Bill withdrawn *June* 23, 1982

Edinburgh, Duke of—Attempted Assassination
Question, Mr. Verner ; Answer, Mr. Disraeli *June* 8, 1230

Education
Revised Code, The, Questions, Mr. Bruce, Mr. Baines ; Answers, Lord Robert Montagu *May* 28, 952
Scientific Instruction in Foreign Countries, Questions, Mr. Samuelson, Mr. W. E. Forster ; Answers, Lord Robert Montagu *June* 15, 1560

Education Bill [H.L.] (*The Lord President*)
l. After short debate, Committee discharged *May* 18, 405 (No. 53)

Edwards, Sir H., *Beverley*
Representation of the People (Scotland), Comm. 459
Supply—Government Prisons, 1107

Egerton of Tatton, Lord
Cotton Statistics, Comm. 919

Egerton, Hon. A. F., *Lancashire, S.*
Boundaries of Boroughs, Comm. 431

Egerton, Mr. E. C. (Under Secretary of State for Foreign Affairs), *Macclesfield*
Boundary, Comm. Schedule, 1443

Egypt
Claims on the Viceroy, Question, Mr. Freville-Surtees ; Answer, Lord Stanley *May* 26, 924
Law Courts, Question, Mr. Layard ; Answer, Lord Stanley *June* 15, 1559
Quarantine at Suez, Question, Mr. Darby Griffith ; Answer, Lord Stanley *June* 9, 1334; Question, Sir J. Clarke Jervoise ; Answer, Lord Stanley *June* 11, 1395
Slave Trade in, Question, The Duke of St. Albans ; Answer, The Earl of Malmesbury *May* 15, 830
The Viceroy and the Societè D'Agricole, Question, Sir George Bowyer ; Answer, Lord Stanley *June* 11, 1394

Elcho, Lord, *Haddingtonshire*
Army—Questions, &c.
  Musketry Instructors, Payment of, 817
  Subordinate Officers in the War Department, 950, 951
  Volunteer Review at Windsor, 1566
Army Reserve, Motion for a Commission, 1942, 1970
Army—Sale and Purchase of Commissions, Res. 565, 575
Coal Mines, 1083
Established Church (Ireland), 2R. 779
Parliament, Dissolution of, 1058, 1060
Peel Statue, The, Res. 2138, 2144, 2147
Representation of the People (Scotland), Comm. *cl.* 8, 881 ; *cl.* 11, 1003

Election Petitions and Corrupt Practices at Elections (*re-committed*) **Bill**
(*Mr. Chancellor of the Exchequer, Mr. Secretary Gathorne Hardy, Sir Stafford Northcote*)
c. Committee *May* 21, 657 [Bill 63]
After long debate—R.P.
Question, Mr. Schreiber ; Answer, Mr. Disraeli *May* 29, 1040
Committee—R.P. *June* 25, 2172

Electric Telegraphs Bill
(*Mr. Chancellor of the Exchequer, Mr. Stephen Cave, Mr. Sclater-Booth*)
c. Question, Mr. Graves ; Answer, The Chancellor of the Exchequer *May* 21, 654
Questions, Mr. Ayrton, Mr. Bright ; Answers, The Chancellor of the Exchequer *June* 8, 1231
Moved, "That the Bill be now read 2°" (*Mr. Chancellor of the Exchequer*) *June* 9, 1301
Amendt. to leave out from "That" and add "the question of the expediency of purchasing the Telegraphs by the State be referred to a Select Committee" (*Mr. Leeman*); Question, "That the words, &c. ;" after long debate, Debate adjourned
Question, Mr. Leeman ; Answer, Mr. Sclater-Booth *June* 16, 1631
Adjourned debate *June* 18, 1805
After short debate, Moved, "That the Debate be now adjourned" (*Mr. Maguire*) negatived ; Amendt. withdrawn ; main Question put, and agreed to ; Bill read 2°, and committed to a Select Committee [Bill 82]
And, on June 23, Committee nominated ; List of the Committee, 1809
Moved, "That it be an Instruction to the Select Committee on the Electric Telegraphs Bill to inquire :—1. Whether it is desirable that the transmission of messages for the public should become a legal monopoly in the Post Office ; 2. Whether it should be left to the discretion of the Postmaster General to make special agreements for the transmission of messages or news at reduced rates ; 3. What securities should be taken for insuring the secrecy of messages transmitted through the Post Office ; 4. What arrangements should be made for the working of submarine cables to foreign countries ; and, 5. To hear such Telegraph and Railway Companies and Proprietors as shall by petition, on or before the

[*cont.*

Electric Telegraphs Bill—cont.
26th instant, have prayed to be heard by themselves, their counsel or agents against such of the matters referred to the Committee as affect their particular interests?" (*Mr. Chancellor of the Exchequer*) *June* 23, 1978
Amendt. in last paragraph, to leave out "such of the matters referred to the Committee as affect their particular interests," and insert "the Preamble and Clauses of the Bill" (*Mr. Bouverie*); after short debate, Question, "That the words, &c.," put, and agreed to; main Question put, and agreed to

Elementary Education Bill
(*Mr. Henry Austin Bruce, Mr. William Edward Forster, Mr. Algernon Egerton*)
c. Moved, "That the Order for the Second Reading be discharged" (*Mr. Bruce*) *June* 23, 1983
After long debate, Order discharged; Bill withdrawn [Bill 64]

Ellenborough, Earl of
Abyssinian Expedition—Despatches, The, 693
Return of the Army, 1810, 1813

Ellice, Mr. E., *St. Andrews, &c.*
Representation of the People (Scotland), Comm. *cl.* 3, 475, 850; *cl.* 8, 891; Motion for Adjournment, 893; *cl.* 9, 978; *cl.* 15, Amendt. 1008; *add. cl.* 1235; Schedule A, 1251

Ely, Bishop of
University Tests, 1021

Endowed Schools Bill [H.L.]
(*The Lord President*)
l. Presented; read 1^a* *May* 12 (No. 98)
Read 2^a* *May* 18
Committee*; Report *May* 19
Read 3^a* *May* 25
c. Read 1°* *May* 28 [Bill 143]
Read 2°* *June* 4
Committee*; Report *June* 8
Read 3°* *June* 9
Royal Assent *June* 25 [31 & 32 *Vict.* c. 32]

Enfield, Viscount, *Middlesex*
Latymer's Charity, Edmonton, 952
Public Schools, Re-comm. *cl.* 14, 1939

Entail Amendment (Scotland) Bill
(*The Lord Advocate, Sir James Fergusson, Mr. Secretary Gathorne Hardy*)
c. Read 2°* *May* 20 [Bill 86]
Committee*; Report *May* 28 [Bill 140]
Re-comm.*; Report *June* 22
Considered* *June* 25

Erskine, Vice-Admiral J. E., *Stirlingshire*
"Garonne," Loss of the, 1042
Nova Scotia—British North American Confederation, Motion for an Address, 1694

Esmonde, Mr. J., *Waterford Co.*
Army—Rifled Ordnance—Studded Shot, 951
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 5, 2192; Motion for Adjournment, 2193
Libel, Comm. *cl.* 3, 612
Representation of the People (Ireland), Consid. 1898; *add. cl.* 1901

Established Church (Ireland)
Her Majesty's Reply to the Address of May 7 *May* 12, 113

Established Church (Ireland) Bill
(*Mr. Gladstone, Sir George Grey, Mr. Lawson*)
c. Moved, "That leave be given to bring in a Bill to prevent, for a limited time, new appointments in the Church of Ireland, and to restrain, for the same period, in certain respects, the proceedings of the Ecclesiastical Commissioners for Ireland" (*Mr. Gladstone*) *May* 13, 232; Objected to, on point of Form (*Mr. Newdegate*); and not proceeded with

Question, Colonel Stuart Knox; Answer, Mr. Gladstone *May* 14, 247

Motion again made *May* 14, 314
Moved, "That the Debate be now adjourned" (*Colonel Stuart Knox*); after short debate, Question negatived; after further short debate, main Question put; Bill ordered
Moved, "That this House do now adjourn" (*Mr. Verner*), 322; after short debate, Motion withdrawn

Moved, "That the Bill be now read 1°" (*Mr. Gladstone*) *May* 14, 322; after short debate, Bill read 1° [Bill 117]

Personal Explanation, Colonel Stuart Knox *May* 15, 341
Question, Mr. Gladstone; Answer, Mr. Disraeli *May* 19, 511
Question, Mr. MacEvoy; Answer, Mr. Gladstone *May* 21, 657

Moved, "That the Bill be now read 2°" (*Mr. Gladstone*) *May* 22, 720
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Secretary Gathorne Hardy*); Question, "That 'now,' &c.;" after long debate, Question put; A. 312, N. 258; M. 54; Division List, Ayes and Noes, 809; main Question put; Bill read 2°

Question, Mr. Gladstone; Answer, Mr. Disraeli *May* 29, 1043
Question, Lord Claud John Hamilton; Answer, Mr. Gladstone *June* 5, 1184

Committee *June* 5, 1185
Order for Committee read
Moved, "That it be an Instruction to the Committee, that they have power to provide in the said Bill, that the tenure of every office connected with the College of Maynooth be subject to like conditions with those to which official tenures connected with the Established Church in Ireland will be subject after the passing of this Act, and that no money shall be payable under the Act 8 and 9 Vic. c. 25, to the Trustees of the College of Maynooth for or for the use of [*cont.*

Established Church (Ireland) Bill—cont.

any senior student or other student to be admitted after the passing of this Act" (*Mr. Sinclair Aytoun*), 1188

Amendt. to leave out from "Bill, that" and add "every person who shall be appointed to any office in the College of Maynooth, after the passing of this Act, shall hold the said office subject to the pleasure of Parliament" (*Colonel Greville - Nugent*); after short debate, Question, "That the words, &c.;" A. 109, N. 185; M. 76

Question proposed, "That the words 'every person who shall be appointed to any office in the College of Maynooth, after the passing of this Act, shall hold the said office subject to the pleasure of Parliament,' be added," 1192

Amendt. proposed to the said proposed Amendt. by inserting after the word "Maynooth" the words, "And likewise every Presbyterian Minister hereafter to be appointed to receive a share of the Regium Donum" (*Sir George Grey*), 1197; Question, "That those words be there inserted," put, and agreed to

Question, "That the words 'every person who shall be appointed to any office in the College of Maynooth, and likewise every Presbyterian Minister hereafter to be appointed to receive a share of the Regium Donum, after the passing of this Act, shall hold the said office subject to the pleasure of Parliament,' be added to the words 'Bill, that' in the original Question," put, and agreed to; main Question, as amended, put, and agreed to

Moved, "That Mr. Speaker do now leave the Chair"

Amendt. to leave out from "That," and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. Newdegate*); after short debate, Question, "That the words, &c.," put, and agreed to; main Question put, and agreed to

Committee; Report *June* 5, 1211

Considered as amended *June* 12, 1529

Moved, "That the Bill be now read 3°" (*Mr Gladstone*) *June* 16, 1697; after short debate, Bill read 3°

l. Moved, "That the Bill be now read 1ª" (*The Earl of Clarendon*) *June* 18, 1741; after short debate, Bill read 1ª (No. 157)

Notice of Motion, The Lord Chancellor *June* 18, 1749

Question, Lord Penrhyn; Answer, The Earl of Malmesbury *June* 23, 1909

Petition of Clergymen of the Church of England presented, Lord Lyttelton *June* 23, 1917; short debate thereon

Moved, "That the Bill be now read 2ª" (*Earl Granville*) *June* 24, 2023

Amendt. to leave out ("now") and insert ("this Day Six Months") (*The Earl Grey*); after long debate, Debate adjourned

EVERSLEY, Viscount

New Forest—Deer Removal, &c. Act, Motion for a Committee, 694

EWART, Mr. W., *Dumfries, &c.*

Weights and Measures (Metric System), 2R. 176, 209

EWING, Mr. H. E. CRUM- *Paisley*

Court of Session (Scotland), 2R. 1523

Land Writs Registration (Scotland), Comm. *cl.* 1, 1526

Representation of the People (Ireland), Comm. *add. cl.* 1804; Consid. *add. cl.* 1899

Representation of the People (Scotland), Comm. *cl.* 3, 467; Schedule A, 1254

Exchequer Bonds (£1,600,000) Bill

c. Presented; read 1°* *May* 11 [Bill 112]

Read 2°* *May* 12

Committee*; Report *May* 13

Read 3°* *May* 14

l. Read 1ª* *May* 15

Read 2ª* *May* 18

Read 3ª* *May* 19

Royal Assent *May* 28 [31 *Vict.* c. 27]

EXCHEQUER, CHANCELLOR of the, *see* CHANCELLOR of the EXCHEQUER

EYKYN, Mr. R., *Windsor*

Knights of Windsor, Motion for an Address, 1975

Eyre, Prosecution of Ex-Governor

Act of Indemnity, Question, Colonel Brownlow Knox; Answer, Mr. Disraeli *June* 12, 1470; Question, Mr. P. A. Taylor; Answer, Mr. Adderley, 1477

Jamaica Committee, The, Questions, Colonel Stuart Knox, Colonel Jervis; Reply, Mr. Speaker *May* 22, 717; Question, Colonel Jervis; Answer, Mr. Disraeli; short debate thereon *May* 25, 836; Questions, Mr. Lamont, Colonel Brownlow Knox; Answers, Mr. Disraeli *June* 9, 1334—*Petition for Re-Appointment of*, Question, Mr. Grenfell; Answer, Mr. Lamont; short debate thereon *June* 22, 1850

Fairs Bill

(*Mr. Dillwyn, Mr. Hussey Vivian, Mr. Denman*)

c. Ordered; read 1°* *May* 19 [Bill 126]

Read 2°* *May* 28

Committee*; Report *June* 9

Read 3°* *June* 10

l. Read 1ª* (*The Earl De Grey*) *June* 11 (No. 141)

FANE, Colonel J. W., *Oxfordshire*

Army Reserve, Motion for a Commission, 1970

FAWCETT, Mr. H., *Brighton*

Agricultural Labour, 1397

Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 1, 680; *cl.* 5, 2192, 2197

Elementary Education, 2R. 1997

Ireland—University Education, 1015

Public Schools, Re-comm. *cl.* 3, 1655

[*cont.*

FAWCETT, Mr. H.—*cont.*
Representation of the People (Ireland), Comm. *cl.* 2, 1764; *add. cl.* 1777, 1790
Representation of the People (Scotland), Consid. *add. cl.* 1445
Supply—Prosecutions, Amendt. 496, 499

Fenianism
Alleged Bribe to a Fenian, Question, Sir Frederick Heygate; Answer, The Earl of Mayo *June* 8, 1229
Clerkenwell Prison, The Attack on—The Convict Barrett, Question, Mr. Bright; Answer, Mr. Gathorne Hardy *May* 25, 832

FERGUSSON, Sir J. (Under Secretary of State for the Home Department), *Ayrshire*
Land Writs Registration (Scotland), Comm. *cl.* 1, 1528
Municipal Corporations (Metropolis), 2R. 1739
Petroleum, Comm. 1619
Representation of the People (Scotland), Comm. *cl.* 3, 478, 482, 492; *cl.* 4, 856; *cl.* 5, 857; *cl.* 8, 885; *cl.* 9, 979; *cl.* 10, 983; *cl.* 12, 1008; *add. cl.* 1243; Schedule A, 1251, 1252; Consid. *add. cl.* 1446
Supply — Government Prisons, 1106, 1107; Report, 1176
Turnpike Trusts, 2R. 1722

Fine Arts Copyright Consolidation and Amendment Bill [H.L.]
(*The Lord Westbury*)
l, Presented; read 1ª * *June* 12 (No. 145)

FLOYER, Mr. J., *Dorsetshire*
Local Charges on Real Property, Res. 154
Supply—Burlington House, 398
Government Prisons, 1105

FORDYCE, Mr. W. D., *Aberdeenshire*
Representation of the People (Scotland), Comm. 466; *cl.* 12, 1007

Foreign Office Clerks acting as Agents
Question, Mr. Labouchere; Answer, Lord Stanley *June* 15, 1562

Foreshore and Bed of the Sea—The Board of Trade
Observations, The Duke of Argyll; Reply, The Duke of Richmond; short debate thereon *June* 19, 1814

FORSTER, Mr. C., *Walsall*
Parliament—Public Petitions—Breach of Privilege, 1750

FORSTER, Mr. W. E., *Bradford*
Austria—Commercial Treaty with, 652, 653
Boundary, Comm. 278
Coolie Emigration, 2132
Elementary Education, 2R. 2010
Established Church (Ireland), 2R. 783
Jamaica—Established Church in, 1922, 1923
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- *c.* Question, Sir Edward Colebrooke; Answer, Sir Stafford Northcote *June* 15, 1567
- Moved, "That the Bill be now read 2°" (*Sir Stafford Northcote*) *June* 15, 1598; after short debate, Bill read 2° [Bill 91]
- Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *June* 22, 1870; after short debate, Committee—R.P.

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- *c.* Moved, "That the Bill be now read 2°" (*Sir Stafford Northcote*) *June* 15, 1601; after short debate, Bill read 2ª [Bill 92]

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  (*Sir James Fergusson, Mr. Sclater-Booth*)
c. Ordered ; read 1° * *June* 10 [Bill 162]
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  (*The Marquess Townshend*)
l. Presented ; read 1ª * *June* 15 (No. 151)

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l. Committee * ; Report *May* 12 (No. 69)
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c. Ordered ; read 1° * *June* 10 [Bill 164]

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  Customs Officers, Dublin, Question, Mr. Stock ; Answer, Mr. Sclater-Booth *May* 14, 247
  Grand Jury Accounts, Auditor of, Question, Colonel French ; Answer, The Earl of Mayo *June* 12, 1469
[*cont.*

Ireland—cont.
- *Mountjoy Convict Prison*, Question, Mr. Pim; Answer, The Earl of Mayo *June* 12, 1470
- *Party Processions Act*, Question, Sir Frederick Heygate; Answer, The Earl of Mayo *May* 25, 814; Question, Lord Edwin Hill-Trevor; Answer, Sir Frederick Heygate *June* 8, 1228
- *Pawnbroking, Law of*, Question, Mr. Pim; Answer, The Earl of Mayo *June* 18, 1758
- *Post Office—Officers' Salaries*, Question, General Dunne; Answer, Mr. Sclater-Booth *June* 15, 1562
- *Queenstown, Bible Depôt at*, Question, Mr. Long; Answer, The Earl of Mayo *May* 21, 655
- *Railways*, Question, Mr. Monsell; Answer, Mr. Disraeli *May* 22, 712—*Report of the Commissioners on*, Question, Mr. Gregory; Answer, The Chancellor of the Exchequer *June* 18, 1752
- *Regium Donum, The*, Question, Mr. Hadfield; Answer, Mr. Sclater-Booth *May* 15, 345
- *Religion of Convicts*, Question, Mr. P. A. Taylor; Answer, The Earl of Mayo *May* 18, 423
- *Roman Catholic University*, Question, Sir Colman O'Loghlen; Answer, The Earl of Mayo *May* 12, 112; Question, Sir George Grey; Answer, The Earl of Mayo *May* 22, 714; Question, Mr. Murphy; Answer, The Earl of Mayo *May* 28, 955; Question, Sir John Gray; Answer, The Earl of Mayo *June* 12, 1472
- *Royal Residence in*, Amendt. on Committee of Supply *May* 15, To leave out from "That" and add "an humble Address be presented to Her Majesty, humbly representing to Her Majesty that it would conduce to the advantage of the Crown and the good Government of Ireland, and tend to allay jealousy and discontent in that country, if Her Majesty had a permanent residence in Ireland, and that this House, feeling deeply its importance, will cordially co-operate with Her Majesty in any steps She may be graciously pleased to take to carry out so desirable an object" (*Sir Colman O'Loghlen*), 356; Question, "That the words, &c.;" after short debate, Amendt. withdrawn
- *University Education, Trinity College, Dublin*, Question, Mr. Fawcett; Answer, Mr. Disraeli *May* 29, 1041
- *University of Dublin, Returns*, Question, Sir Henry Winston-Barron; Answer, Mr. Disraeli *May* 29, 1044
- *Tenure of Land*, Question, Sir Colman O'Loghlen; Answer, The Earl of Mayo *June* 22, 1850
- *Valuation*, Question, The O'Donoghue; Answer, The Chancellor of the Exchequer *June* 25, 2136

JACKSON, Mr. W., *Derbyshire, N.*
- Colliery Accidents, Motion for a Commission, 941, 944

Jamaica, Ecclesiastical Establishment of
- Question, Mr. W. E. Forster; Answer, Mr. Adderley *June* 23, 1922

Jamaica—see *Eyre*

Japan, Outrage on our Ambassador
- Question, Colonel Sykes; Answer, Lord Stanley *May* 26, 922

JERVIS, Colonel H. J. W., *Harwich*
- Army Reserve, Motion for a Commission, 1961, 1965
- Eyre, Ex-Governor, Prosecution of, 717, 718, 836, 838

JERVOISE, Sir J. Clarke, *Hampshire, S.*
- Cattle Plague, 1755, 1852
- Egypt—Quarantine, 1395
- Infectious Diseases, 425
- Small-pox Hospital, 1561
- Supply — Miscellaneous Expenses, Amendt. 1174

Judgments Extension Bill
(*Mr. Craufurd, Mr. Huddleston, Mr. Moncreiff, Mr. Dunlop*)
- *c.* Nomination of Committee; Moved, "That Mr. Craufurd be one Member of the Select Committee on the Judgments Extension Bill" *May* 11, 92
- Moved, "That this House do now adjourn" (*Colonel French*), put, and negatived; original Question put, and agreed to
- Moved, "That Mr. Huddleston be one other Member of the said Committee"
- Moved, "That the Debate be now adjourned" (*Sir George Bowyer*), put, and negatived; original Question put, and agreed to
- Mr. Dunlop, Mr. Moncreiff, The Lord Advocate, Mr. Attorney General for Ireland, Mr. Lawson, Colonel French, Sir Charles Lanyon, Mr. Graves, and Mr. Murphy, nominated other Members of the said Committee
- Re-comm.*; Report *June* 15 [Bill 163]
- Considered* *June* 16
- Read 3°* *June* 17
- *l.* Read 1ª* (*The Lord Chelmsford*) *June* 18 (No. 160)

Judicial Patronage — Court of Common Pleas
- Question, Mr. Hayter; Answer, The Attorney General *May* 15, 343

Jurors' Affirmations (Scotland) Bill
(*Mr. Craufurd, Mr. Dunlop*)
- *c.* Read 2°* *May* 13 [Bill 110]
- Committee*; Report *May* 15
- Read 3°* *May* 18
- *l.* Read 1ª* (*The Lord Cranworth*) *May* 19
- Read 2ª* *June* 18 (No. 104)
- Committee*; Report *June* 19
- Read 3ª* *June* 23
- Royal Assent *June* 25 [31 & 32 *Vict.* c. 39]

KARSLAKE, Mr. E. K., *Colchester*
- Established Church (Ireland), 2R. 768
- Married Women's Property, 2R. 1355
- Nova Scotia—British North American Confederation, Motion for an Address, 1694
- Public Schools, Re-comm. *cl.* 3, 1654, 1657; *cl.* 5, 1924; *cl.* 6, 1930; *cl.* 14, Amendt. 1933, 1939; *cl.* 16, 1940
- Representation of the People (Scotland), Comm. *cl.* 10, 990

Karslake, Sir J. B., *see* Attorney General, The

Kendall, Mr. N., *Cornwall, E.*
- Ministerial Statement, 640
- Registration, 2R. 1614
- Representation of the People (Scotland), Comm. *cl.* 3, 477

Kennedy, Mr. T., *Louth Co.*
- Representation of the People (Ireland), Comm. *add. cl.* 1804

Kesteven, Lord
- Poor Relief, Comm. *cl.* 5, 947

Kimberley, Earl of
- Alkali Act Continuance, 2R. 510
- Consecration of Churchyards Act Amendment, Comm. *cl.* 1, 898
- Established Church (Ireland), 2R. 2114, 2116, 2117
- Poor Relief, Comm. *cl.* 5, 947; *cl.* 22, 948; *cl.* 9, 1625; 3R. *add. cl.* 1912
- Sale of Poisons and Pharmacy, 3R. 1748
- Sea Fisheries (Ireland), Comm. *cl.* 5, 240; Re-comm, 917
- University Tests, 1012
- Vagrancy—Guildford Union, Motion for Correspondence, 102

King, Hon. P. J. Locke, *Surrey, E.*
- Boundaries of Boroughs, Motion for a Committee, Amendt. 428, 430

Kingscote, Colonel R. N. F., *Gloucestershire, W.*
- Army—Militia Quartermasters, 1756

Kinnaird, Hon. A. F., *Perth*
- Diplomatic Service, Res. 939
- Government of India Act Amendment, Comm. 1885
- India—Church Services, 1474
- Lake Superior and the Pacific, &c. Motion for a Commission, 1341
- Mines, Accidents in, 1504
- Public Schools, Re-comm. 1648
- Representation of the People (Scotland), Comm. *cl.* 3, 484; *add. cl.* 1244; Schedule A, 1252
- Supply—Law Charges, Motion for Adjournment, 494, 495

Knatchbull-Hugessen, Mr. E. H., *Sandwich*
- County Courts (Admiralty Jurisdiction), Comm. 161; *cl.* 4, Amendt. 171
- Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 5, 688; Amendt. 691, 692
- Libel, Comm. *cl.* 3, 612
- Turnpike Trusts, 956; 2R. 1699, 1728

Knight, Mr. F. W., *Worcestershire, W.*
- Turnpike Trusts, 2R. Amendt. 1717

Knightley, Sir R., *Northamptonshire, S.*
- Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 5, 2192
- Parliament, Dissolution of, 1063
- Representation of the People (Scotland), Comm. Amendt. 442, 626, 639; *add. cl.* 1247

Knights of Windsor
- Moved, "That an humble Address be presented to Her Majesty, humbly representing that, in the opinion of this House, it should not be obligatory on any Naval or Military Knight of Windsor, not being a Member of the United Church of England and Ireland, to attend Divine Service in Saint George's Chapel, Windsor, daily or at all, and praying that Her Majesty may be graciously pleased to direct such alterations to be made in the Statutes regulating the Naval and Military Knights of Windsor as shall exempt from attending Divine Service in Saint George's Chapel, Windsor, all Naval and Military Knights of Windsor who shall not be members of the United Church of England and Ireland" (*Sir Colman O'Loghlen*) *June* 23, 1973
- Amendt. to leave out "not being a member of the United Church of England and Ireland" (*Mr. Labouchere*); after short debate, Question, "That the words, &c.," negatived
- Another Amendt. to leave out "who shall not be members of the United Church of England and Ireland" (*Mr. Labouchere*); Question, "That the words, &c.," negatived
- Main Question, as amended, put: A. 39, N. 83; M. 44

Knox, Colonel B. W., *Marlow* (*Great*)
- Established Church (Ireland), 1R. 322
- Eyre, Ex-Governor, Case of, 1335, 1470, 1471

Knox, Hon. Colonel W. Stuart, *Dungannon*
- Army—Militia Quartermasters, 1394
- Established Church (Ireland), Leave, 247, 248; Motion for Adjournment, 314, 315, 316, 317, 321, 322; Explanation, 341; Comm. 1196, 1203, 1204; 3R. 1697
- Eyre, Ex-Governor, Prosecution of, 717, 718, 839
- Military at Elections, 2R. Motion for Adjournment, 1981

Labouchere, Mr. H., *Middlesex*
- Boundary, Comm. 286
- Diplomatic Service, Res. 927, 932, 939
- Foreign Office Agencies, 1562
- Judicial Business in the House of Lords, 953
- Knights of Windsor, Motion for an Address, Amendt. 1975
- Metropolitan Police, 953
- Public Schools, Re-comm. 1640; *cl.* 3, 1654, 1656; *cl.* 14, 1938; *cl.* 16, 1939, 1940
- Registration, 2R. 1610
- Stone, Police Sergeant, Case of, 1478, 1483
- Supply—Police Courts, 503
  - Public Buildings, 294
  - Royal Parks, &c. 296, 298
- Supply—Embassy Houses Abroad, Amendt. 312, 313

LAING, Mr. S., *Wick, &c.*
Representation of the People (Scotland), Comm. 471; *cl.* 8, 883; *cl.* 10, 984, 989; *cl.* 11, Amendt. 992

Lake Superior and the Pacific, &c.
Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to issue a Royal Commission to inquire into and report upon the capability for settlement and the best means of settling Her Majesty's Territory lying between Lake Superior and the Pacific, especially as to the provision for Telegraphic and other Communication through Her Majesty's Dominions from the Atlantic to the Pacific Ocean" (*Sir Harry Verney*) *June* 9, 1336; after short debate, Motion withdrawn

LAMONT, Mr. J., *Buteshire*
Eyre, Ex-Governor, Case of, 1334, 1335, 1851
Representation of the People (Scotland), Comm. *cl.* 10, 990

Land Writs Registration (Scotland) Bill
(*The Lord Advocate, Mr. Secretary G. Hardy, Mr. Walpole*)
c. Committee*; Report *May* 11 [Bills 56-111]
Re-comm.—R.P. *June* 12, 1525

Lands Clauses Consolidation Act (1845) Amendment Bill
(*Mr. Sclater-Booth, Mr. Attorney General, Lord John Manners*)
c. Ordered; read 1°* *June* 17 [Bill 176]
Read 2°* *June* 22

LANGTON, Mr. W. H. P. Gore-, *Somersetshire, W.*
Supply—Houses of Parliament, 306

LANYON, Sir C., *Belfast*
Courts of Justice, New, 370
Hudson's Bay Company, 17

Larceny and Embezzlement Bill
(*Mr. Russell Gurney, Mr. Coleridge*)
c. Ordered; read 1°* *June* 8 [Bill 157]
Read 2°* *June* 24

Latymer's Charity, Edmonton
Question, Viscount Enfield; Answer, Lord Robert Montagu *May* 28, 952

LAWRENCE, Mr. Alderman W., *London*
Courts of Justice, New, 287
Electric Telegraphs, 2R. 1807
Local Rating, Motion for a Commission, 1494
Metropolis—Thames Embankment, 341
Stone, Police Sergeant, Case of, 1483
Supply—Public Buildings, 295
  Royal Parks, 297
  University of London Buildings, 395

LAWSON, Right Hon. J. A., *Portarlington*
Burials (Ireland), Comm. *cl.* 1, 1382
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 1, 660
Established Church (Ireland), 2R. 738, 747, 748, 749
Libel, Comm. 602
Representation of the People (Ireland), Comm. 1579; *cl.* 3, Amendt. 1581, 1584; *cl.* 13, 1588; *cl.* 20, Amendt. 1596; *add. cl.* 1803
Sea Fisheries, Lords' Amendts. 1861

LAYARD, Mr. A. H., *Southwark*
Abyssinian Expedition, 716
  The Despatches, 1564, 1565
African Slave Trade—The Aberdeen Act, 718
Courts of Justice, New, 2131
Disraeli's, Mr., Speech at Merchant Taylors' Hall, 2155
Egypt—Law Courts, 1559
India—Ancient Monuments, 114
Patent Office, Library and Museum of the, 244
Peel Statue, The, 2144
Supply—Burlington House, 398
  National Gallery Enlargement, 392
  Palmerston Monument, 404
  Parliament, Houses of, 303, 311
  University of London Buildings, 395
  Wellington Monument, 403

LEATHAM, Mr. W. H., *Wakefield*
Mines, Accidents in, 1508

Lectures on Religion
Question, Mr. Rearden; Answer, Mr. Gathorne Hardy *May* 15, 346

LEEMAN, Mr. G., *York City*
Electric Telegraphs, 2R. Amendt. 1306, 1319, 1631, 1806
Registration, 2R. 1614

Lee River Conservancy Bill
(*Mr. Stephen Cave, Mr. Ayrton, Mr. Hunt*)
c. Report of Select Committee *May* 28 [No. 306]
Report* *May* 28 [Bills 38-144]
Re-comm.*; Report *June* 4
Considered* *June* 8
Read 3°* *June* 9
l. Read 1ª* (*The Duke of Richmond*) *June* 10
Read 2ª* *June* 19 (No. 140)

LEFEVRE, Mr. G. J. Shaw, *Reading*
Foreign Cattle Market, 1395
Married Women's Property, 2R. 1355, 1374
Neutrality Commission, 1854
Sea Fisheries, Lords' Amendts. 1860, 1867
Sea Fisheries (Ireland), 2R. 2021
Supply—Education, Public, 1153

LEFROY, Mr. A., *Dublin University*
Burials (Ireland), Comm. *cl.* 1, Amendt. 1381; *add. cl.* 1383
Established Church (Ireland), Comm. 1208

LENNOX, Lord H. G. C. G. (Secretary to the Admiralty), *Chichester*
Navy Estimates—Wages, 79, 81

LEWIS, Mr. Harvey, *Marylebone*
Boundary, Comm. 278
Metropolitan Police, 953, 1222
Municipal Corporations (Metropolis), 2R. 1737
Thames Embankment, &c. Amendment, 2R. 1214

Libel Bill (*Sir Colman O'Loghlen, Mr. Baines*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" (*Sir Colman O'Loghlen*) *May* 20, 592
Amendt. to leave out from "That," and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. Newdegate*); after short debate, Question, "That the words, &c.;" A. 108, N. 38; M. 70; main Question agreed to; Committee—R.P., 604 [Bill 3]

LICHFIELD, Earl of
Friendly Societies, Comm. 507

LIDDELL, Hon. H. G., *Northumberland, S.*
Army Reserve, Motion for a Commission, 1969
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 5, 691
Electric Telegraphs, 2R. 1329
Established Church (Ireland), 2R. 755, 761
Local Charges on Real Property, Res. 147
Local Rating, Motion for a Commission, 1497
Public Schools, Re-comm. 1654; *cl.* 5, 1925; *cl.* 6, 1932
Representation of the People (Scotland), Comm. *cl.* 3, 487; *cl.* 9, 971, 972

LIFFORD, Viscount
Contagious Diseases Act, 324, 326, 330
Sea Fisheries, Comm. *cl.* 5, 238

LINDSAY, Colonel R. J. Loyd, *Berkshire*
Army—Sale and Purchase of Commissions, Res. 558
Ministerial Statement, 643
Representation of the People (Scotland), Comm. *cl.* 9, 970

Local Charges on Real Property
Moved, "That, inasmuch as the Local Charges on Real Property have of late years much increased and are annually increasing, it is neither just nor politic that all these burdens should be levied exclusively from this description of property" (*Sir Massey Lopes*) *May* 12, 136; after debate, Motion withdrawn

Local Government Supplemental (No. 2) Bill (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*)
c. Ordered; read 1°* *May* 18 [Bill 120]
Read 2°* *May* 21
Committee*; Report *May* 22
Read 3°* *May* 25
l. Read 1ª* (*The Lord Clinton*) *May* 26
Read 2ª* *June* 19 (No. 119)
Committee*; Report *June* 23

Local Government Supplemental (No. 3) Bill (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*)
c. Ordered; read 1°* *May* 18 [Bill 121]
Read 2°*, and referred to a Select Committee *June* 11
Report* *June* 25 [Bill 191]

Local Government Supplemental (No. 4) Bill (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*)
c. Ordered; read 1°* *June* 8 [Bill 159]
Read 2°* *June* 11
Committee*; Report *June* 15
Read 3°* *June* 18
l. Read 1ª* (*The Lord Clinton*) *June* 19 (No. 165)

Local Government Supplemental (No. 5) Bill (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*)
c. Ordered; read 1°* *June* 8 [Bill 160]
Read 2°* *June* 11
Committee*; Report *June* 15
Committee*; Report *June* 18
Considered* *June* 18
Read 3°* *June* 18
l. Read 1ª* (*The Lord Clinton*) *June* 19 (No. 166)

Local Government Supplemental (No. 6) Bill (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*)
c. Ordered; read 1°* *June* 15 [Bill 175]
Read 2°* *June* 18
Committee*; Report *June* 22
Read 3°* *June* 23
l. Read 1ª* (*The Lord Clinton*) *June* 25 (No. 175)

Local Officers' Superannuation (Ireland) Bill
(*Sir Colman O'Loghlen, Sir John Gray, Mr. Pim*)
c. Ordered; read 1°* *May* 25 [Bill 137]

Local Rating
Amendt. on Committee of Supply *June* 12, To leave out from "That," and add "a Select Committee be appointed to consider the present incidence and principle of Local Rating, and report thereon" (*Mr. Corrance*), 1483; after short debate, Question, "That the words, &c.," put, and agreed to

LOCKE, Mr. J., *Southwark*
Colliery Prosecution, 1558
Customs Officers, 513
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 5, 689
Municipal Corporations (Metropolis), 2R. 1739
Public Schools, Re-comm. *cl.* 6, 1930
Registration, 2R. 1612
Representation of the People (Scotland), Comm. *cl.* 12, 1007
Supply—Education, Public, 1155
Government Prisons, 1106
Parliament, Houses of, 310
Science and Art, 1170

London, Bishop of
Army Chaplains, 2R. 1300; Comm. 1390
Artizans' and Labourers' Dwellings, 2R. 910
Established Church (Ireland), 2R. 2122
Ritual, Reports of the Commission on, 333
University Tests, 1025

Long, Mr. R. P., *Wiltshire, N.*
Ireland—Bible Depôt at Queenstown, 655

Longford, Earl of (Under Secretary of State for War)
Army Chaplains, 2R. 1298, 1300
Established Church (Ireland), 1918

Lopes, Sir M., *Westbury*
Local Charges on Real Property, Res. 136, 161
Local Rating, Motion for a Committee, 1495

Lopes, Mr. H. C., *Launceston*
Married Women's Property, 2R. Amendt. 1352

Lottery Act
Question, Lord Edward Howard; Answer, The Attorney General; short debate thereon *May* 15, 387

Lowe, Right Hon. R., *Calne*
Boundary, Comm. 282
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 5, 2182
Married Women's Property, 2R. 1364
Parliament, Dissolution, The, 1129
Public Schools, Re-comm. 1642; *cl.* 2, 1650; *cl.* 3, Amendt. 1652, 1653; *cl.* 16, 1939
Representation of the People (Scotland), Comm. *cl.* O, 1242, 1243

Lowther, Mr. J., *York City*
Public Schools, Re-comm. *cl.* 3, Amendt. 1651, 1653; Amendt. 1656; *cl.* 6, Amendt. 1926, 1929
Representation of the People (Ireland), Comm. *cl.* 18, 1595; *add. cl.* 1788
Representation of the People (Scotland), Comm. *cl.* 6, 857; *cl.* 8, Amendt. 858, 859, 860, 875, 879; *cl.* 9, 962

Lowther, Mr. W., *Westmoreland*
Diplomatic Service, Res. 931

Lunatic Asylums (Ireland) Bill
(*The Earl of Mayo, Mr. Attorney General for Ireland*)
c. Ordered; read 1°* *June* 22 [Bill 184]

Lusk, Mr. Alderman A., *Finsbury*
Alkali Act (1863) Amendment, 2R. 1297
Courts of Justice, New, 290
Diplomatic Service, Res. 939
Navy Estimates—Wages, Motion for Adjournment, 92
Supply—Chapter House, Westminster, 396
  Common Law Courts (Ireland), 1103
  County Courts, 502
  Education, Public, 1155
  Foreign Office, New, 313

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Lusk, Mr. Alderman A.—*cont.*
  Furniture, Public Departments, 295
  Government Prisons, 1106
  Land Registry Office, 1104
  Learned Societies, Grants to, 1132
  Metropolitan Police, 503
  Nonconforming, &c. Ministers, 2170
  Parliament, Houses of, 306
  Petrie's, Dr., Antiquarian Collection, 1133
  Prosecutions, 501
  Public Buildings, 293, 294
  Public Buildings (Ireland), 404
  Public Offices Site, 392
  Royal Parks, &c. 297, 299
  Science and Art, 1167
  Slaves, Bounties on, 2170
  Superannuation, 1173
Supply—Cultivation of Flax (Ireland), Amendt. 1175
  Miscellaneous Expenses, 1174; Report, Amendt. 1608

Lyttelton, Lord
Established Church (Ireland), 1917, 1919, 1921
Poor Relief, Comm. *cl.* 9, 1627; Report, 1744; 3R. *add. cl.* 1912
Ritual, Reports of the Commission on, 335
Schools, Public, Address for Papers, 1551

Lyveden, Lord
Abyssinia—Return of the Army, 1814
Nova Scotia, 1749

MacEvoy, Mr. E., *Meath Co.*
Ecclesiastical Titles, 1181; 2R. 1696, 1856; Withdrawal of Bill, 1982
Ireland—Irish Church, The, 657

McKenna, Sir J. N., *Youghal*
Ecclesiastical Titles, 2R. 1697

Mackinnon, Captain L. B., *Rye*
Navy—F. G. Captains' Reserved List, 1222
  "Glatton" and "Hotspur," 651
  Iron-clad Fleet, 19

McLagan, Mr. P., *Linlithgowshire*
Agriculture, Motion for a Committee, 587
Petroleum, Comm. Amendt. 1619

McLaren, Mr. D., *Edinburgh*
Court of Session (Scotland), 2R. 1521
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 1, 676
Land Writs Registration (Scotland), Comm. *cl.* 1, 1526; *cl.* 23, Amendt. 1528
Local Charges on Real Property, Res. 145
Lottery Act, 390
Post Office, Sunday Labour in, 2165
Registration of Voters Act, 385
Representation of the People (Ireland), Comm. *cl.* 18, 1591
Representation of the People (Scotland), Comm. 459; Amendt. 464, 472; *cl.* 3, 848; *cl.* 4, 853; Amendt. 855; *cl.* 8, 892; *cl.* 9, 978; *cl.* 10, 985, 990; *cl.* 11, 1004, 1005; *cl.* 25, Amendt. 1009; *add. cl.* 1235, 1236, 1237, 1238, 1247; Consid. *add. cl.* 1445, 1446
Sea Fisheries, Lords' Amendts, 1863

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McLaren, Mr. D.—*cont.*
Supply—Education, Public, 1148
  Flax, Cultivation of (Ireland), 1175
  Nonconforming, &c. Ministers, 2169
  Public Buildings, 293
Supply—Register Office (Edinburgh), Res. 1176
Turnpike Trusts, 2R. 1725

Maguire, Mr. J. F., *Cork City*
Electric Telegraphs, 2R. 1808
Ireland—Roman Catholic University, 715
New South Wales—Treason Felony Act, 1754
Riots at Ashton, Staleybridge, &c. 817, 819, 821, 828

Malmesbury, Earl of (Lord Privy Seal)
Abyssinian Expedition—Despatches, The, 693, 897, 1221
  Return of the Army, 1811
Cotton Statistics, Comm. 918, 919
Egyptian Slave Trade, 331
Established Church (Ireland), 1909; 2R. 2068, 2070, 2072
Friendly Societies, Comm. 506
Metropolis—New National Gallery, 94
Monetary Conference (Paris), Address for Papers, 110
Patent Office, Library and Museum of the, 244
Poor Relief, Comm. *cl.* 9, 1625
Representation of the People (Scotland), 2R. 1913
Ritual, Reports of the Commission on, 332, 339, 340
Sale of Poisons and Pharmacy Act Amendment, Report, *add. cl.* 1630
Schools, Public, Address for Papers, 1551
Sea Fisheries, Comm. *cl.* 5, 240, 242
Whitsuntide Recess—State of Public Affairs, 1025, 1034
Windsor, Volunteer Review at, 1557

Manners, Right Hon. Lord J. J. R. (Chief Commissioner of Works, &c.), *Leicestershire, N.*
Courts of Justice, New, 371, 1051, 2131
East Worcestershire Election, 1115
Metropolis—Burlington House, 1183
  Burlington House, The Colonnade, 1335
  Park Lane, 2137, 2138
  St. Mary Somerset Church, 2150
  Thoroughfares, Obstruction of, 1043
Peel Statue, The, Res. 2146
Supply—Burlington House, 399, 400
  Chapter House, Westminster, 396
  Embassy Houses Abroad, 312
  Foreign Office, New, 313, 314
  Furniture, Public Departments, 295
  National Gallery Enlargement, 393, 395
  New Palace, Westminster, 397
  Palmerston Monument, 403
  Parliament, Houses of, 306, 309
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  Public Offices Site, 391
  Royal Parks, &c. 296, 298, 300
  University of London Buildings, 395
  Wellington Monument, 403
Wellington, Duke of, Monument to the, 513

Marlborough, Duke of (Lord President of the Council)
Army Chaplains, Comm. 1465
Artizans' and Labourers' Dwellings, 2R. 912
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Education, Withdrawal of Bill, 405, 411
Sale of Poisons and Pharmacy, Comm. 1555; 3R. 1747
Schools, Public, Address for Papers, 1549

Marriage Law Commission Report
Question, Sir Colman O'Loghlen; Answer, Mr. Gathorne Hardy *June* 18, 1757

Married Women's Property Bill
(*Mr. Shaw-Lefevre, Mr. Russell Gurney, Mr. Stuart Mill*)
c. Moved, "That the Bill be now read 2°" (*Mr. Shaw-Lefevre*) *June* 10, 1352
Amendt. to leave out "now," and add "upon this day three months" (*Mr. Lopes*); after debate, Question, "That 'now,' &c.;" A. 123, N. 123; and the numbers being equal, Mr. Speaker gave his Vote with the Ayes, and stated his reasons; Division List, Ayes and Noes, 1376
Main Question put, and agreed to; Bill read 2°, and committed to a Select Committee
And, on June 23, Committee nominated; List of the Committee, 1378

Marsh, Mr. M. H., *Salisbury*
Public Schools, Re-comm. 1648; *cl.* 3, 1656; *cl.* 6, 1929

Martin, Mr. C. Wykeham, *Newport (Isle of Wight)*
Boundary, Comm. *cl.* 4, Amendt. 1441; *add. cl.* 1442
Turnpike Trusts, 2R. 1724

Martin, Mr. P. Wykeham, *Rochester*
Army—Clerks in the Engineer Department, 1125
Election Petitions and Corrupt Practices at Elections, Comm, *cl.* 5, 2174
Registration, 2R. 1616

Mauritius—Fever and Hurricane in the
Question, Mr. J. A. Smith; Answer, Mr. Adderley *May* 22, 713; *June* 22, 1856

Mayo, Earl of (Chief Secretary for Ireland), *Cockermouth*
Burials (Ireland), Comm. 1378
Curragh of Kildare, 2R. 1620
East Worcestershire Election, 1121, 1122
Established Church (Ireland), 2R. 806
Ireland—Questions, &c.
  Bribe, Alleged, to a Fenian, 1229
  Catholic University, 112, 956
  Convicts, Religion of, 423
  Cullen, Cardinal, 17
  Curragh, Ranger of the, 1754
  Grand Jury Accounts, Auditor of, 1469
  Land, Tenure of, 1850
  Mountjoy Convict Prison, 1470
  Party Processions Act, 814

[*cont.*

Mayo, Earl of—*cont.*
Pawnbroking, Law of, 1758
Queenstown, Bible Depôt at, 656
Roman Catholic University, 715, 1473, 1474
Military at Elections (Ireland), 2R. Amendt. 174, 175, 1981
Registration, Leave, 1404
Representation of the People (Ireland), 922; Comm. *cl.* 3, 1582; *cl.* 13, 1586, 1588; *cl.* 18, 1593, 1595; *cl.* 20, 1596; *cl.* 26, 1597; *cl.* 2, 1764; *cl.* 10, Amendt. 1765; *add. cl.* 1768, 1769, 1770, 1774, 1784, 1790, 1793; Consid. *add. cl.* 1899
Sea Fisheries (Ireland), 287; 2R. 2019
Supply—Common Law Courts (Ireland), 1103, 1104
Flax, Cultivation of (Ireland), 1175
Legal Charges (Ireland), 1104
Petrie's, Dr., Antiquarian Collection, 1133

Medical Practitioners (Colonies) Bill [H.L.]
c. Read 1°* *May* 19 [Bill 125]
Read 2°* *May* 21
Committee*; Report *May* 22
Read 3°* *May* 25
l. Royal Assent *May* 29 [31 *Vict.* c. 29]

Melly, Mr. G., *Stoke-upon-Trent*
Army—Sale and Purchase of Commissions, Res. 533
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 1, 667
Married Women's Property, 2R. 1360
Registration, 2R. 1613

Merchant Shipping Acts
Question, Mr. O'Beirne; Answer, Mr. Stephen Cave *May* 19, 513; Question, Mr. Candlish; Answer, Mr. Stephen Cave *June* 22, 1852

Merchant Taylors' Hall—Mr. Disraeli's Speech at
Question, Mr. Grant Duff; Answer, Mr. Disraeli; debate thereon *June* 25, 2150

Metropolis
Burlington House, Observations, Mr. Beresford Hope; Reply, Lord John Manners *June* 5, 1183; Question, Mr. Bentinck; Answer, Lord John Manners *June* 9, 1335
Clerkenwell Explosion Compensations, Question, Mr. Neate; Answer, The Chancellor of the Exchequer *June* 23, 1923
Iron Gates in Devonshire Place and Wimpole Street, Question, Mr. Goldney; Answer, Mr. Tite *May* 14, 243
Main Drainage — Petition of Inhabitants of Barking, Question, Lord Eustace Cecil; Answer, Mr. Gathorne Hardy *May* 28, 954; *June* 22, 1853
Obstruction of Thoroughfares, Question, Mr. Otway; Answer, Lord John Manners *May* 29, 1042
Park Lane Improvements, Question, Viscount Hamilton; Answer, Colonel Hogg *May* 14, 244; Questions, Mr. Goddard, Sir William Gallwey; Answers, Lord John Manners *June* 25, 2137
Peel Statue, The—See

[*cont.*

Metropolis—cont.
St. Mary Somerset, Church of, Question, Mr. Bentinck; Answer, Lord John Manners *June* 25, 2149
Thames Embankment—Life Chains, Question, Mr. Alderman Lawrence; Answer, Mr. Tite *May* 15, 341

Metropolis Gas Bill *Amended Title*—**(City of London) Gas Bill**
(*Mr. Morrison, Mr. Locke, Mr. Gorst*)
c. Report* *May* 13 [Bills 85-115]

Metropolis Local Management Acts Amendment Bill [H.L.]
(*The Marquess Townshend*)
l. Presented; read 1ª* *June* 22 (No. 169)

Metropolis Subways Bill
(*The Lord Ebury*)
l. Committee*; Report *May* 29 (No. 73)
Read 3ª* *June* 8
Royal Assent *June* 25 [31 & 32 *Vict.* c. 80]

Metropolitan Foreign Cattle Market Bill
(*Lord Robert Montagu, Mr. Hunt*)
c. Report of Select Committee *May* 28 [No. 303]
Moved, "That it be referred to the Examiners of Petitions for Private Bills to inquire whether the Amendments which have been introduced in the Select Committee on the Metropolitan Foreign Cattle Market Bill involve any infraction of the Standing Orders" (*Mr. Milner Gibson*) *June* 5, 1177; after short debate, Motion agreed to
Moved, "That Memorials complaining of non-compliance with the Standing Orders be deposited in the Private Bill Office not later than Tuesday the 9th day of this instant June, and that the Examiner do give three clear days' notice of the sitting" (*Mr. Milner Gibson*), 1180; Motion withdrawn
Standing Orders Committee; Resolution reported, "That, in the case of the Metropolitan Foreign Cattle Market Bill, the Standing Orders ought to be dispensed with:—That the Bill be permitted to proceed" *June* 12, 1468; Resolution read 2°
Moved, "That this House doth agree with the Committee in the said Resolution"
Amendt. to leave out from "That," and add "the further consideration of the said Resolution be postponed till Monday next" (*Mr. Milner Gibson*); Question, "That the words, &c.;" after short debate, Amendt. withdrawn; main Question put, and agreed to
(See *Cattle Plague*)

Metropolitan Police
Question, Mr. Ayrton; Answer, Mr. Gathorne Hardy *May* 26, 925; Questions, Mr. Harvey Lewis, Mr. Labouchere; Answers, Mr. Gathorne Hardy *May* 28, 953; Question, Mr. Harvey Lewis; Answer, Mr. Gathorne Hardy *June* 8, 1222; Question, Mr. Grove; Answer, Mr. Gathorne Hardy *June* 22, 1854

[*cont.*

Metropolitan Police—cont.
Stone, Case of Police Sergeant, Amendt. on Committee of Supply *June* 12, To leave out from "That," and add "a Select Committee be appointed to inquire into the causes of the dismissal of Police Sergeant Stone from the Metropolitan Police Force" (*Mr. Labouchere*), 1478; Question, "That the words, &c.;" after short debate, Amendt. withdrawn

Metropolitan Police Funds Bill
(*Mr. Secretary Gathorne Hardy, Sir James Fergusson*)
c. Ordered; read 1°* *May* 21 [Bill 132]

Metropolitan Regulations Bill [H.L.]
(*The Marquess Townshend*)
l. Presented; read 1ª* *June* 15 (No. 149)

Metropolitan Roads Bill [H.L.]
(*The Marquess Townshend*)
l. Presented; read 1ª* *June* 15 (No. 150)
Bill withdrawn* *June* 23

Military at Elections (Ireland) Bill
(*Mr. Serjeant Barry, Major Gavin, Mr. Esmonde*)
c. Moved, "That the Bill be now read 2°" (*Mr. Serjeant Barry*) *May* 12, 172
Amendt. to leave out "now" and add "upon this day six months" (*The Earl of Mayo*); Question, "That 'now,' &c."
Moved, "That the debate be now adjourned" (*Mr. Bagwell*); A. 37, N. 57; M. 20; Question again proposed, "That 'now,' &c."
Moved, "That this House do now adjourn" (*Sir Patrick O'Brien*); Motion withdrawn; Question again proposed, "That 'now,' &c.;" Debate adjourned [Bill 95]
Adjourned Debate *June* 23, 1980; after short debate, Debate further adjourned

Militiamen—Families of
Question, Mr. Dillwyn; Answer, Sir Michael Hicks-Beach *June* 12, 1475

Mill, Mr. J. Stuart, *Westminster*
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 5, Amendt. 685, 691, 2180
Government of India Act Amendment, 2R. 1599; Comm. 1876
Local Charges on Real Property, Res. 152
Married Women's Property, 2R. 1370
Municipal Corporations (Metropolis), 2R. 1730
Publications, Registration of, 1514
Public Schools, Re-comm. *cl.* 2, 1650; *cl.* 3, 1655; *cl.* 6, 1928, 1931
Registration, 2R. 1611
Representation of the People (Ireland), Comm. *cl.* 18, 1592
Representation of the People (Scotland), Comm. *cl.* 9, 966, 979; *cl.* O, Amendt. 1241, 1242, 1243; Schedule A, 1252
Sea Fisheries (Ireland), 2R. 2021

Miller, Mr. W., *Leith, &c.*
Representation of the People (Scotland), Comm. *cl.* 10, 988

Milton, Viscount, *Yorkshire, W.R.—S.*
Lake Superior and the Pacific, &c., Motion for a Commission, 1348

Mines, Accidents in—Report of Select Committee (1867)
Observations, Mr. Bruce; Reply, Mr. Gathorne Hardy; short debate thereon *June* 12, 1498
(See *Colliery Accidents*)

Mines Assessment Bill
(*Mr. Percy Wyndham, Mr. Cavendish Bentinck, Mr. Henderson*)
c. Committee*; Report *May* 20 [Bill 127]

Minto, Earl of
Salmon Fisheries (Scotland), Comm. Amendt. 1916
Scotland—County and Burgh Police, Motion for a Committee, 1

Moffatt, Mr. G., *Southampton*
Bankruptcy Act Amendment, 2R. 1908
Post Office Service, 1476

Moncreiff, Right Hon. J., *Edinburgh*
Court of Session (Scotland), 2R. 1519
Land Writs Registration (Scotland), Comm. *cl.* 1, 1527
Ministerial Statement, 650
Representation of the People (Scotland), 18; Comm. 470; *cl.* 3, 482, 491, 841, 843, 852; *cl.* 4, 854, 855; *cl.* 5, 857; *cl.* 8, 866, 884, 889; *cl.* 9, 979, 981; *cl.* 10, 983; *cl.* 12, 1006; *cl.* 51, 1009; *add. cl.* 1235, 1236, 1237, 1238, 1239; *cl.* E, 1240; *cl.* O, 1243; Schedule A, 1251; Consid. *add. cl.* 1446

Monetary Conference (*Paris*)
Moved, "That an humble Address be presented to Her Majesty for, Proceedings of the International Monetary Conference held in Paris, June 1867" (*The Earl Fortescue*) *May* 12, 107; after short debate, Motion agreed to

Monk, Mr. C. J., *Gloucester*
Boundaries of Boroughs, Comm. Amendt. 432
Boundary, Comm. 270
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 5, 689
Revenue Officers Disabilities Removal, 2R. 1352; Comm. 1533, 1538, 1565
Stone, Police Sergeant, Case of, 1479
Supply—Burlington House, 397
Prosecutions, 501
Turkey—New Embassy House, Therapia, 1752

Monsell, Right Hon. W., *Limerick Co.*
Burials (Ireland), Comm. *cl.* 1, Amendt. 1381, 1382, 1383; *add. cl.* 1384
Ireland—Railways, 712
Military at Elections (Ireland), 2R. 175
Representation of the People (Ireland), Comm. *cl.* 26, 1597; *add. cl.* 1769, 1783; Consid. *add. cl.* 1901

MONTAGU, Right Hon. Lord R. (Vice President of the Committee of Privy Council for Education), *Huntingdonshire*
Cattle—Importation of Foreign, 18, 115, 424, 1758
Plague, 1755
Education, Revised Code, 952
Elementary Education, 2R. 1998
Latymer's Charity, Edmonton, 952
Metropolitan Foreign Cattle Market, 1178; Res. 1469
Scientific Instruction in Foreign Countries, 1560
Small Pox Hospital, 1561
Supply—Education, Public, 1134, 1139, 1156, 1160; Report, 1607
Science and Art, 1161, 1165, 1168, 1169, 1171, 1172

MONTGOMERY, Sir G. G. (Lord of the Treasury), *Peeblesshire*
Representation of the People (Scotland), Comm. *cl.* 10, 986

MORE, Mr. R. J., *Shropshire, S.*
Local Rating, Motion for a Committee, 1498

MORRIS, Mr. G., *Galway Bo.*
Ecclesiastical Titles, 2R. 1696
Ireland—Customs Department, Board of Trade, 426
Representation of the People (Ireland), Comm. *cl.* 18, 1589, 1590, 1591, 1594; *add. cl.* 1778, 1782, 1789
Supply—Public Buildings (Ireland), 404

MORRISON, Mr. W., *Plymouth*
Boundary, Comm. 286
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 1, 681, 682
Parliament—Business of the House, 1567, 1570
Postal—Cape Mail, 1180
Weights and Measures (Metric System), 2R. 203

MOWBRAY, Right Hon. J. R. (Judge Advocate General), *Durham City*
Public Schools, Re-comm. 1637

Municipal Corporations (Metropolis) Bill
(*Mr. Mill, Mr. Thomas Hughes, Mr. Tomline, Mr. Buxton, Mr. Layard*)
c. Moved, "That the Bill be now read 2°" (*Mr. J. Stuart Mill*) *June* 17, 1730
Amendt. to leave out "now" and add "upon this day three months" (*Mr. Bentinck*); Question, "That 'now,' &c.;" after short debate, Debate adjourned [Bill 105]

Municipal Elections (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Gathorne Hardy*)
c. Ordered * *June* 16
Read 1° * *June* 24 [Bill 189]

Municipal Rate (Edinburgh) Bill
(*Mr. M'Laren, Mr. Dunlop, Mr. Baxter*)
c. Read 2° * *June* 10 [Bill 99]
Committee *; Report *June* 17
Read 3° * *June* 18
l. Read 1ª * (*The Lord Sundridge*) *June* 19
Read 2ª * *June* 23 (No. 167)
Committee *; Report *June* 25

MURPHY, Mr. N. D., *Cork City*
Established Church (Ireland), 2R. 777
Ireland—Catholic University, 955
Representation of the People (Ireland), Comm. *cl.* 3, 1584; *cl.* 18, 1589, 1592; *cl.* 20, 1596; Consid. *add. cl.* 1906

Music, Royal Academy of, Grant to the
Question, Mr. Otway; Answer, Mr. Disraeli *June* 18, 1753

National Gallery — Competition — See *Courts of Justice, The New*

Navy
F. G. Captains' Reserved List, Question, Captain Mackinnon; Answer, Mr. Corry *June* 8, 1222
"*Glatton*" *and* "*Hotspur*," Question, Captain Mackinnon; Answer, Mr. Corry *May* 21, 651
Greenwich Hospital, Observations, Mr. Baillie Cochrane *May* 22, 719; Observations, Mr. Baillie Cochrane; Reply, Mr. Corry *June* 5, 1184; Question, Mr. Seely; Answer, Mr. Corry, 1185
Iron Clad Fleet, The, Observations, Captain Mackinnon; Reply, Mr. Corry *May* 11, 19

NEATE, Mr. C., *Oxford City*
Boundaries of Boroughs, Comm. 432
India—Fort William, Cholera at, 714
Libel, Comm. 596; *cl.* 1, 605, 606, 608
Local Charges on Real Property, Res. 149
Metropolis—Clerkenwell Explosion, 1923
Mines, Accidents in, 1504
Public Schools, Re-comm. Amendt. 1631, 1649; *cl.* 2, Amendt. 1650; *cl.* 3, 1653; *cl.* 5, 1925; *cl.* 6, Amendt. 1930, 1931; *cl.* 12, 1933
Representation of the People (Scotland), Consid. *add. cl.* 1444

NELSON, Earl
Army Chaplains, Comm. 1393
New Forest—Deer, &c. Removal Act, Motion for a Committee, 695

Neutrality Commission
Question, Mr. Shaw-Lefevre; Answer, Lord Stanley *June* 22, 1854

NEVILLE-GRENVILLE, Mr. R., *Somersetshire, E.*
Local Charges on Real Property, Res. 157
Representation of the People (Scotland), Comm. *cl.* 8, 874, 875; *add. cl.* 1244
Supply—Prosecutions, 500

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
- Agriculture, Motion for a Committee, 588
- Boundaries of Boroughs, Motion for a Committee, 427, 434
- Boundary, Comm. 268 ; Preamble, 1279 ; *cl.* 4, 1427
- Burials (Ireland), Comm. 1380
- Coal Mines, 1084
- Electric Telegraphs, 2R. 1808
- Established Church (Ireland), Leave, 232, 315, 320, 321, 322 ; 1R. 323 ; Comm. 1192 ; Amendt. 1197, 1210, 1211 ; Consid. 1532
- Libel, Comm. Amendt. 592, 593, 594 ; *cl.* 1, 606, 608 ; *cl.* 3, 617
- Ministerial Statement, 632
- Public Schools, Re-comm. 1638 ; *cl.* 3, 1653 ; *cl.* 5, Amendt. 1924, 1925 ; *cl.* 6, Amendt. 1926, 1927 ; *cl.* 14, 1937
- Representation of the People (Ireland), Consid. *add. cl.* 1904
- Representation of the People (Scotland), Comm. *cl.* 8, 879 ; *cl.* 9, 963
- Riots at Ashton, Staleybridge, &c. 819, 830 ; Explanation, 927
- Supply—Nonconforming, &c. Ministers, 2169
- Transubstantiation, Declaration against, Motion for a Paper, 1101

New Forest—Deer Removal, &c. Act, 1851

Moved, "That a Select Committee be appointed to inquire into the Operation of the 14th and 15th Vict. Cap. 76., intituled "An Act to extinguish the right of the Crown to Deer in the New Forest, and to give Compensation in lieu thereof; and for other Purposes relating to the said Forest" (*Viscount Eversley*) *May* 22, 694 ; after short debate, Motion agreed to ; List of the Committee, 696

Newfoundland—Grants of Land on "The French Coast"

Petition presented (*Lord Houghton*) ; short debate thereon *May* 22, 696

New Peers Introduced
- Sir John Benn Walsh, Baronet, Baron Ormathwaite of Ormathwaite in the County of Cumberland *May* 15
- William O'Neill, Clerk, Baron O'Neill of Shanes Castle in the County of Antrim *June* 16, 1621

New South Wales—Treason Felony Act

Question, Mr. Maguire ; Answer, Mr. Adderley *June* 18, 1754

New Writs Issued
- *May* 18—*For* Worcester County (Eastern Division), *v.* Hon. Frederick Henry William Gough Calthorpe, now Baron Calthorpe
- *May* 26—*For* Dublin City, *v.* Sir Benjamin Lee Guinness, baronet, deceased
- *June* 18—*For* Stamford, *v.* Viscount Ingestre, now Earl of Shrewsbury

New Members Sworn
- *June* 4—Hon. Charles George Lyttelton, *Worcester County (Eastern Division)*
- *June* 8—Sir Arthur Edward Guinness, baronet, *City of Dublin*
- *June* 25—William Unwin Heygate, esq., *Stamford*

New Zealand Company Bill

(*Mr. Adderley, Mr. Sclater-Booth*)

c. Ordered ; read 1° * *June* 8 [Bill 156]
Read 2° * *June* 10
Committee * ; Report *June* 12
Read 3° * *June* 15
l. Read 1ᵃ * *June* 16 (No. 154)

New Zealand (Legislative Council) Bill

(*Mr. Adderley, Mr. Sclater-Booth*)

c. Ordered ; read 1° * *June* 23 [Bill 185]
Read 2° * *June* 25

NICOL, Mr. J. Dyce, *Kincardineshire*
- India—Bombay, Bank of, 1471

NORTH, Colonel J. S., *Oxfordshire*
- Army—Sale and Purchase of Commissions, Res. 544, 545, 547
  - Superannuation Allowances, 2133
- Army Reserve, Motion for a Commission, 1968
- Knights of Windsor, Motion for an Address, 1976
- Supply—Prosecutions, 499

NORTHCOTE, Right Hon. Sir S. H. (Secretary of State for India), *Devonshire, N.*
- Abyssinian Expedition—Batta to the Army, 1756
  - Despatches, The, 716, 717, 1565
  - Telegraphic Communication, 718
- Army—Malt Liquor for Troops in India, 15, 16
- Boundaries of Boroughs, Comm. Instruction, 1011
- Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 1, 663, 667, 679 ; *cl.* 5, 2187
- Electric Telegraphs, 2R. 1324
- Government of India Act Amendment, 1567 ; 2R. 1600 ; Comm. 1879 ; *cl.* 1, 1888, 1890, 1891, 1892
- Governor General of India, 1567 ; 2R. 1602
- India—Ancient Monuments, 114
  - Bombay, Bank of—Bengal Agency, 1471
  - Bombay, Educational Service in, 426
  - Bombay, Municipal Commissioners, 1755
  - Church Services, 1474, 1475
  - East India Irrigation and Canal Company, 425
  - Fort William, Cholera at, 714
  - Religious Worship, Facilities for, 1757
- Municipal Corporations (Metropolis), 2R. 1740
- Public Schools, Re-comm. 1644 ; *cl.* 3, 1653, 1655, 1656 ; *cl.* 5, 1657 ; *cl.* 6, 1929 ; *cl.* 7, 1933 ; *cl.* 14, 1938 *cl.* 16, 1939

Norwood, Mr. C. M., *Kingston-upon-Hull*
  County Courts (Admiralty Jurisdiction), Comm. 168, 169; *cl.* 4, 171
  Electric Telegraphs, 2R. 1808

Nova Scotia—British North American Confederation
  Moved, "That this House is informed, by a Petition presented on the 15th day of May last, signed by 36 out of 38 Members of the House of Assembly of Nova Scotia, and by 16 out of 19 Members elected by that Colony to the House of Commons at Ottawa, that great dissatisfaction prevails in Nova Scotia with the Act passed in the last Session of Parliament, intituled 'An Act for the Union of Canada, Nova Scotia, and New Brunswick:' And that an humble Address be presented to Her Majesty, praying that She will be graciously pleased to appoint a Commission or Commissioners to proceed to Nova Scotia for the purpose of examining into the causes of the alleged discontent, with a view to their consideration and removal" (*Mr. Bright*) *June* 16, 1658; after debate, Question put; A. 87, N. 183; M. 96
  Petition, Postponement of Motion (*Lord Campbell*); short debate thereon *June* 18, 1749

O'Beirne, Mr. J. L., *Cashel*
  Army—Fortifications, 112, 113
  Cattle, Importation of Foreign, 424
  Merchant Shipping Acts, 513
  Representation of the People (Ireland), Comm. *cl.* 3, 1585; *cl.* 18, 1591; Consid. 1893
  Riots at Ashton, &c. 1096

O'Brien, Sir P., *King's Co.*
  Military at Elections (Ireland), 2R. Motion for Adjournment, 175
  Representation of the People (Ireland), Consid. *add. cl.* 1904
  Representation of the People (Scotland), Comm. *cl.* 3, 491
  Supply—Royal Parks, &c. 297
    Science and Art, 1166

O'Conor Don, The, *Roscommon Co.*
  Representation of the People (Ireland), Comm. *add. cl.* 1780

O'Donoghue, The, *Tralee*
  Ecclesiastical Titles, 2R. 1697
  Representation of the People (Ireland), Comm. *add. cl.* Motion for Adjournment, 1804, 1805
  Valuation (Ireland), 2136

Ogilvy, Sir J., *Dundee*
  Land Writs Registration (Scotland), Comm. *cl.* 23, 1529
  Representation of the People (Scotland), Comm. *cl.* 3, 484; Consid. *add. cl.* 1446

O'Loghlen, Sir C. M., *Clare Co.*
  Ireland—Catholic University, 112
    Land, Tenure of, 1850
  Ireland—Royal Residence in, Motion for an Address, 346, 358

O'Loghlen, Sir C. M.—*cont.*
  Knights of Windsor, Motion for an Address, 1973, 1977
  Libel, Comm. 592, 604; *cl.* 1, 605, 606; *cl.* 3, 610, 617
  Marriage Law Commission, 1757
  Representation of the People (Ireland), 922; *add. cl.* 1779, 1780; Consid. 1895; *add. cl.* 1903
  Supply—Chapter House, Westminster, 396
    County Courts, 502; Motion for Adjournment, 503, 504
    New Palace, Westminster, 397
    Nonconforming, &c. Ministers, 2167
    Public Buildings, 292
    Royal Parks, &c. 296; Motion for Adjournment, 311
    Sheriff Court Houses (Scotland), 400
    Ulster Canal, 404
    University of Glasgow, Motion for Adjournment, 401
    University of London Buildings, 396
  Transubstantiation, Declaration against, Motion for a Paper, 1098, 1100, 1103

O'Reilly, Mr. M. W., *Longford Co.*
  Army—Military Uniform, 712
  Army—Sale and Purchase of Commissions, Res. 540
  India—Religious Worship, Facilities for, 1757
  Public Accounts, Res. 131
  Representation of the People (Ireland), Comm. *cl.* 18, 1595; *add. cl.* 1796

Osborne, Mr. R. B., *Nottingham*
  Boundary, Comm. 276; Preamble, 1290; *cl.* 4, 1430, 1435, 1436
  Ministerial Statement, 648
  Peel Statue, The, Res. 2148
  Representation of the People (Ireland), Comm. *add. cl.* 1795, 1796
  Representation of the People (Scotland), Comm. *cl.* 9, 964; *add. cl.* 1803
  Supply—Houses of Parliament, 301, 304, 305, 309; Amendt. 311, 312

Otway, Mr. A. J., *Chatham*
  Abyssinia—Telegraphic Communication with, 718
  Army—Sale and Purchase of Commissions, Res. 562
  Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 5, 2192
  Metropolis — Obstruction of Thoroughfares, 1042
  Music, Royal Academy of, 1753
  Parliament—Business of the House, 1570
    Dissolution of, 1064
  Revenue Officers Disabilities Removal, 2R. 1352; Comm. 1537
  Turkey—Embassy House, Constantinople, 1753

Overstone, Lord
  Courts of Justice, New, 1843
  Metropolis—National Gallery, 95
  Monetary Conference (Paris), Address for Papers, 109
  Poor Relief, Comm. *cl.* 22, 949
  Ritual, Reports of the Commission on, 337, 340
  Vagrancy—Guildford Union, Motion for Correspondence, 98

Oxford and Cambridge Universities Bill (*Mr. Coleridge, Mr. Bouverie, Mr. Duff*)
c. Moved, "That the Bill be now read 2°" (*Mr. Coleridge*) *May* 13, 209
Amendt. to leave out "now" and add "upon this day six months" (*Mr. Walpole*); Question, "That 'now,' &c.;" after short debate, Debate adjourned [Bill 30]

Oxford, Bishop of
Army Chaplains, Comm. 1388, 1393, 1467
Consecration of Churchyards Act Amendment, 2R. 507, 509; Comm. *cl.* 1, 898
Established Church (Ireland), 1921

Paget, Mr. T. T., *Leicestershire, S.*
Turnpike Trusts, 2R. 1722

Pakington, Right Hon. Sir J. S. (Secretary of State for War), *Droitwich*
Army—Brooke, Captain, Case of, 1855, 1856, 2134
Cavalry Uniforms, 1111
Defective Ammunition, 654
Depôts, Officers in Command of, 1180
Engineer Department, Clerks in the, 1125
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Musketry Instructors, Payment of, 817
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Rifled Ordnance—Studded Shot, 951
War Department, 1182; — Subordinate Officers in the, 950, 951
Army — Sale and Purchase of Commissions, Res. 570
Army Reserve, &c. 512; Motion for a Commission, 1962, 1969
Ireland—Arbour Hill Garrison Chapel, 651
Representation of the People (Scotland), Comm. *add. cl.* 1249
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Palk, Sir L., *Devonshire, S.*
Boundaries of Boroughs, Comm. 434
Representation of the People (Scotland), Comm. *cl.* 3, 490; *cl.* 8, 860, 873; Amendt. 894; *add. cl.* 1245
Riots at Ashton, Staleybridge, &c. 821

Palmer, Sir R., *Richmond*
Boundary, Comm. Preamble, 1282
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 5, 2185
Victoria—Despatches from, 925

Parker, Major Windsor, *Suffolk, W.*
Elementary Education, 2R. 1994

Parliament
LORDS—
Construction of the House, Moved, "That the Select Committee appointed on 28th June 1867, to consider whether any and what Arrangements can be made to remedy the present defective Construction of the House in reference to Hearing, be re-appointed" (*The Earl of Carnarvon*) *May* 19, 510; Motion agreed to; List of the Committee
Whitsuntide Recess—House adjourned to Monday, 8th June, *May* 29, 1025

COMMONS—
Progress of Business, Question, Mr. Gladstone; Answer, Mr. Disraeli *May* 18, 494
Business of the House, Question, Mr. Morrison; Answer, Mr. Disraeli; short debate thereon *June* 15, 1567
Orders of the Day on Tuesdays—Resolved, That upon Tuesday the 7th day of July next, and every succeeding Tuesday during the present Session, Orders of the Day have precedence of Notices of Motions, the right being reserved to Her Majesty's Ministers of placing Government Orders at the head of the List (*Mr. Disraeli*) *June* 15, 1570
Morning Sittings—Resolved, That this House do meet To-morrow at Two of the clock, subject to the Resolutions of the 27th day of May 1867 (*Mr. Disraeli*), 1571
Resolutions (*Mr. Disraeli*) *June* 18, 1758
Forms of the House, Observations, Mr. Darby Griffith *May* 22, 719
Derby Day—House adjourned till Thursday (*Mr. Disraeli*) *May* 26, 925
Dissolution of Parliament, Question, Mr. W. E. Forster; Answer, Mr. Disraeli; debate thereon *May* 29, 1053
General Election, Question, Mr. Sandford; Answer, Mr. Disraeli *May* 26, 924
Judicial Business in the House of Lords, Question, Mr. Labouchere; Answer, Mr. Gathorne Hardy *May* 28, 953
Point of Order—Committees, Question, Colonel French; Answer, Mr. Speaker *May* 11, 15
Public Business, Question, Mr. Torrens; Answer, Mr. Disraeli *June* 4, 1130
Privilege—Public Petitions—Special Report of the Committee [28th May] read (*Mr. Charles Forster*) *June* 18, 1750
Order, That in the case of the Petitions to which the Report refers, they do lie upon the Table, read, and discharged
Rules of the House, Amendt. on Committee of Supply *May* 29, To leave out from "That," and add "the rule of this House, 'that no Member may allude to any Debate in the other House of Parliament,' be rescinded" (*Mr. Darby Griffith*), 1077; Question, "That the words, &c.;" after short debate, Amendt. withdrawn
Whitsuntide Recess—Question, Mr. Bouverie, Answer, Mr. Disraeli *May* 26, 927
House adjourned till Thursday *May* 29, 1045
Patent Office, Library and Museum, Question, Mr. Layard; Answer, Lord John Manners *May* 14, 244

Partition Bill [H.L.] (*The Lord Chancellor*)
c. Read 2° * *May* 14 [Bill 107]
Committee *; Report *May* 20
Considered * *May* 22
Read 3° * *May* 25
Royal Assent *June* 25 [31 & 32 *Vict.* c. 40]

Patten, Right Hon. Colonel J. W. (Chancellor of the Duchy of Lancaster), *Lancashire, N.*
Army Reserve, Motion for a Commission, 1960

Paull, Mr. H., *St. Ives*
Boundary, Comm. Preamble, 1288, 1292
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 5, 688, 2182, 2195
Parliament, Dissolution of, 1072
Riots at Ashton, Staleybridge, &c. 832

Pease, Mr. J. W., *Durham, S.*
Boundary, Comm. 277, 284
Courts of Justice, Designs for the, 653
Representation of the People (Scotland), Comm. *cl.* 8, 891
Supply—Courts of Justice, New, 291
Royal Parks, &c. 298

Peel, Right Hon. Lieut.-Gen. J., *Huntingdon*
Army Reserve, Motion for a Commission, 1954
Army—Sale and Purchase of Commissions, Res. 548

Peel, Mr. A. W., *Warwick Bo.*
Boundaries of Boroughs, Motion for a Committee, 430
Boundary, Comm. *cl.* 4, 1436; Amendt. 1440

Peel Statue, The
Amendt. on Committee of Supply *June* 25, To leave out from "That," and add "in the opinion of this House, the Peel Statue ought to be removed from its present site in New Palace Yard" (*Lord Elcho*), 2138; after short debate, Question, "That the words &c.;" A. 71, N. 182; M. 111; words added; main Question, as amended, put, and agreed to

Penrhyn, Lord
Established Church (Ireland), 1909

Perth and Brechin Provisional Orders Confirmation Bill (*The Lord Clinton*)
l. Read 3ª * *May* 11 (No. 64)
Royal Assent *May* 29

Petit Juries (Ireland) Bill
(*Mr. Attorney General for Ireland, The Earl of Mayo*)
c. Read 2° *, and referred to a Select Committee *May* 28 [Bill 70]
Committee nominated; List of the Committee *June* 23, 1982

Petroleum Act Amendment (*re-committed*) **Bill**
(*Sir James Fergusson, Mr. Secretary Gathorne Hardy*)
c. Committee *; Report *May* 28 [Bills 93-141]
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *June* 15, 1618
Amendt. to leave out from "That," and add "the Bill be committed to a Select Committee" (*Mr. M'Lagan*); after short debate, Question, "That the words, &c.," agreed to; main Question agreed to
Re-comm.; Report [Bill 171]
Considered * *June* 22
Read 3° * *June* 25

Petty Sessions and Lock-up Houses, &c. Bill (*Sir James Fergusson, Mr. Secretary Gathorne Hardy*)
l. Royal Assent *May* 29 [31 *Vict.* c. 22]

Pier and Harbour Orders Confirmation, &c. Bill
(*Mr. Stephen Cave, Mr. Sclater-Booth*)
c. Resolution in Committee; Bill ordered * *May* 15
Read 1° * *May* 18 [Bill 118]
Read 2° * *May* 21
Committee *; Report *May* 22
Read 3° * *May* 25
l. Read 1ª * (*The Duke of Richmond*) *May* 26
Read 2ª * *June* 8 (No. 120)
Committee *; Report *June* 22
Read 3ª * *June* 23
Royal Assent *June* 25 [31 & 32 *Vict.* c. 46]

Pier and Harbour Orders Confirmation (No. 2) Bill (*Mr. Dodson, Mr. Stephen Cave, Mr. Sclater-Booth*)
c. Resolution in Committee; Resolution reported; Bill ordered; read 1° * *May* 29 [Bill 148]
Read 2° * *June* 4
Committee *; Report *June* 8
Read 3° * *June* 9
l. Read 1ª * (*The Duke of Richmond*) *June* 11
Read 2ª * *June* 12 (No. 139)
Committee *; Report *June* 19
Read 3ª * *June* 23
Royal Assent *June* 25 [31 & 32 *Vict.* c. 47]

Pim, Mr. J., *Dublin City*
Ireland—Mountjoy Convict Prison, 1470
Pawnbroking, Law of, 1758
Ireland—Royal Residence in, Motion for an Address, 351
Representation of the People (Ireland), Comm. 1537; *cl.* 18, 1590, 1595; *cl.* 10, 1765; *add. cl.* 1784; Consid. *add. cl.* 1901, 1907
Representation of the People (Scotland), Comm. 469; *cl.* 10, 990

Pollard-Urquhart, Mr. W., *Westmeath Co.*
Ireland—Arbour Hill Garrison Chapel, 651
Married Women's Property, 2R. 1360
Public Accounts, Res. 123
Public Schools, Re-comm. *cl.* 14, 1938
Weights and Measures (Metric System), 2R. 196

Poor Law
Law for Relief of the Poor, Moved, "That an humble Address be presented to Her Majesty, to request that Her Majesty will be graciously pleased to issue a Royal Commission to inquire into the Operation and Administration of the Laws for the Relief of the Poor in England and Wales" (*The Marquess Townshend*) *June* 12, 1462; after short debate, Amendt. withdrawn
Poor Relief Assessment Returns, Question, Mr. Candlish; Answer, Sir Michael Hicks-Beach *June* 12, 1470
Scotland, Question, Sir Andrew Agnew; Answer, The Lord Advocate *June* 16, 1631
Vagrants — The Guildford Union, Moved, "That there be laid before this House, Copy of Correspondence which has recently passed between the Poor Law Board and the Guildford Board of Guardians in reference to the relief of Vagrants" (*The Earl of Carnarvon*) *May* 12, 95; after short debate, Motion amended, and agreed to
Ordered, "That there be laid before this House, Copy of Correspondence which has recently taken place with the Poor Law Board in reference to the Relief of Vagrants in the Guildford Union" (*The Earl of Carnarvon*)

Poor Law and Medical Inspectors (Ireland) Bill (*The Earl of Mayo, Mr. Attorney General for Ireland*)
c. Ordered * *June* 10
Read 1° * *June* 22 [Bill 183]

Poor Relief Bill [H.L.] (*The Earl of Devon*)
l. Report of Select Committee *May* 22
Committee *May* 28, 946 (No. 111)
Committee *June* 16, 1621 (No. 132)
Report *June* 18, 1743 (No. 155)
Read 3ª *June* 23, 1910 (No. 162)
c. Read 1° * *June* 23 [Bill 186]

PORTMAN, Lord
Artizans' and Labourers' Dwellings, 2R. 907, 911; Motion for a Committee, 916; Explanation, 946
Poor Relief, Comm. *cl.* 9, Amendt. 1621, 1627

Post Office
American Mail Subsidies, Question, Mr. Baxter; Answer, Mr. Sclater-Booth *May* 5, 342
Annual Reports, Questions, Mr. Moffatt, Mr. Crawford; Answers, Mr. Sclater-Booth *June* 12, 1476
Australia—Postal Communication with, Question, Mr. Childers; Answer, Mr. Sclater-Booth *June* 12, 1472
Cape Mail Contract, Question, Mr. Candlish; Answer, Mr. Sclater-Booth *May* 26, 923; Question, Mr. Morrison; Answer, Mr. Sclater-Booth *June* 5, 1180
East Indies, Postal Communication with the— The Brindisi Route, Question, Mr. Goldsmid; Answer, Mr. Sclater-Booth *June* 15, 1561
Electric Telegraphs, Question, Mr. Ayrton; Answer, Mr. Stephen Cave *June* 15, 1564
[*cont.*

Post Office—cont.
London Letter Carriers, Question, Mr. Bathurst; Answer, Mr. Sclater-Booth *June* 22, 1853
Money Orders and Stamped Receipts, Question, Mr. Carnegie; Answer, Mr. Sclater-Booth *June* 25, 2134
Penang, Postal Communication with, Question, Mr. T. Baring; Answer, Mr. Sclater-Booth *June* 4, 1109
Postal Service — Postage Receipts, Question, Mr. Crawford; Answer, Mr. Sclater-Booth *May* 25, 817
Post Office (Ireland)—Officers' Salaries, Question, General Dunne; Answer, Mr. Sclater-Booth *June* 15, 1562
Sunday Labour in the, Observations, Mr. M'Laren; Reply, Mr. Sclater-Booth *June* 25, 2161
United States—Postal Convention, Question, Mr. Baxter; Answer, Mr. Sclater-Booth *June* 25, 2132
West India Mails—Harbour of St. Thomas, Question, Mr. Gilpin; Answer, Mr. Sclater-Booth *May* 25, 815

POTTER, Mr. E., *Carlisle*
Elementary Education, 2R. 2007
Supply—Education, Public, Report, 1607

POTTER, Mr. T. Bayley, *Rochdale*
Diplomatic Service, Res. 931
Representation of the People (Scotland), Comm. *cl.* 9, 974

POWELL, Mr. F. S., *Cambridge*
Boundary, Comm. 284; *cl.* 4, Amendt. 1440
Colliery Accidents, Motion for a Commission, 944
Oxford and Cambridge Universities, 2R. 232
Public Schools, Re-comm. 1641; *cl.* 5, 1924; *cl.* 16, 1946
Representation of the People (Scotland), Comm. *cl.* 3, 484; *cl.* 7, 858; *cl.* 8, 884
Supply—Education, Public, 1148; Report, Amendt. 1607
Public Buildings, 292
Science and Art, 1166

POWIS, Earl of
Cotton Statistics, 2R. 709

PRICE, Mr. W. P., *Gloucester*
Boundary, Comm. 277

Prisons (Scotland) Administration Acts Amendment Bill
(*Sir Edward Colebrooke, Mr. Dalglish*)
c. Ordered; read 1° * *June* 8 [Bill 155]
Read 2° *, and referred to a Select Committee *June* 22

Probate of Wills, &c. (Ireland) Bill
(*Mr. Henry B. Sheridan, Mr. Serjeant Barry*)
c. Ordered; read 1° * *May* 20 [Bill 129]
Read 2° * *June* 17

Promissory Oaths Bill [H.L.]
c. Read 1° * *May* 12 [Bill 113]
Read 2° * *May* 29

Public Accounts
Moved, "That those who conduct the audit of Public Accounts on behalf of the House of Commons ought to be independent of the Executive Government and directly responsible to this House; and that, inasmuch as the appointment, salaries, and pensions of the officers entrusted with the conduct of such audit are more or less under the control of the Treasury, the present system is one which imperatively calls for revision" (*Mr. Dillwyn*) *May* 12, 116; after debate, Motion withdrawn

Publications, Registration of
Observations, Mr. Ayrton; Reply, The Attorney General; short debate thereon *June* 12, 1509

Publications—Sale of Illegal Publications
Question, Mr. Percy Wyndham; Answer, Mr. Gathorne Hardy *May* 19, 512
Immoral Publications and Plays, Question, Mr. Hubbard; Answer, Mr. Gathorne Hardy *June* 15, 1558

Public Schools
Moved, "That an humble Address be presented to Her Majesty for, Copies of any Petitions or Memorials on the Subject of Public Schools which have been received by Her Majesty's Government since the 1st of July, 1866" (*The Earl Stanhope*) *June* 15, 1538; after short debate, Motion withdrawn

Public Schools (*re-committed*) **Bill**
(*Mr. Walpole, Sir Stafford Northcote, Mr. Secretary Gathorne Hardy*)
c. Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *June* 16, 1631
Amendt. to leave out from "That," and add "the Bill be referred back to the Select Committee, in order that Clauses may be inserted in it giving power to the new governing bodies and the Commissioners to be appointed by the Bill to deal with the constitution and revenues of Eton and Winchester Colleges" (*Mr. Neate*); Question, "That the words, &c.;" after short debate, Amendt. withdrawn; main Question put, and agreed to; Committee—R.P. [Bill 135]
Committee—R.P. *June* 23, 1924

Pugh, Mr. D., *Carmarthenshire*
Registration, 2R. 1611

Queen Anne's Bounty Board
Select Committee appointed "to inquire into the management and constitution of Queen Anne's Bounty Board" (*Mr. Bouverie*) *May* 19, 591; List of the Committee

Queensland—Polynesian Labourers
Question, Mr. Taylor; Answer, Mr. Adderley *May* 25, 816

Railway Companies (Ireland) Advances Bill (*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer*)
c. Ordered; read 1° * *June* 17 [Bill 177]
Read 2° * *June* 25

Railways and Joint Stock Companies Accounts Bill
(*Sir William Hutt, Mr. Ellice*)
c. Bill withdrawn * *June* 24 [Bill 53]

Railways (Guards' and Passengers' Communication) Bill
(*Mr. Henry B. Sheridan, Sir Patrick O'Brien*)
c. Read 2° * *May* 20 [Bill 66]
Bill withdrawn * *June* 17

Railways (Ireland) Acts Amendment Bill
(*Mr. Serjeant Barry, Mr. Sullivan*)
c. Ordered; read 1° * *May* 18 [Bill 123]
Read 2° * *June* 23
Committee *; Report *June* 24
Read 3° * *June* 25

Railways, Royal Commission on—Report of
Question, Mr. Horsfall; Answer, Mr. Stephen Cave *May* 12, 115
(See *Ireland*)

Ramsay, Mr. J., *Stirling, &c.*
Elementary Education, 2R. 2011

Ravensworth, Lord
Capital Punishment within Prisons, 3R. *add. cl.* 14

Rawlinson, Sir H. C., *Frome*
Government of India Act Amendment, Comm. 1878; *cl.* 1, 1889
Russia and Bokhara, 955

Read, Mr. C. S., *Norfolk, E.*
Agriculture, Motion for a Committee, 584
Turnpike Trusts, 2R. 1726

Rearden, Mr. D. J., *Athlone*
Canada—Alleged Flogging in a Prison, 1698, 1699
Established Church (Ireland), Comm. 1203, 1204
Her Majesty The Queen, Notice, 711
Lectures on Religion, 346
Representation of the People (Ireland), Comm. Amendt. 1571, 1572; *cl.* 4, Amendt. 1585; *cl.* 7, Amendt. 1586; *add. cl.* 1778; Consid. *add. cl.* 1898
Representation of the People (Scotland), Comm. 472, 473

Redesdale, Lord (Chairman of Committees)
Army Chaplains, Comm. 1393
Consecration of Churchyards Act Amendment, 2R. 508 ; Comm. *cl.* 1, 898
Courts of Justice, New, 1842
Education, Withdrawal of Bill, 411
Established Church (Ireland), 1919
Poor Relief, Comm. 946 ; Report, 1744
Regulation of Railways, 13 ; Report, *cl.* 14, 416 ; *add. cl.* 419, 421 ; 3R. Amendt. 707, 708
Sale of Poisons and Pharmacy, Comm. 1556 ; Report, *add. cl.* 1629, 1630 ; 3R. *add. cl.* 1744, 1745, 1746, 1748
South Coast Railway, 2R. 1457
Vagrancy—Guildford Union, Motion for Correspondence, 99

Reformatory Schools (Ireland) Bill
(*The Earl of Mayo, Mr. Attorney General for Ireland*)
c. Committee * ; Report *May* 21 [Bill 65]
Considered * *May* 22
Read 3° * *May* 25
l. Read 1ª * (*The Earl of Devon*) *May* 26 (No. 122)

Registration Bill
(*Mr. Secretary G. Hardy, Sir James Fergusson*)
c. Motion for Leave (*Mr. Gathorne Hardy*) *June* 11, 1398
After debate, Bill ordered ; read 1° [Bill 167]
Moved, " That the Bill be now read 2° " (*Mr. Gathorne Hardy*) *June* 15, 1609 ; after short debate, Bill read 2°, and committed to a Select Committee
And, on June 23, Select Committee nominated ; List of the Committee, 1618
Report *June* 25 [Bill 190]

Registration of Writs (Scotland) Bill
[H.L.] (*The Lord Colonsay*)
c. Committee * ; Report *May* 18 [Bill 62]
Considered * *May* 28
Read 3° * *May* 29
Royal Assent *June* 25 [31 & 32 *Vict.* c. 34]

Regulation of Railways Bill
(*The Duke of Richmond*)
l. Committee (*on re-comm.*) *May* 11, 6 (No. 88)
Report *May* 18, 412 (No. 95)
Read 3ª *May* 22, 707 ; after short debate, Bill passed (No. 101)
c. Read 1° * *May* 28 [Bill 142]
Moved, " That the Bill be now read 2° " (*Mr. Stephen Cave*) *June* 8, 1294 ; after short debate, Bill read 2°

Religious, &c. Buildings (Sites) Bill
(*The Lord Cranworth*)
l. Moved, " That the Bill be now read 2ª " (*The Lord Cranworth*) *May* 14, 233 ; after short debate, Bill read 2ª (No. 77)
Committee * ; Report *May* 26
Re-comm. *June* 18, 1741 (No. 128)
Report * *June* 19 (No. 161)
Read 3ª * *June* 25
Royal Assent *July* 13 [31 & 32 *Vict.* c. 44]

Renewable Leasehold Conversion (Ireland) Act Extension Bill
(*Mr. Gregory, Mr. George Morris*)
c. Committee * ; Report *June* 22 [Bill 61]
Re-comm. * ; Report *June* 25 [Bill 182]

Representation of the People Act, (1867)
Compound Householder, The, Question, Mr. H. B. Sheridan ; Answer, Sir Michael Hicks-Beach *May* 14, 246
Boundaries of Boroughs—Orders of the Day postponed (*Mr. Disraeli*) *May* 18, 426
After short debate, Ordered, That a Select Committee be appointed to consider the Boundaries of the following Boroughs, as laid down by the Boundary Commissioners, and to report what, if any, alterations should be made therein [List of the Boroughs], 430 ; List of the Committee, 435
Moved, " That it be an Instruction to the Select Committee on Boundaries of Boroughs that they have power to consider the Petitions presented to this House on the subject of the places of nomination for County Elections ; that the Petitions from South Molton, Barnstaple, Torrington, and Ilfracombe, relative to the place of nomination for the Northern Division of the county of Devon, be referred to the Committee " (*Sir Stafford Northcote*) *May* 28, 1011 ; after short debate, Motion withdrawn
Report of the Select Committee, Observations, Mr. Walpole *May* 29, 1044 [No. 311]
Boundary Commissioners Report, Question, Mr. Stopford ; Answer, Mr. Disraeli *June* 5, 1181
Amended Boundary Plans, Question, Mr. Waldegrave-Leslie ; Answer, Mr. Disraeli *June* 8, 1230
Assistant Boundary Commissioners, Question, Mr. Darby Griffith ; Answer, Mr. Gathorne Hardy *June* 9, 1335
Registration of Voters Act—Dissolution of Parliament, Observations, Mr. Bouverie ; Reply, The Solicitor General ; debate thereon *May* 15, 371
Registration of Voters, 1868, Question, Mr. Gorst ; Answer, Mr. G. Hardy *June* 8, 1223
Registration — The Small Tenements Act — Morning Sittings, Questions, Mr. Thomson Hankey ; Answer, Mr. Disraeli *June* 8, 1228
Registration Lists, Question, Lord Henley ; Answer, Mr. Gathorne Hardy *June* 12, 1477

Representation of the People (Ireland) Bill (*The Earl of Mayo, Mr. Disraeli, Mr. Attorney General for Ireland*)
c. Question, Sir Colman O'Loghlen ; Answer, The Earl of Mayo *May* 26, 922
Order for Committee read ; Moved, " That Mr. Speaker do now leave the Chair " *June* 15, 1571 [Bill 71]
Committee, after short debate—R.P. 1581
Committee *June* 18, 1762 ; after long debate, Bill reported [Bill 179]
Considered *June* 22, 1892
Read 3° * *June* 25

Representation of the People (Scotland)—Poor Rate
Moved, "That there be laid before this House, Copy of any Letter or Instructions addressed by the Crown Agent to the Inspectors of Poor in reference to a Return made to an Order of this House, dated 27th March, showing the Deductions allowed to Occupiers before assessing for Poor Rate in various Scotch Parishes, and the Amount of gross Rental required to give a rateable Value of £12 in those Parishes respectively" (*The Earl of Airlie*) *May* 26, 919 ; Motion agreed to

Representation of the People (Scotland) Bill
(*The Lord Advocate, Mr. Chancellor of the Exchequer, Sir James Fergusson*)
c. Questions, Sir Andrew Agnew, Mr. Moncreiff; Answers, Mr. Disraeli *May* 11, 18 ; Question, Mr. Baxter ; Answer, Mr. Disraeli *May* 15, 346
Order for Committee read *May* 18, 435
Moved, "That it be an Instruction to the Committee that, instead of adding to the numbers of the House, they have power to disfranchise Boroughs in England having, by the Census returns of 1861, less than 5,000 inhabitants" (*Mr. Baxter*)
Amendt. to leave out from "Power," and add "to take one seat from Boroughs in England returning two Members, and having, by the Census returns of 1861, less than 12,000 inhabitants" (*Sir Rainald Knightley*) ; after short debate, Question, "That the words, &c. ;" A. 217, N. 196 ; M. 21 ; Division List, Ayes and Noes, 461
Moved, "That Mr. Speaker do now leave the Chair"
Amendt. to leave out from "That," and add "no arrangement respecting additional Members can be just or satisfactory which does not treat Scotland, as respects the number of its representatives in Parliament, as an integral portion of the United Kingdom, entitled to be placed on a footing of perfect equality with England and Ireland, in proportion to its present population and the Revenue which it yields to the National Exchequer, as compared with the present population and Revenue of England and Ireland ; and that to establish this equality at least fifteen additional Members should now be provided for Scotland" (*Mr. M'Laren*), 466 ; Question, "That the words, &c. ;" after short debate, Motion withdrawn ; main Question agreed to
Bill considered in Committee, 473 ; after long debate—R.P. [Bill 29]
Question, Mr. Dalglish ; Answer, Mr. Disraeli *May* 19, 513
Ministerial Statement (*Mr. Disraeli*) *May* 21, 619
Moved, "That this House do now adjourn" (*Mr. Percy Wyndham*) ; after long debate, Motion withdrawn
After long debate, Committee R.P. *May* 25, 840
Questions, Mr. Yorke, Mr. Gladstone ; Answers, Mr. Disraeli *May* 28, 954
Committee *May* 28, 956 ; after long debate—R.P.
Committee *June* 8, 1231 ; after long debate, Bill reported [Bill 154]
[*cont.*

Representation of the People (Scotland) Bill—cont.
c. Considered *June* 11, 1444
Considered * *June* 18
Read 3°* *June* 18 [Bill 166]
l. Read 1ª * (*The Lord Privy Seal*) *June* 19
Moved, "That the Bill be now read 2ª" (*The Lord Privy Seal*) *June* 23, 1913 ; after short debate, Bill read 2ª (No. 164)

Revenue Officers Disabilities Removal Bill (*Mr. Monk, Sir H. Verney, Mr. Otway*)
c. Moved, "That the Bill be now read 2°" (*Mr. Monk*) *June* 10, 1352 ; after short debate, Bill read 2° [Bill 76]
Order for Committee read ; Moved, "That Mr. Speaker do now leave the Chair" (*Mr. Monk*) *June* 12, 1533
After short debate, Moved, "That the Debate be now adjourned" (*Mr. Sclater-Booth*) ; A. 36, N. 52 ; M. 16
Question again proposed
Moved, "That this House do now adjourn" (*Lord Edwin Hill-Trevor*) ; Question negatived
Question again proposed
Moved, "That the Debate be now adjourned" (*Mr. Powell*) ; A. 33 ; N. 42 : M. 9 ; Main Question negatived
Question, Mr. Monk ; Answer, Mr. Disraeli *June* 15, 1565

RICHMOND, Duke of (President of the Board of Trade)
Alkali Act Continuance, 2R. 509, 510
Capital Punishment within Prisons, 3R. *add. cl.* 14
Cotton Statistics, 2R. 710
Foreshore and Bed of the Sea, 1823, 1824, 1830
Regulation of Railways, Comm. *cl.* 14, 8 ; *cl.* 15, 9 ; *cl.* 16, 10, 11 ; *cl.* 17, 12 ; *cl.* 23, 13 ; Report, *cl.* 14, 412, 414, 416 ; *cl.* 15, Amendt. 418 ; *add. cl.* 420, 422 ; 3R. 709
Salmon Fisheries (Scotland), 2R. 1628 ; Comm. 1916
Sea Fisheries, Comm. *cl.* 5, 237, 238, 239
Sea Fisheries (Ireland), Re-comm. 916, 917
South Coast Railways, 2R. 1452

Riots at Ashton, Staleybridge, Birmingham, &c.
Question, Mr. Maguire ; Answer, Mr. Gathorne Hardy *May* 25, 817 ; Personal Explanation, Mr. Newdegate *May* 26, 927 ; Question, Mr. Whalley ; Answer, Mr. Gathorne Hardy *May* 29, 1042 ; Question, Mr. Whalley ; Answer, Mr. Gathorne Hardy ; debate thereon *May* 29, 1085

ROBERTSON, Mr. P. F., *Hastings*
Representation of the People (Scotland), Comm. 471

ROEBUCK, Mr. J. A., *Sheffield*
Boundaries of Boroughs, Motion for a Committee, 429, 432, 434
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Romilly, Lord
Foreshore and Bed of the Sea, 1829
Regulation of Railways, Comm. *cl.* 5, 8
Religious, &c. Buildings (Sites), 2R. 234; Comm. *cl.* 2, Amendt. 1741

Royston, Right Hon. Viscount (Comptroller of the Household), *Cambridgeshire*
Established Church (Ireland)—Reply to Address, 113

Rule of the Road at Sea
Question, Mr. Holland; Answer, Mr. Stephen Cave *June* 25, 2136

Russell, Earl
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Russell, Colonel Sir C., *Berkshire*
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Russia and Bokhara
Question, Sir Henry Rawlinson; Answer, Lord Stanley *May* 28, 955

Rutland, Duke of
Metropolis—New National Gallery, 95

St. Albans, Duke of
Egyptian Slave Trade, 330

Sale of Liquors on Sunday (Ireland) Bill
(*Mr. O'Reilly, Lord Cremorne, Mr. Pim*)
c. Report of Select Committee *May* 26 (No. 280)

Sale of Poisons and Pharmacy Act Amendment Bill [H.L.]
(*The Earl Granville*)
l. Presented; read 1ª * *May* 19 (No. 103)
Read 2ª * *May* 28
Moved, "That the House do now resolve itself into Committee" (*Earl Granville*) *June* 15, 1554; after short debate, Committee
Report *June* 16, 1629 (No. 148)
Read 3ª *June* 18, 1744
c. Read 1° * *June* 22 [Bill 181]

Salisbury, Marquess of
Cotton Statistics, 2R. 709, 710; Comm. 918
Courts of Justice, New, 1834, 1847
Poor Relief, Comm. *cl.* 22, 948
Regulation of Railways, Comm. *cl.* 5, Amendt. 6, 8; *cl.* 15, 9, 10; Report, *cl.* 14, 412; *add. cl.* 420; 3R. 707
Ritual, Reports of the Commission on, 334
Sale of Poisons and Pharmacy Act Amendment, Report, *add. cl.* 1630; 3R. 1745, 1746

Salmon Fisheries (Scotland) Bill [H.L.]
(*The Duke of Richmond*)
l. Presented; read 1ª * *June* 11 (No. 142)
Moved, "That the Bill be now read 2ª" (*The Duke of Richmond*) *June* 16, 1628; after short debate, Bill read 2ª
Committee *June* 23, 1915 (No. 172)

Samuda, Mr. J. D'A., *Tavistock*
Navy—Iron-clad Fleet, 26

Samuelson, Mr. B., *Banbury*
Elementary Education, 2R. 1992
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Sandford, Mr. G. M. W., *Maldon*
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 5, 2174
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Schreiber, Mr. C., *Cheltenham*
Corrupt Practices at Elections, 1040
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Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 1, 668, 670; *cl.* 5, Motion for Adjournment, 691
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Sclater-Booth, Mr. G. (Secretary to the Treasury), *Hampshire, N.*
Army—Superannuation Allowances, 2133
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  Postal Communication with Penang, 1110
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  Customs Officers, 247
  Post Office, 1562
  Regium Donum, 345
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  American Mails, 342
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- Postal Service, 817, 1476
- Post Office, Sunday Labour in the, 2166
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- Slave Bounties, 1131
- Supply—Civil Service Estimates, 1010
  - Convict Establishments (Colonies), 504
  - County Courts, 502
  - Embassy Houses Abroad, 312
  - Government Prisons, 1107
  - Land Registry Office, 1105
  - Learned Societies, Grants to, 1132, 1133
  - Miscellaneous Expenses, 1174; Report, 1609
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  - Registry House, Edinburgh, Report, 1176
  - Sheriff Court Houses (Scotland), 400
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- Turkey—Embassy House, Constantinople, 1753
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- *Judicial System—Royal Commission*, Question, Mr. Baxter; Answer, The Lord Advocate *June* 25, 2137
- *Legislation for—Progress of Scotch Bills*, Question, Sir Robert Anstruther; Answer, The Lord Advocate *May* 14, 245
- *Militia*, Question, Sir Robert Anstruther; Answer, Sir John Pakington *May* 11, 17
- *Poor Law*, Question, Sir Andrew Agnew; Answer, The Lord Advocate *June* 16, 1631

Scott, Lord H. J. M. D., *Selkirkshire*
- Representation of the People (Scotland), Comm. *cl.* 10, 986; *cl.* 11, 1004

Scourfield, Mr. J. H., *Haverfordwest*
- Local Charges on Real Property, Res. 160
- Ministerial Statement, 650
- Supply—Education, Public, 1147
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- Turnpike Trusts, 2R. 1722

Sea Fisheries Bill [H.L.]
(*The Duke of Richmond*)
- *l.* Committee*; Report *May* 11 (No. 46)
- Committee (*on re-comm.*) *May* 14, 237—R.P. (No. 96)
- Committee (*on re-comm.*) *May* 26, 916
- Report* *May* 29 (No. 125)
- Read 3ª* *June* 11
- *c.* Lords Amendts. *June* 22, 1857 [Bill 170]

Sea Fisheries (Ireland) Bill
(*Mr. Blake, Colonel Annesley, Lord Claud John Hamilton, Mr. Kavanagh*)
- *c.* Question, General Dunne; Answer, The Earl of Mayo *May* 14, 287
- Moved, "That the Bill be now read 2°" (*Mr. Blake*) *June* 24, 2012; after short debate, Bill read 2° [Bill 101]

Seely, Mr. C., *Lincoln*
- Navy—Greenwich Hospital, 1185

Selwin-Ibbetson, Mr. H. J., *Essex, S.*
- Boundary, Comm. *cl.* 4, Amendt. 1441

Servia, National Assembly of
- Question, Mr. Darby Griffith; Answer, Lord Stanley *June* 25, 2135

Seymour, Mr. A., *Totnes*
- Supply—Science and Art, 1167

Shaftesbury, Earl of
- Artizans' and Labourers' Dwellings, 2R. 907
- Poor Relief, Comm. *cl.* 22, 948; *cl.* 9, 1625, 1626
- Ritual, Reports of the Commission on, 332, 333

Sheridan, Mr. H. B., *Dudley*
- Boundaries of Boroughs, Motion for a Committee, 428
- Compound Householder, The, 245
- Customs' Extra Clerks, 713
- Sierra Leone—Assistant Judge of, 656, 657

Sierra Leone, Assistant Judge of
- Question, Mr. H. B. Sheridan; Answer, Mr. Adderley *May* 21, 656

Simeon, Sir J., *Isle of Wight*
- Boundaries of Boroughs, Motion for a Committee, 428
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- Turnpike Trusts, 2R. 1727

Slave Bounties
- Observations, Question, Colonel Sykes; Answer, Mr. Sclater-Booth *June* 4, 1130

Small-pox Hospital Report
- Question, Sir J. Clarke Jervoise; Answer, Lord Robert Montagu *June* 15, 1561

Smith, Mr. J. A., *Chichester*
- Mauritius—Condition of, 713
  - Fever in, 1856

Smith, Mr. J. B., *Stockport*
- Government of India Act Amendment, Comm. *cl.* 1, 1891
- Representation of the People (Scotland), Comm. *cl.* 3, 843
- Weights and Measures (Metric System), 2R. 199

Smollett, Mr. P. B., *Dumbartonshire*
- India—Bank of Bombay—Bengal Agency, 1471
  - East India Irrigation and Canal Company, 425
- Representation of the People (Scotland), Comm. *cl.* 8, 862; *cl.* 9, 960
- Spain—Case of the "Tornado," 1563

SOLICITOR GENERAL, The (Sir W. B. BRETT) *Helston*
Boundary, Comm. *add. cl.* 1442
County Courts (Admiralty Jurisdiction), Comm. 167, 168
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 5, 690, 2175
Libel, Comm. 603; *cl.* 3, 613
Registration, 2R. 1612
Registration of Voters Act, 377, 379
Representation of the People (Ireland), Comm. *cl.* 20, 1596; *add. cl.* 1769
Sea Fisheries, Lords' Amendts. 1862

SOMERSET, Duke of
Artizans' and Labourers' Dwellings, 2R. 909
Contagious Diseases Act, 328
Foreshore and Bed of the Sea, 1834
New Forest—Deer Removal, &c. Act, Motion for a Committee, 694

South Eastern and London, Brighton, and South Coast Railway Companies Bill
l. Moved, "That the Bill be now read 2ª" *June* 12, 1448
Amendt. to leave out ("now,") and insert ("this Day Three Months") (*The Marquess of Clanricarde*); after short debate, Amendt. withdrawn; original Motion agreed to; Bill read 2ª, and committed; the Committee to be proposed by the Committee of Selection

Spain—Case of the "Tornado"
Question, Mr. Smollett; Answer, Lord Stanley *June* 15, 1563

SPEAKER, The (Right Hon. J. E. Denison) *Nottinghamshire, N.*
Boundaries of Boroughs, Motion for a Committee, 427
Boundary, Comm. 279
Established Church (Ireland), Leave, 233, 317, 320, 321, 322; 1R. 322, 323; 2R. 749; Comm. 1193, 1204, 1208
Eyre, Ex-Governor, Prosecution of, 717, 838, 839, 1850, 1851
Her Majesty the Queen, Notice, 711
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Parliament—Dissolution of, 1074
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Transubstantiation, Declaration against, Motion for a Paper, 1099, 1103

STACPOOLE, Mr. W., *Ennis*
Army—Brooke, Captain, Case of, 1855
Supply—Houses of Parliament, 309

Stamp Duty on the Transfer of Debenture Stock
Question, Mr. Childers; Answer, The Chancellor of the Exchequer *June* 8, 1227

STANHOPE, Earl
Army Chaplains, Comm. 1392
Ritual, Reports of the Commission on, 336
Schools, Public, Address for Papers, 1538, 1553

STANLEY, Right Hon. Lord (Secretary of State for Foreign Affairs), *Lynn Regis*
African Slave Trade—"The Aberdeen Act," 718
Austria—Commercial Treaty with, 653
Cattle Plague, 1852
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Disraeli's, Mr., Speech at Merchant Taylors' Hall, 2162
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  Law Courts, 1560
  Quarantine at Suez, 1334, 1396
  Societè d'Agricole and the Viceroy, 1394
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Japan—Outrages in, 922
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Russia and Bokhara, 955
Scientific Instruction in Foreign Countries, 1560
Servia—National Assembly of, 2136
Spain—Case of the "Tornado," 1563
Supply — Consular Establishments Abroad, 2171, 2172
  Embassy Houses Abroad, 312
Turkey—Brigandage near Smyrna, 1014
United States—Iron-clads, 655

STANLEY OF ALDERLEY, Lord
Alkali Act Continuance, 2R. 510
Consecration of Churchyards Act Amendment, Comm. *cl.* 1, Amendt. 897, 898
Cotton Statistics, Comm. 918
Foreshore and Bed of the Sea, 1831
Poor Relief, Comm. *cl.* 22, 948
Regulation of Railways, Report, *cl.* 14, Amendt. 412, 413, 416
Sea Fisheries, Comm. *cl.* 5, 238, 239

STANSFELD, Mr. J., *Halifax*
Abyssinian Expedition—The Despatches, 716

STIRLING-MAXWELL, Sir W., *Perthshire*
Boundaries of Boroughs, Comm. 1011
Representation of the People (Scotland), Comm. 445; *cl.* 11, 1001; *cl.* 12, 1008
Supply—Register House (Edinburgh), Report, 1176
  Science and Art, 1167

STOCK, Mr. O., *Carlow Bo.*
Ireland—Customs Officers, 247

Stockbrokers (Ireland) Bill
(*Mr. Pim, Sir Benjamin Guinness*)
c. Read 2º * *May* 12 [Bill 104]
Committee *; Report *May* 15
Read 3º * *May* 18
l. Read 1ª * (*The Marquess of Clanricarde*) *May* 19
Read 2ª * *May* 26 (No. 105)
Committee *; Report *May* 28
Read 3ª * *May* 29
Royal Assent *June* 25 [31 & 32 *Vict.* c. 31]

Stone, Mr. W. H., *Portsmouth*
Boundary, Comm. 275

Stopford, Mr. S. G., *Northamptonshire, N.*
Boundary, Comm. Preamble, 1271
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Stradbroke, Earl of
Courts of Justice, New, 1842
Poor Relief, Comm. *cl.* 9, 1624
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Stronge, Sir J. M., *Armagh Co.*
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Stuart, Colonel W., *Bedford*
Dunstable Road, 1396
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Supply—Houses of Parliament, 311

Stucley, Sir G. S., *Barnstaple*
Army—Cavalry Uniforms, 1111
  Transport of Troops to India, 1111

Sullivan, Mr. E., *Mallow*
Representation of the People (Ireland), Comm. *cl.* 3, 1585; *add. cl.* 1769, 1785

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Considered in Committee *May* 15—Civil Service Estimates—Class I.—Public Works and Buildings, 391—Resolutions reported *May* 18
Considered in Committee *May* 18—Civil Service Estimates—Class III.—Law and Justice, 494—Resolutions reported *May*, 19
Vote on Account of Civil Service Estimates, Observations, Mr. Sclater-Booth *May* 28, 1010
Considered in Committee *May* 28—Civil Service Estimates—Resolutions reported *May* 29
Considered in Committee *May* 29 — Civil Service Estimates—Class III.—Law and Justice, 1103
Resolutions [May 29] reported *June* 4
  Resolution 7 (Register House, Edinburgh); short debate thereon *June* 4, 1175
  Resolution 11 (Government Prisons and Expenses of Transportation); short debate thereon *June* 4, 1176
Resolutions agreed to
The Approaching Dissolution, Questions, Mr. Childers, Mr. Lowe; Answers, The Chancellor of the Exchequer *June* 4, 1126
Considered in Committee *June* 4—Civil Service Estimates — Class IV.— Education, Science, and Art—Class VII. Miscellaneous Estimates, 1132

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Supply—cont.
Resolutions [June 4] reported; short debate thereon *June* 15, 1602
  Vote 8 (£511,324, Public Education in Great Britain); after short debate, Resolution agreed to *June* 15, 1607
  Vote 25 (£19,377, Miscellaneous Expenses); Resolution read a second time *June* 15, 1608
  Amendt. to leave out "£19,337," and insert "£14,877" (*Mr. Lusk*); after short debate, Question, "That '£19,377,' stand part of the Resolution," put, and agreed to
Resolution agreed to
The Dissolution, Question, Mr. Childers; Answer, The Chancellor of the Exchequer *June* 8, 1223
Considered in Committee *June* 25 — Civil Service Estimates — Class VI. — Superannuation and Retired Allowances—Class V.—Colonial, Consular, and Foreign Services—Post Office Packet Service—Resolutions reported *June* 26

Surtees, Mr. C. Freville-, *Durham, S.*
Boundary, Comm. Schedule, 1443
Egypt—Claims on the Viceroy, 924

Surtees, Mr. H. E., *Hertfordshire*
East Worcestershire Election, 1123

Sykes, Colonel W. H., *Aberdeen City*
Army — Sale and Purchase of Commissions, Res. 546, 547
Elementary Education, 2R. 2011
Government of India Act Amendment, 2R. 1599; Comm. 1877; *cl.* 1, 1887, 1891
Governor General of India, 2R. 1602
India—Municipal Commissioners of Bombay, 1754
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Land Writs Registration (Scotland), Comm. *cl.* 1, 1528
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Public Schools, Re-comm. *cl.* 13, 1933
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  Consular Establishments Abroad, 2171, 2172
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Synan, Mr. E. J., *Limerick Co.*
Burials (Ireland), Comm. 1380
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Military at Elections (Ireland), 2R. 1981
Representation of the People (Ireland), Comm. 1579; *cl.* 18, 1589, 1594; *add. cl.* 1769, 1779, 1794

TAUNTON, Lord
Ritual, Reports of the Commission on, 335
Sea Fisheries, Comm. *cl.* 5, 240
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TAYLOR, Mr. P. A., *Leicester*
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Eyre, Ex-Governor, and his Expenses, 1477
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Queensland—Polynesian Labourers, 816

TEMPLETOWN, Viscount
Contagious Diseases Act, 326

Tenure (Ireland) Bill [H.L.]
(*The Marquess of Clanricarde*)
l. Report * *May* 28 (Nos. 23-150)

Thames Embankment and Metropolis Improvement (Loans) Act Amendment Bill (*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer*)
c. Ordered ; read 1° * *May* 21 [Bill 133]
Moved, "That the Bill be now read 2°" (*Mr. Chancellor of the Exchequer*) *June* 5, 1212 ; after short debate, [House counted out]
Read 2° * *June* 9
Committee * ; Report *June* 11
Considered * *June* 12
Read 3° * *June* 15
l. Read 1ª * (*The Lord Clinton*) *June* 16
Moved, "That the Bill be now read 2ª" (*The Lord Clinton*) *June* 23, 1917 ; Bill read 2ª (No. 152)

The Queen, Her Majesty
Notice, Mr. Rearden ; Reply, Mr. Speaker *May* 22, 711

THYNNE, Lord H. F., *Wiltshire, S.*
Established Church (Ireland), 1R. 322

TITE, Mr. W., *Bath*
Metropolis—Iron Gates in Devonshire Place, &c. 243
Thames Embankment, 341
Thames Embankment, &c. Amendment, 2R. 1217

Titles to Land Consolidation (Scotland) Bill (*The Lord Advocate, Mr. Secretary Gathorne Hardy, Sir Graham Montgomery*)
c. Committee * ; Report *June* 4 [Bill 151]

TORRENS, Mr. W. T. McCullagh, *Finsbury*
Parliament—Public Business, 1130

TOTTENHAM, Colonel C. G., *New Ross*
Representation of the People (Ireland), Comm. *cl.* 18, 1590

TOWNSHEND, Marquess of
Poor, Relief of the, Address for a Commission, 1462

Transubstantiation—Declaration against
Amendt. on Committee of Supply *May* 29, To leave out from "That" and add "there be laid before this House, a Copy of the Declaration against Transubstantiation, &c. taken by the Sovereign of this Realm at his first Parliament or at his Coronation, whichever shall first happen after his Accession" (*Sir Colman O'Loghlen*), 1098 ; Question, "That the words, &c. ;" after short debate, Amendt. withdrawn

TREVELYAN, Mr. G. O., *Tynemouth*
Army — Sale and Purchase of Commissions, Res. 514, 545, 578
Cattle, Importation of Foreign, 424

TREVOR, Lord A. E. HILL-, *Downshire*
Party Processions Act (Ireland), 1228
Revenue Officers Disabilities Removal, Comm. Motion for Adjournment, 1538

TRURO, Lord
Windsor, Volunteer Review at, 1557

Turkey
Brigandage near Smyrna, Question, Mr. Wyld ; Answer, Lord Stanley *May* 29, 1040
Embassy House at Constantinople, Question, Mr. Otway ; Answer, Mr. Sclater-Booth *June* 18, 1753 ; Question, Mr. Monk ; Answer, Mr. Sclater-Booth, *ib.*

Turnpike Acts Continuance, &c. Bill
(*Sir James Fergusson, Mr. Secretary G. Hardy*)
c. Question, Mr. Knatchbull-Hugessen ; Answer, Mr. Gathorne Hardy *May* 28, 956
Ordered ; read 1° * *May* 29 [Bill 149]
Read 2° * *June* 8

Turnpike Trusts Act—Dunstable Road
Question, Colonel W. Stuart ; Answer, Mr. Gathorne Hardy *June* 11, 1396

Turnpike Trusts Bill
(*Mr. Knatchbull-Hugessen, Mr. George Clive, Mr. Goldney, Mr. Ayrton*)
c. Moved, "That the Bill be now read 2°" (*Mr. Knatchbull-Hugessen*) *June* 17, 1699
Amendt. to leave out "now," and add "upon this day three months" (*Mr. Knight*) ; Question, "That now, &c. ;" after long debate, Amendt. and Motion withdrawn ; Bill withdrawn

Unclaimed Prize Money (India) Bill
(*Sir Stafford Northcote, Sir James Fergusson*)
c. Ordered * *May* 14
Read 1° * *May* 18 [Bill 122]
Read 2° * *May* 21
Committee * ; Report *May* 22
Read 3° * *May* 25
l. Read 1ª * (*The Lord Clinton*) *May* 26
Read 2ª * *June* 15 (No. 121)
Committee * ; Report *June* 18
Read 3ª * *June* 19
Royal Assent *June* 25 [31 & 32 *Vict.* c. 38]

Uniformity of Public Worship Bill [H.L.]
(*The Earl of Shaftesbury*)
l. Presented; read 1ª* *June* 23 (No. 173)

United Parishes (Scotland) Bill
(*The Lord Colonsay*)
l. Read 2ª* *May* 12 (No. 84)
Committee*; Report *May* 19
Read 3ª* *May* 22
Royal Assent *May* 29 [31 *Vict.* c. 30]

United States
Iron Clads, Question, Lord John Hay; Answer, Lord Stanley *May* 21, 655
Postal Convention, Question, Mr. Baxter; Answer, Mr. Sclater-Booth *June* 25, 2132

University Elections (Voting Papers) Bill
(*Sir James Fergusson, Mr. Attorney General for Ireland*)
c. Ordered; read 1°* *June* 24 [Bill 187]
Read 2°* *June* 25

University Tests
Petitions presented (*The Earl of Kimberley*); debate thereon *May* 29, 1012

Vagrant Act Amendment Bill
(*Mr. Pease, Mr. Akroyd, Mr. Liddell*)
c. Committee*—R.P. *May* 19 [Bill 102]
Committee*; Report *May* 21
Considered* *May* 28
Read 3°* *May* 29
l. Read 1ª* (*The Duke of Cleveland*) *June* 9 (No. 138)

VANCE, Mr. J., *Armagh City*
Burials (Ireland), Comm. *cl.* 1, Amendt. 1381, 1382, 1383
Ecclesiastical Titles, 2R. 1696
Election Petitions and Corrupt Practices at Elections, Comm. *cl.* 5, 2180
Established Church (Ireland), Leave, 319; Consid. Amendt. 1529
Military at Elections (Ireland), 2R. 172, 175
Representation of the People (Ireland), Comm. *cl.* 3, 1584; *cl.* 18, 1591, 1594; *add. cl.* 1779, 1781, 1789; Consid. *add. cl.* 1899, 1901, 1902, 1904
Representation of the People (Scotland), Comm. *cl.* 8, 882
Supply—Nonconforming, &c. Ministers, 2169

VAUX OF HARROWDEN, Lord
Sale of Poisons and Pharmacy, Comm. 1555

VERNER, Mr. E. W., *Lisburn*
Edinburgh, Duke of, Attempted Assassination of, 1230
Established Church (Ireland), 2R. 764
Representation of the People (Ireland), Consid. *add. cl.* 1901

VERNEY, Sir H., *Buckingham*
Army—Sale and Purchase of Commissions, Res. 557
Army Reserve, Motion for a Commission, 1959

VERNEY, Sir H.—*cont.*
Lake Superior and the Pacific, &c. Motion for a Commission, 1336, 1350
Ministerial Statement, 645
Public Schools, Re-comm. *cl.* 12, Amendt. 1933
Supply—Prosecutions, 499

Victoria, Despatches from Governor
Question, Sir Roundell Palmer; Answer, Mr. Adderley *May* 26, 925
Vote to Sir Charles Darling, Question, Sir Robert Collier; Answer, Mr. Adderley *June* 11, 1397

VIVIAN, Hon. Captain J. C. W., *Truro*
Abyssinian Expedition, 716
Army—Brooke, Captain, Case of, 1855
Army—Sale and Purchase of Commissions, Res. Amendt. 533
Public Schools, Re-comm. *cl.* 16, 1940

VIVIAN, Mr. H. H., *Glamorganshire*
Mines, Accidents in, 1506

Volunteer Review at Windsor
Question, Lord Truro; Answer, The Earl of Malmesbury *June* 15, 1557; Question, Lord Elcho; Answer, Mr. Disraeli *June* 15, 1566

Voters in Disfranchised Boroughs Bill
(*Mr. Kekewich, Mr. Jardine, Mr. Alfred Seymour*)
c. Ordered; read 1°* *May* 20 [Bill 128]
Read 2°* *May* 25
Committee*; Report *June* 10
Considered* *June* 11
Read 3°* *June* 15
l. Read 1ª* (*The Lord Chancellor*) *June* 16
Read 2ª* *June* 23 (No. 153)
Committee*; Report *June* 25

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ERRATUM:

Page 503, line 20 from bottom, *for* unopposed Vote, *read* opposed Vote.

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